

Subject: **Wage Garnishment**

Applies to: All Faculty and Staff

- I. Policy: The University of Rochester is required by law, when served with an income execution, wage assignment, Family Court Support Order, or Federal tax levy against a faculty or staff member, to make deductions from the individual's wages until the debt has been satisfied, or as otherwise required by the order.
- II. Guidelines:
 - A. Types of Wage Garnishments:
 1. Income Execution: If gross pay is more than \$98.25 a week, deductions of 10% of gross 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.
 2. Wage Assignment: If gross pay is more than \$85 a week, deductions of 10% of gross wages must be deducted until the debt has been paid. The debtor may apply to court for a judgment vacating the wage assignment.
 3. Federal Tax Levy: Subject to certain exemptions, requires deductions of a staff member'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.*
 4. Student Loan Repayment: If gross pay is more that \$85 a week, deductions of 15% of gross 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.
 5. 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.
 - B. Typically only one income execution or wage assignment at a time will be in effect against a faculty/staff member's wages; exceptions to this may include orders from New York State Higher Education or US Department of Education.
 - C. For residents of Monroe and surrounding counties, a Family Court Support Order may operate simultaneously with an income execution or wage assignment.

- D. 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.