

APPENDIX A--GARNISHMENT INFORMATION

ABOUT THIS APPENDIX

This appendix contains the following information about garnishments:

- general information
- releasing a garnishment
- handling questions about garnishments

ABOUT GARNISHMENTS

What Are Garnishments?

Garnishments are instructions to the City Controller to withhold certain amounts from the earnings of specified employees and to pay these amounts to designated individuals, organizations, or entities.

Garnishments are ordered by courts and by federal or state tax agencies.

Types of Garnishments

Following are the priority\* and duration of each type of garnishment order an employee may have against his or her wages:

<u>Type of Garnishment</u>	<u>Priority</u>	<u>Duration</u>
Court order assigning wages for current child/spousal support	1	Remains in effect until released by the court.
Bankruptcy order	2	Remains in effect until released by trustee.
Court order assigning wages for child or spousal support arrearages	3	Remains in effect until released by the court or goal is met; whichever is earlier.
IRS tax levy	4	Remains in effect until a release of levy is issued or goal is met.

\*When an employee has more than one garnishment order, the allowable garnishment amounts are deducted in the order of priority listed.

<u>Types of Garnishments (Cont'd)</u>	<u>Type of Garnishment</u>	<u>Priority</u>	<u>Duration</u>
	Franchise Tax Board tax levy	5	Remains in effect until a release of levy is issued or goal is met; if employee leaves City employment, remains in effect no longer than one year after the employee leaves.
	Earnings Withholding Order--Wage Garnishment from Sheriff's Office	6	Remains in effect until a release of levy is issued, a goal is met, or an order of higher priority is received.

**Active Garnishments Remain Valid if Employee Leaves City Employment**

If an employee has an active garnishment at the time the employee leaves City employment, the garnishment will remain valid until it reaches its expiration date or the garnishing agency releases it. If the garnishment order has no expiration date and the City is not notified of its release, it will remain valid indefinitely.

Because of this, if a former employee who has such a garnishment is subsequently paid by the City (because the former employee returns to City employment or receives retroactive wages), an employee's wages will be garnished.

**RELEASING A GARNISHMENT**

**Employee Must Submit Documents to PPSD**

To release a garnishment, the employee must submit to PPSD the proper documents from the agency that imposed the garnishment. The employee will send the documents to:

PPSD Deduction Section  
 160 South Van Ness Ave.  
 San Francisco, CA 94103

For the release to go into effect the next pay day, the documents must arrive at PPSD at least six calendar days before that pay day.

For example, if the pay day is 10/8, PPSD must receive the documents by 10/2.

Obtaining a Refund

Releases that are received after the deadline will be processed the following pay period. To obtain a refund on an over-deduction, the employee should contact the agency that imposed the garnishment.

**HANDLING QUESTIONS ABOUT GARNISHMENTS**

On occasion, creditors may call departmental payroll offices with questions about garnishing an employee's pay. Most often, these questions relate to Earnings Withholding Orders. The Earnings Withholding Order process, and the places to refer callers who want additional information, are described below to help you answer these questions.

How Earnings Withholding Orders are Processed

1. The creditor serves a Writ obtained from the Court. This is sent to the Sheriff's Office for processing.
2. The Sheriff's Office processes the Writ and sends an Earnings Withholding Order to PPSD.
3. PPSD takes the action necessary to begin garnishment deductions according to the terms of the Earnings Withholding Order.

If a Creditor Wants More Information

If a creditor wants information about initiating a garnishment against an employee, or wants to learn the status of an Earnings Withholding Order, refer the creditor to the Sheriff's Office at the following address and phone number:

Sheriff's Office, Civil Division  
Room 333, City Hall  
San Francisco, CA 94102  
Phone: 554-7238

If a creditor has received a copy of the Earnings Withholding Order and has questions about the amount of the garnishment payment, the date that payments will begin, etc., refer the creditor to PPSD's Deduction Unit at one of the following phone numbers based on the employee's last name:

558-7825 (A - L)  
558-7819 (M - Z)

