

## Number 12.12 - TAX COMPLIANCE

**Effective Date:** February 23, 2010

**Applicable To:** All applicants for hire, rehire, or individuals being restored into a classified, exempt, appointed, temporary, or contractual position with the Executive Branch of the State of Vermont. In addition, this policy applies to all applicants for employment in the Executive Branch who would be paid through the State of Vermont Payroll System, other than those 1) paid as a county employee, or 2) who return to any position in State government as a result of a placement right or reduction in force (RIF) recall right. This policy does not apply to current employees subject to or applying for a transfer, demotion, or promotion within State government.

**Issued By:** Department of Human Resources

**Approved By:** Neale F. Lunderville, Secretary of Administration

### **PURPOSE:**

The purpose of this policy is to provide guidelines and establish procedures for Executive Branch agencies and departments of the State of Vermont for the implementation of the provisions of 32 V.S.A. Section 3113(i).

### **POLICY STATEMENT:**

Pursuant to 32 V.S.A. Section 3113(i), no agency of the state shall hire any person unless s/he first signs a written declaration under the pains and penalties of perjury that s/he is in good standing with respect to all Vermont taxes due as of the date such declaration is made.

### **DEFINITIONS:**

**Employee:** For this Policy only, the term “employee” extends to every individual providing services who is compensated through the State of Vermont Payroll System, as noted above.

**Hire:** to engage the services of a person for a fee (does not apply in the instance of a transfer, demotion, or promotion for a current employee, a RIF rehire, or other mandatory placement process for a former employee).

**Good Standing:** Per 32 V.S.A. Section 3113(g), a person is in “good standing” with respect to any and all Vermont taxes payable if:

- (1) no taxes are due and payable and all returns have been filed; or
- (2) the liability for any taxes due and payable is on appeal; or
- (3) the person is in compliance with a payment plan approved by the Tax Commissioner.

### **PROCEDURE**

1. All persons offered employment with the State of Vermont must complete a *State Employment Declaration Form – Tax Compliance* prior to beginning work for the State of Vermont. Any offer of employment is conditional pending review of the applicant’s standing with the Tax Department. Completed declaration forms are to be submitted to the agency/department Human Resources Administrator.
2. If an applicant for state employment declines to complete the *State Employment Declaration Form – Tax Compliance* any offer of employment will be rescinded and is

