

Information for Employers about Support Deduction Notices

Employers are required by law to cooperate with the Maintenance Enforcement Program (MEP) to collect maintenance payments through a *Support Deduction Notice* (SDN). SDNs are legal documents MEP issues that require employers to pay MEP a portion of their employee's salary or wages to cover court-ordered support payments. SDNs used to be known as wage garnishees or notices of continuing attachment.

Why MEP Issues Support Deduction Notices

To ensure that court-ordered support is received in full and on time, MEP encourages debtors to make their payments through SDNs. MEP may have issued the SDN to an employer because its employee volunteered to make maintenance payments by payroll deduction. Or, SDNs may be issued because debtors have not paid support as ordered by the court. To protect debtor privacy, neither MEP staff nor SDN documents say why SDNs are issued. MEP often calls employers to confirm debtor place of employment. However, MEP may also issue SDNs without preliminary phone inquiries.

Notifying Employers of Support Deduction Notices

MEP formally notifies debtor employers when issuing SDNs. Official notification from MEP consists of a package of documents stating MEP's legal authority to send SDNs and explaining employer obligations. The package includes:

- a letter stating the SDN has been issued
- documents that make up the SDN
- a Calculation of Payment Worksheet

Regulations permit these documents to be faxed to employers. As SDNs do not need to be filed in court or served on debtors, employers may wish to provide employees with a copy of the SDN for their records.

Timelines for Response and Penalties for Non-compliance

Employers have 15 days to answer SDNs by sending funds and confirming pay arrangements for employees. Employers are required to advise MEP if debtors are no longer in their employ. When employers receive SDNs, they are legally obligated to make appropriate payments to MEP from the next employee paycheque and all subsequent paycheques until the SDN is removed.

If employers do not respond to SDNs within 15 days, MEP may issue a notice of non-compliance. Employers have 10 days to respond to this notice or MEP can proceed with an application to the courts for an order for payment, making the employer liable for **all** support payments their employees owe.

Calculating the Amount to Pay to MEP

SDNs often tell employers the exact amount to send MEP each month or pay cycle. Examples of this set dollar amount SDN are requests for \$325 per month or \$250 every two weeks. In other cases, employers may be asked to send MEP a percentage of debtor gross wages. Unless debtors agree to pay a higher amount, the maximum amount MEP can capture from debtor wages is **40 per cent of gross wages**. Payments can be sent to MEP according to employee payroll cycle.

Gross wages are **all** wages or salary before any mandatory or voluntary deductions. Gross wages include holiday pay, bonuses, incentive-based pay and overtime. Employers must also send MEP 40 per cent of all severance or termination packages unless MEP serves a further SDN asking for 100 per cent of these funds.

If SDNs ask for a percentage of gross wages, MEP provides a [Calculation of Payment Worksheet](#) for payroll purposes. This worksheet must be completed and returned to MEP along with each payment. If a set dollar amount is asked for, the Calculation of Payment Worksheet only needs to be completed and returned to MEP with the first payment.

MEP's Calculation of Payment Worksheet is available in both print and fill-in-and-print form on MEP's website. Copies can also be obtained by fax through the *MEP Info Line* (see box at end of this sheet for contact information).

Forwarding funds to MEP

Employers can help their employees avoid late penalties and collection actions by ensuring payments are made to MEP promptly after being deducted from their employee's pay. The best ways for employers to send payments to MEP are through:

- telephone or Internet banking
- direct deposit or electronic funds transfer
- electronic data interchange (service offered by most banks and payroll services)

More details about these preferred payment options are available in MEP's information sheet [Preferred Payment Options for Employers](#).

Cheque payments can also be mailed to MEP, although this option is slower to process, and can cause delays. Payments made by employers **must** identify debtor names and MEP file numbers.

Changes in Employment Status

Employers must notify MEP if employees with SDNs leave their employ for any reason. Employers should be aware that section 40(1) of the *Maintenance Enforcement Act* prohibits employers from dismissing, suspending, laying off or discriminating against employees, because they have been served with SDNs. Employers must also notify MEP if employees with SDNs who have left their employ later return to work for them during the 12-year period SDNs are in force.

Changes to Support Deduction Notices

Debtors are encouraged to contact MEP to make payment arrangements if SDNs cause them financial difficulty. Staff can often work with debtors to negotiate a lower SDN amount. MEP provides written notification to employers if there are changes to the terms of SDNs.

Contacting MEP

MEP welcomes inquiries from employers. To enable our employer partners to easily contact us, a separate employer line is available on MEP's phone system. Contact the *MEP Info Line* (see box below) and follow the voice prompts to access the employer line. MEP can also be contacted at:

Maintenance Enforcement Program
7th Floor, J.E. Brownlee Building
10365 - 97 Street
Edmonton, Alberta T5J 3W7
Fax: (780) 401-7575*
E-mail: albertamep@gov.ab.ca

- MEP has other Information Sheets, on a variety of helpful topics. To see them, visit MEP's website at www.albertamep.gov.ab.ca.
- To contact MEP, phone 780-422-5555 or toll-free in Alberta at 310-0000.
- To view information about your MEP file, log in to *MEP Accounts Online* on MEP's website and select "Account login".