

GARNISHMENTS



The use of wage garnishments to collect judgments has been steadily rising. Couple that with the often complicated processing and withholding hoops through which employers must jump to administer these garnishments—and what happens? An employer that does not properly dot all the “i”s and cross all the “t”s may become responsible for the full amount of an employee’s personal debt.

With a few exceptions, an employer that is located in State A is required to honor and implement a valid garnishment from State A, regardless of whether the employee actually works and earns income in State A. For example, if a Michigan court issues a valid garnishment to a Michigan employer garnishing the wages of an employee who works in California, the Michigan employer must implement the garnishment against that employee even though he or she does not work in Michigan.

OD COMPLY: GARNISHMENTS focuses on the most popular, varied, and difficult types of wage attachments: (1) creditor wage garnishments (that identify a private employer as the garnishee); (2) federal student loan wage garnishments (that are administratively issued by the U.S. Department of Education (DOE) and a patchwork of agents, without the necessity of a court order); (3) federal tax levies (that are administratively issued by the U.S. Internal Revenue Service (IRS) without the necessity of a court order); and (4) voluntary wage assignments (that purport to require a private employer to divert wages outside of the legal system).

Different than other products on the market, **OD COMPLY: GARNISHMENTS** compiles information into concise, user-friendly formats; provides links to state garnishment forms; addresses topics not discussed elsewhere (e.g., the legal risks and costs imposed on employers for garnishee errors and information concerning opportunities to reduce or eliminate those costs); includes comprehensive citations for easy access to relevant legal authorities; and contains a concise table identifying fees that employers are entitled by law to collect for administering wage attachments (including support orders, creditor garnishments, state and federal tax levies, and federal student loans). An employer that implements the administrative fees identified on the table may recover thousands of dollars per year depending on how many and what types of attachments it processes.

To properly address wage garnishments, employers must be able to comply accurately and on a timely basis with a complex and varied patchwork of federal and state laws, as well as state court rules and forms. **OD COMPLY: GARNISHMENTS** materials provide employers with not only an up-to-date compilation of federal and state laws, court rules, and linked forms, but also a plain-English guide to legal compliance and insights about what to do when there are compliance mistakes. During the 12-month subscription period, subscribers will receive legal updates on new garnishment requirements affecting employers, as well as practical plain-English information on how to navigate the choppy waters between the creditor and the employee.