

## PERSONNEL

### Garnishments

- A. All employees are expected to discharge their financial obligations promptly so that creditors will not have to ask for the ~~S~~school ~~D~~ivision's assistance in collecting amounts owed to them.
- B. Whenever the ~~S~~school ~~D~~ivision is served with a Writ of Garnishment or Attachment, a Notice of Levy by the Internal Revenue Service or other taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee, the matter will be referred to the payroll clerk for appropriate action. Failure to act promptly may render the ~~s~~School ~~D~~ivision legally liable.
- C. In the event that garnishment or similar proceedings are instituted against an employee, the ~~S~~school ~~D~~ivision will deduct the required amount from the employee's paycheck. The amount deducted from the employee's disposable earnings will not exceed that permitted by law or ~~regulationthe Virginia Department of Labor and Industry~~.
- D. Compliance with writs of garnishments and similar orders imposes an administrative and financial burden on the ~~S~~school ~~D~~ivision. In addition, the failure of an employee to meet ~~his or herthe employee's~~ financial obligations does not reflect favorably on the ~~S~~school ~~D~~ivision and frequently has an adverse ~~ea~~ffect on the employee's job performance.
- E. Whenever a supervisor has reason to believe that an employee is experiencing financial difficulties, the supervisor shall investigate the situation and, if circumstances require, will refer the employee to the ~~Office of Employee Relations central office~~ for appropriate counseling.
- F. No employee will be terminated by reason of the fact that ~~his or hertheir~~ earnings have been subject to garnishment for one indebtedness. However, such persons may be liable for disciplinary action. Garnishments for more than on-e indebtedness may result in termination, depending upon the circumstances of the case, the employee's record of performance, and the recommendation of ~~his or hertheir~~ supervisor.

### Regulatory AuthorityLegal Reference

Code of Virgini~~a~~, § 8.01-511, as amended. Institution of garnishment proceedings.

Code of Virgini~~a~~, § 8.01-512.4, as amended. Notice of exemptions from garnishment and lien.

Code of Virgini~~a~~, § 8.01-512.5, as amended. Hearing on claim of exemption from garnishment.

Code of Virginia § 8.01-512.2, as amended. Fee for garnishee - employers.

Code of Virginia § 8.01-517, as amended. Exemption of portion of wages; payment of excess into court.

Code of Virginia § 40.1-28.8, as amended. Virginia Minimum Wage Act.

Virginia Department of Labor and Industry 16VAC15-121, as amended. Maximum Garnishment Amounts.~~Regulations Establishing a Multiple of Federal~~

~~Minimum Hourly Wage Relating to Garnishment of Wages. (Effective April 1, 1991.)~~

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