TUSD Tucson, Arizona	POLICY TITLE: Salary Deductions
GOVERNING BOARD POLICY	POLICY CODE: DKB

The Superintendent shall establish procedures that conform to all requirements of the law and all policies of the District and ensure employees receive paychecks not later than the stated payroll dates.

For deductions after October 1, 2011, the District shall make no deduction for payment from an employee's paycheck for political purposes unless the employee has provided annually a written or electronic authorization to the District for the deduction.

After October 1, 2011, if the District makes a deduction from an employee's paycheck for multiple purposes, the District shall obtain a statement from each entity that indicates the payment is not used for political purposes or a statement that indicates the maximum percentage of the payment that is used for political purposes, consistent with rules for the entity statements adopted by the Attorney General. The District shall not deduct any payment in excess of the amount specified for nonpolitical purposes without the annual written or electronic permission of the employee.

For the purposes of this policy and the law, *political purposes* means supporting or opposing any candidate for public office, political party, referendum, initiative, political issue advocacy, political action committee or other similar group.

If the District knowingly deducts payments without the written or electronic employee permission as set out above, or an entity provides an inaccurate statement of the political purposes or the percentage used for political purposes as set out above, the District or the respective entity is subject to a civil penalty of at least ten thousand dollars ($10,000) for each violation.

The requirements for payroll deductions set out above do not apply to any of the following:

- A single deduction for nonpolitical purposes
- Deductions for savings or charitable contributions
- Deductions for employee health care, retiree or welfare benefits
- Deductions for state, local or federal taxes
- Deductions for contributions to a separate segregated fund pursuant to 2 United States Code 441b(b) or 16-920(A)(3)
- Any deduction otherwise required by law

If an employee has authorized a deduction from the employee's paycheck under this policy and the law, and the employee resigns membership in the association or organization for which the deduction was authorized, the employee's authorization for the deduction is *rescinded* upon the District's receipt from the employee of written notice of the resignation. The District shall have one (1) pay period to process the *rescission*.

Involuntary Deductions (Public Record)

Federal and Arizona income taxes, Social Security (OASI/FICA), and employee contributions to the Arizona State Retirement System (ASRS) will be deducted as mandated by state and federal statutes. All other deductions must be authorized by the Board and the employee unless ordered by a court of competent jurisdiction.

Qualified Medical Support Court Order (QMSCO) and National Medical Support Notice (NMSM) rules are governed by the Department of Labor's Employee Benefits Security Administration (EBSA).

- The District shall comply with rules set forth by the ESBA regarding receipt and processing of a QMSCO or NMSN.

  ➢ The Department of Labor's ESBA FAQ is located at: www.dol.gov/ebsa/publications/qmcso.html

- The District has internal guidelines for processing a QMSCO or NMSN.

Voluntary Deduction and Redirections (Not Public Record)

The following deductions and redirections have been authorized by the Board:

- Insurance premiums for staff members or dependents who are being covered and have been approved by the Board
- Direct deposits of net payroll with financial institutions
- Tax-sheltered annuities for companies approved by the District
- Credit union deposits
- Professional dues

Adopted: September 17, 1985
Revised: September 9, 2008 (numeric to letter format only)
Revised: May 22, 2012

LEGAL REF.:   A.R.S. 15-121   35-146
          15-135   35-147
          23-352   42-2001
          23-361.02   43-401
CROSS REF