

Florida Atlantic University

Regulation 6.012 Employee Debt Collection.

(1) Purpose – Pursuant to Section 240.291, F.S., the University is directed to exert every effort to collect all delinquent accounts. The purpose of this rule is to provide procedures for collection of funds owed to the University by its employees.

(2) Accounts Receivable. Employees will be placed on the Accounts Receivable system after conventional attempts by the University to obtain payment are unsuccessful. Once the charges are put on the Accounts Receivable system, the employee will be billed monthly. If Accounts Receivable does not receive payment within three months of the date of the first billing, the employee will be notified that if arrangements are not made within ten days, set-off procedures will be implemented on his/her debt.

(3) Set-Off Procedures.

(a) The employee is advised by certified letter (return receipt) that he/she has ten calendar days to either clear the account, make satisfactory payment arrangements, or submit documentary evidence disputing his/her debt.

(b) If no arrangements have been made at the end of ten (10) days, all evidence of the employee's debt is reviewed.

(c) If, upon review, a determination is made that the debt is in fact due and owing, set-off procedures are implemented and the employee is advised in writing of the amount and duration of the deductions from his/her salary warrant. The employee is also advised of his/her right to administrative review of the decision to set-off his/her debt and deduct funds from the employee's paycheck.

(d) Within ten days of receipt of notice the employee may petition the appropriate Vice President or University Provost, who shall serve as the designee of the President, to review the decision to set-off the debt and deduct funds from the employee's paycheck. The appropriate Vice President or University Provost will review the facts of the case as are known to the University and will hear any explanations and mitigating factors as may be presented by the employee. The appropriate Vice President or University Provost will decide if a fair process has taken place as to debt claimed and whether the amount to be set-off is appropriate. The findings of the appropriate Vice President or University Provost will be reviewed by a member of the Florida Atlantic University Legal Staff for legal sufficiency. The employee will receive written notification of the decision of the appropriate Vice President or University Provost which shall stand as final agency action, for purposes of any further actions which may be taken by the employee under the Florida Administrative Code, Section 120.57, F.S., unless a hearing has been requested under that section.

(4) Amount of Payroll Deduction.

(a) In the event that the total amount of the debt is less than 10% of the employee's biweekly gross salary, the full amount of the employee's debt will be deducted in the first or second pay period after the decision to set-off the debt is made.

(b) If the amount of the debt is greater than 10% of the employee's biweekly gross salary, the amount deducted each pay period will be at least 10% of the employee's gross salary and will not exceed 20% of the employee's net salary after mandatory deductions.

(c) In the event that an employee-debtor is terminated or voluntarily leaves the

University's employ, the entire amount of the debt will be deducted from the employee's final paycheck.

Specific Authority 120.53, 240.227(1) FS. Law Implemented 240.291 FS. History–New 11-11-87. Formerly 6C5-6.013.