

## 6-23/500.00 Earnings Subject to Withholding

“Earnings” means compensation payable by an employer to an employee for personal services performed by such employee, whether denominated as wages, salary, commission, bonus, or otherwise. ([CCP 706.011\(b\)](#)) Vacation or sick pay is only subject to withholding as it is payable to the employee. ([CCP 706.022\(b\)](#))

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### • 6-23/510.00 Withholding Amount

In the case of a non-support order, the maximum amount to that can be withheld from an employee’s wages is 25% of the employee’s disposable earnings or 30 times the federal minimum hourly wage (\$7.25), whichever is less. ([CCP 706.050](#), [15 USC 1673\(a\)](#)) The maximum amount that can be withheld pursuant to an earnings withholding order for support order is 50% minus the amount required to comply with a earnings assignment order. ([CCP 706.052](#)) The Law Revision Commission commented in 706.052 CCP, “If 30 percent of the judgment debtor’s earnings are withheld pursuant to a wage assignment for support, an additional 20 percent may be withheld pursuant to the earnings withholding order for the collection of delinquent amounts payable for child or spousal support.” ([uncertified opinion: Gross v. Gross, No E057575](#))

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### • 6-23/520.00 Withholding Period

The withholding period commences on the 10th day after service of the earnings withholding order on the employer. The employer is required to withhold from the earnings of the employee payable for any pay period which ends during the withholding period. The controlling date is the date when the pay period ends, not when the earnings are paid. ([CCP 706.022](#))

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### • 6-23/530.00 Termination of Order

The employer must withhold wages until the earlier of:

1. The date the employer withheld the amount to satisfy. ([CCP 706.022\(a\)\(1\)](#), [706.032](#))
  2. The date of termination in a court order served on the employers. (CCP 706.022(a)(2), [706.032](#))
  3. The date of termination in a Notice of Termination served on the employer by the levying officer. ([CCP 706.022\(a\)\(3\)](#), [706.032](#))
  4. The date of expiration of a dormant earnings withholding order (180 continuous days after no amounts are withheld because the employee terminated employment.) ([CCP 706.022\(a\)\(4\)](#), [706.032](#))
  5. The date of expiration of the suspension of an order (two years after no amounts have been withheld due to an order or assignment with higher priority.) ([CCP 706.022\(a\)\(4\)](#), [706.032](#))
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6. One year after the employee terminates if the earnings withholding order is for support. ([CCP 706.030\(c\)\(1\)](#))

If an earnings withholding order has terminated due to the expiration of a dormant or suspended order, the employer must return the earnings withholding order to the levying officer with a statement of the reasons for returning the order. ([CCP 706.032\(b\)](#))

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