


Category:	Compensation and Benefits	INCA Community Services Personnel Policy 
Sub Category:	Payroll Information	
Effective Date:	05/27/2014	
Revised Date:	10/30/2017, 1/20/18	
Forms:		
Responsible: Human Resource Director, Bookkeeping Department		

Wage Garnishment

Policy

INCA Community Services is required by state and federal law, when served with an income execution, wage assignment, Family Court Support Order, or Federal tax levy against an employee, to make deductions from the individual's wages until the debt has been satisfied, or as otherwise required by the order.

No employee may be discharged because his earnings have been subject to garnishment in connection with anyone judgment. However, repeated judgments reflect poorly on the Agency and in addition may cause excessive administrative burdens in processing them. In instances where excessive garnishment judgments per year are occurring, the Human Resource Director may require the employee to seek assistance in managing their affairs to prevent reoccurrence. Excessive garnishment activity may result in administrative fee up to 5% of the monthly garnished amount.

Types of Wage Garnishments

- **Income Execution:** As determined by Oklahoma State law a portion of an employee's wages must be deducted until the judgment plus interest and fees are paid. Income Executions are put into operation in the order in which they were received by an Officer of the Court. A judgment debtor may apply to court to modify an income execution.
- **Wage Assignment:** As determined by Oklahoma State law a portion of an employee's wages must be deducted until the debt has been paid. The debtor may apply to court for a judgment vacating the wage assignment.
- **Federal Tax Levy:** Subject to certain exemptions, requires deductions of an employee's wages each pay period until the amount owed to Internal Revenue Service has been satisfied. Federal Tax levies may also be payroll deducted if employee contacts the IRS and completes Form 2159.
- **Student Loan Repayment:** As determined by Oklahoma State law a portion of an employee's wages must be made until the amount owed plus interest and fees are paid. A debtor may apply to a court or appropriate agency to modify the wage garnishment order.
- **Family Court Support Orders:** An order of a court directing deductions of specified amounts from salary for the support of children and/or spouse, which must be executed according to the specific directives of the order. This takes precedence over all of the above.

Guidelines

- Immediately upon receipt, Bookkeeping will calculate the amount to be garnished for each pay period.
- The Senior Bookkeeper should notify the employee whose wages are being garnished, either verbally or in writing, that a garnishment has been served. The Senior Bookkeeper should then follow out the instructions as set forth in the garnishment documents.
- Any employee who is contacted by someone attempting to serve a garnishment should direct the process server to the Senior Bookkeeper for appropriate service.
- To stop payroll deductions for wage garnishments, employees are responsible for securing and presenting a release of the wage garnishment to bookkeeping.
- Employees may receive a copy of the wage garnishment order by contacting bookkeeping.
- If an employee has a wage garnishment in effect with another employer prior to employment with the agency, it is recommended that the employee present the wage garnishment information to the Bookkeeping Department upon hire.
- Any questions regarding garnishments and how they are handled and their effect upon an employee's check or employment status should be directed to the Bookkeeping Department.

Other Provisions

- Typically only one income execution or wage assignment at a time will be in effect against an employee wages; excluding child support.
- Income Executions and Wage Assignments must be served on the debtor to give him an opportunity to pay before being served upon the debtor's employer.

Dissemination of Policy

The policy will be made available to all employees through the agency's website. The agency will educate and train employees and supervisors regarding the policy and any conduct that could constitute a violation of the policy.