

CLIENT VOCATIONAL COMPENSATION

Minnesota Sex Offender Program

Issue Date: 11/3/20 Effective Date: 12/1/20 Policy Number: 125-5700

POLICY: Minnesota Sex Offender Program (MSOP) administers client vocational compensation according to procedures in this policy.

AUTHORITY: Minn. Stat. §§ 246B.05; 246.B06; 246.50, subd. 5; 256.88; 256.90; 256.91; 256.92.
Minn. Stat. § 246.014, subd. (d)

APPLICABILITY: MSOP, program-wide

PURPOSE: To provide direction for client vocational compensation and any withholdings or deductions from that compensation.

DEFINITIONS:

Court-ordered obligations – fines, surcharges, law library fees, assessments, or other fees assessed or ordered by a court.

Court-ordered restitution – a dollar amount, ordered by the court in a criminal proceeding, to be paid by the client to compensate for the victim's losses.

Dependent support – the support of families and dependent relatives, including court-ordered child support and spousal maintenance, and the reimbursement of public assistance rendered to the dependent family and relatives.

Gross compensation – total earnings from vocational compensation for a period.

Net compensation – the amount of vocational compensation to a client after all legal deductions have been taken.

Program obligation – refer to MSOP Division Policy 125-5300, “Client Social Welfare.”

Social welfare fund – refer to MSOP Division Policy 125-5300, “Client Social Welfare.”

Vocational compensation – any monetary compensation to clients for their participation in the MSOP Vocational Work Program.

PROCEDURES:

- A. Vocational compensation processing: MSOP pays clients a rate of vocational compensation consistent with the appropriate client vocational compensation plan.
 - 1. Financial Services staff process client vocational compensation biweekly.
 - 2. Financial Services staff prepare and distribute a client vocational compensation calendar annually indicating payment dates. Vocational program staff notify clients of the compensation schedule.

3. Financial Services staff deposit client vocational compensation directly into the client's social welfare account.
4. Financial Services staff process vocational compensation overpayments as follows:
 - a) If the client has sufficient funds in his/her social welfare account, Financial Services staff reverse and correctly process the compensation made in error.
 - b) If the client does not have sufficient funds in his/her social welfare account to reverse an overpayment, Financial Services staff establish a program obligation.
5. Client Vocational Compensation Verification Request
 - a) If a client or staff member receives an income verification request from an outside agency (county, state, or federal), the client or staff member forwards the income verification request to Financial Services.
 - b) Financial Services completes the income verification and sends it directly to the requesting agency.
 - c) If a client needs additional copies of vocational compensation earnings statements, the client submits a Client Request (420-5099a) to the MSOP Records Department consistent with MSOP Division Policy 135-5170, "Data Request and Copy Costs."

B. Deductions

1. Deduction Priority
 - a) MSOP deducts a portion of client vocational compensation or outside wages pursuant to court order or statute. Financial Services staff withhold deductions in the following order of priority beginning with the first payment date, as applicable:
 - (1) Dependent support: If the court-ordered amount is less than or equal to 50% of gross compensation, the amount listed in the court order is deducted. If the court-ordered amount is greater than 50% of gross compensation, MSOP deducts 50% of the gross compensation.
 - (2) Court-ordered restitution: up to and including 50% of gross compensation.
 - (3) Court-ordered obligations: up to and including 50% of gross compensation.
 - (4) Cost reduction: up to and including 50% of gross compensation. (Note: the cumulative outcome of (1) through (4) above may result in total deductions of more than 50% of gross compensation.)
 - (5) Program obligations: MSOP may withhold a portion of client vocational compensation for program obligations.
 - b) Financial Services staff remit amounts collected to the appropriate court or deposit to the appropriate fund on a regular basis.
 - c) Clients may voluntarily make payments on court-ordered obligation(s) over and above the mandatory amounts withheld.
2. Dependent support payment

- a) General guidelines
 - (1) Financial Services staff deduct a portion of client vocational compensation or outside wages for the payment of dependent support obligation(s), as court-ordered.
 - (2) MSOP withholds up to the amount stated in the court order; not to exceed the percentage established by this policy.
 - (3) Financial Services staff submit payments collected biweekly to the appropriate court or child support agency.
 - b) Dependent support deductions remain in effect until MSOP receives notification to discontinue from the originating agency.
 - c) To comply with statutory reporting requirements regarding all new placements for dependent support payment(s), Financial Services staff compile and submit a report of all clients currently committed to the program to the Minnesota New Hire Reporting Center.
 - d) Uniform Interstate Family Support Act
 - (1) Under the Uniform Interstate Family Support Act, a court in the jurisdiction where the dependent support obligor lives can issue an order for dependent support withholding based on a dependent support order issued in the state where the dependent lives.
 - (2) If a Minnesota court issues an order for dependent support in compliance with the Uniform Interstate Family Support Act, the dependent support order must be deducted from client compensation in the same priority as support of families and dependent relatives.
3. Restitution and other court-ordered obligations
- a) MSOP deducts a portion of vocational compensation or outside wages for the payment of restitution and other court-ordered obligation(s).
 - b) MSOP applies the total amount of restitution ordered as "joint and several" to each client listed on the order.
4. Other Deductions
- a) Cost reduction
 - (1) MSOP retains a portion of client vocational compensation to reduce costs of the sex offender program.
 - (2) This amount will be up to and including 50% of gross compensation after court-ordered deductions have been withheld.
 - b) Reintegration – MSOP may designate an alternative withholding level for clients in Phase III and/or Community Preparation Services (CPS) to help them prepare for provisional discharge. For MSOP clients receiving Commitment Appeal Panel (CAP) orders to transfer to CPS, MSOP processes compensation changes on the first day of the quarter immediately following the effective date of the CAP order.

REVIEW: Annually

REFERENCES: MSOP Division Policy 125-5300, "Client Social Welfare"

ATTACHMENTS: Client Request (420-5099a)

SUPERSESSSION: MSOP Division Policy 125-5700, "Client Vocational Compensation," 12/3/19.
All program policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/

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