

I. PURPOSE

To provide guidelines for compliance with official orders for garnishment of Agency employee wages.

II. DEFINITION

A garnishment or earnings withholding order is an order from a court to an employer to withhold a sum of money from an employee's earnings for payment of a debt.

III. PROCEDURE AND RESPONSIBILITIES

In compliance with State law, the Agency will follow the procedure detailed on the garnishment order for all employees.

A. Implementation and Duration

When a garnishment order is received, the Agency will follow the instructions indicated on the order, and provide a copy of the order to the employee within ten (10) days of receipt. Withholding will begin ten (10) days after receipt of the order, and must be delivered to the levying officer by the 15th of the month following each payday.

For debts other than for child support, the garnishment will continue until the earliest of:

1. the date the entire debt is repaid;
  2. the date specified in a special court order which may be delivered subsequent to the original order; or
  3. the date specified in a notice of termination delivered subsequent to the original order.
-

Garnishment, Continued

In the case of a garnishment for support, withholding continues until the earlier of 2 or 3 above. If the employee leaves the Agency, the support garnishment will remain in effect for a year; so if the employee returns to the Agency within that time, the duty to withhold will resume.

B. Priority of Garnishments

Garnishments for support have priority over garnishments for other kinds of debts. If a support garnishment is received when already paying on a garnishment for another kind of debt, the Agency representative will notify the levying officer of the first garnishment. The court will then provide full instruction to the Agency regarding payment of the orders.

If two or more support orders or two or more garnishments for other debts are received, the Agency will comply with the order received first.

---