

## Information on Addressing Barriers to Employment for Low-Skilled Workers: Issues with Garnishing Wages for Child Support Payments

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The Child Support Enforcement Program is a federal/state/local effort to locate parents and/or their assets (including employment information), establish paternity if necessary, and enforce child support orders. One common method of collecting child support is by directly withholding from the obligated parent's paycheck. In most states, employers may be required to garnish the wages of non-custodial parents in the amount that is ordered for child support and send it to the CSE office without the parents' consent.

For some non-custodial parents, child support is a barrier to employment. This is especially true for low-income parents for whom child support may be a heavy financial burden that leaves little money for rent, transportation, and other necessities.

Wage garnishment may create a disincentive for non-custodial parents seeking and maintaining regular employment. Anecdotal evidence suggests that low-income, non-custodial parents leave employment when wage garnishment kicks in or choose to work in "under the table" jobs to avoid paying child support.

It is against the law for an employer to disregard a wage assignment for current or past-due child support. A contempt action may be filed against an employer who fails to comply.

### **Strategies for Addressing Child Support as a Barrier to Employment**

Employers or community organizations can help in several ways:

- Counseling employees about child support and financial planning:
  - » Provide employees with information and training in household budgeting.
  - » Provide referrals for employees to manage household finances (e.g., rent, transportation) to minimize burdens other than child support.
- Working with local governments or outside agencies to provide employee training and opportunities for advancement in order to minimize the burden of child support payments.
- Providing resources for non-custodial parents to request a modification of the Child Support Order, if appropriate.

- » Be familiar with the state's guidelines for calculating child support (available through local CSE offices).
- Providing referrals to outside agencies that offer affordable legal services to employees who face accumulated debt from unpaid child support.

### **Resources**

**Legal Services Corporation:** [www.lsc.gov](http://www.lsc.gov)

Employees with child support issues may need a referral for legal services. LSC was created by Congress in 1974 to promote equal access to justice, and to provide high-quality civil legal assistance to low-income Americans. It gives grants to independent, local programs. A list of local providers is available on the LSC Web site.

**Welfare to Work Funding:** [www.doleta.gov/regions](http://www.doleta.gov/regions)

Welfare to Work funding is available to states to help non-custodial parents with employment problems increase their earnings and better support their children. States may offer subgrants to local Workforce Investment Area agencies. To learn more about Welfare to Work grant availability, contact your regional office of the Employment and Training Administration.

**Alliance for Non-Custodial Parents Rights:** [www.ancpr.org](http://www.ancpr.org)

This Web site is designed to empower non-custodial parents by supplying them with the information and tools to achieve justice in their own situation, and to do their part to reform family courts across America.

### **Bibliography**

Center on Budget and Policy Priorities. 1998. "Developing Innovative Child Support Demonstrations for Non-Custodial Parents." Available at: [www.cbpp.org/noncust.htm](http://www.cbpp.org/noncust.htm). Accessed June 10, 2010.

- » Summarizes problems with CSE and opportunities for state and local governments to boost the employment and earnings of non-custodial parents, and to pass some of those earnings onto children in the form of child support.

Center for Public Representation. 2007. "What Every Non-Custodial Parent Should Know About Child Support." Northampton, MA: Author.

- » Basic facts regarding child support and wage garnishment

Martinson, Karin. 1998. *Serving Non-custodial Parents Through Welfare-to-Work Grants: Labor Market Characteristics, Employment Barriers, and Service Strategies*. Washington, DC: The Urban Institute. Available at: [www.urban.org/publications/408092.html](http://www.urban.org/publications/408092.html).

- » Provides information on employment barriers facing non-custodial parents and strategies for providing effective services. Also provides guidance for assisting these parents in preparing for and locating stable employment, and for facilitating their efforts to pay child support and become involved with their families.

U.S. Department of Health and Human Services. n.d. "Child Support Enforcement Steps." Office of Child and Support Services. Available at: [www.acf.hhs.gov/programs/cse/fct/fct2.htm](http://www.acf.hhs.gov/programs/cse/fct/fct2.htm). Accessed June 10, 2010.

- » Basic federal laws regarding child support and wage garnishment

—Compiled by Jessie Peed

## **The National Fund for Workforce Solutions**

[www.nfwsolutions.org](http://www.nfwsolutions.org)

The National Fund for Workforce Solutions is an unprecedented national partnership testing new ways to address a critical problem: the large gap between the skills many workers have and the skills many employers need to compete. In 23 sites across the country, the National Fund works closely with employers and leaders from the public and nonprofit sectors to find solutions, testing how the lessons learned from groundbreaking pilot projects in workforce development can be applied on a national scale. More than 200 foundations and 900 employers are part of the effort.