



## TEXAS TECH UNIVERSITY™

### Operating Policy and Procedure

#### **OP 62.21: University Employees Indebted to the State of Texas**

**DATE:** May 1, 2020

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish a university policy for employees who are indebted to the state of Texas insofar as the constitution and laws of Texas allow.

**REVIEW:** This OP will be reviewed in January of even-numbered years by Chief Payroll Officer of Payroll and Tax Services with substantive revisions forwarded through administrative channels to the Vice President for Administration & Finance and Chief Financial Officer.

#### **POLICY/PROCEDURE**

##### **1. Authority to Withhold Payroll Check(s) or Warrant(s)**

- a. In accordance with [Section 403.055 of the Government Code](#), a warrant or electronic funds transfer may not be issued to a person who has been reported as indebted to the state or has a tax delinquency.
- b. However, under the constitution and laws of Texas, no warrant may be withheld unless the employee who is indebted voluntarily signs a valid waiver agreement (see attachment), which states that the employee understands the protection afforded by the Texas Constitution and waives that protection.

##### **2. Employee Briefing**

Newly hired employees will be briefed on their responsibilities and obligations to Texas Tech University and the state of Texas concerning indebtedness that might occur from such things as the writing of insufficient fund checks, non-payment of student loans, failure to pay taxes, etc.

##### **3. Placing a Hold on a Paycheck or Warrant**

Collection of the indebtedness will be attempted by contacting the employee directly. Employees will be advised of the option of authorizing a salary hold on their paycheck by completing the *Waiver Agreement for Salary Warrant (or Check) Assignment* form (see attachment).

The Chief Payroll Officer of Payroll and Tax Services, upon receipt of the waiver agreement, will ensure the payroll warrant (check) for the period indicated is placed on hold and not distributed to the employee.

The comptroller of the state of Texas will be advised of any employee who leaves the university without clearing any financial obligations to the university.

[Attachment: Waiver Agreement for Salary Warrant \(or Check\) Assignment](#)