



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



220.03 GARNISHMENT OF WAGES

05-08-15

PURPOSE

The purpose of this order is to establish procedures for the processing of wage garnishments and notices.

POLICY

It shall be the policy of the Sacramento Police Department to process all wage garnishments as specified in this Order.

PROCEDURE

A. DEFINITION

GARNISHMENT - Any legal or equitable procedure, judicial or non-judicial, through which the earnings of any individual are required to be withheld pursuant to Code of Civil Procedure Section 723.010 et seq. or any applicable, valid federal law, rule or regulation. NOTE: The term shall not include wage assignments or orders issued per Civil Code Section 4701 (child support wage attachments), any spousal support order, order in the nature of support, or any assignment/garnishment based on any such orders issued by a court in a marital dissolution or related proceeding.

B. GENERAL

1. The City shall, as required by law, accept and process wage garnishments.
2. Due to the additional administrative work involved in the handling of garnishments, Civil Service Board Rules provides that any employee against whom three (3) garnishments are served (for separate debts) shall be subject to disciplinary action up to and including termination.
3. Under current City policy, a career employee receiving three (3) garnishments (not released) within three (3) years shall receive a written reprimand, and on receipt of the fourth (4th) garnishment (not released) within three (3) years, the employee shall be terminated.

C. FIRST GARNISHMENT

1. When City Finance receives a garnishment notice affecting a Department employee, they shall prepare a "First Garnishment of Wages" form and send it to the Internal Affairs Division (IAD).
2. IAD shall log the form and notify the employee's Captain to pick up the wage garnishment. The employee's Captain shall then assign a supervisor to make immediate notification to the employee.
 - a. The supervisor and the employee, in a private meeting, shall both sign and date the form. If the employee refuses to sign the form, the supervisor shall write "Refused" in the space designated for the employee's signature.
 - b. A copy is routed back to IAD where it is filed.
3. If delivery of the garnishment notice is delayed beyond ten (10) days, the supervisor assigned to deliver the notice shall attach a memo explaining the reason for delay. This memo shall be filed in IAD.

D. SECOND GARNISHMENT

The same procedure outline for the first garnishment shall be followed except a "Second Garnishment of Wages" form shall be used.

E. THIRD GARNISHMENT

1. The same procedure outlined for the first and second garnishment shall be used with the following exceptions:
 - a. A "Third Garnishment of Wages" form shall be used.
 - b. IAD sends a signed copy to Labor Relations Division of the Department of Human Resources.



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2. After receiving a third notice of garnishment, employees shall be given an order by their supervisor to make an appointment within 48 normal business hours with Labor Relations.
 - a. At this meeting, the employee shall have the opportunity to clear the third garnishment off the books within fourteen (14) calendar days to avoid a written reprimand and to reduce the number of garnishments to two.
 - b. If the employee so desires, an employee organization representative may attend the meeting.
3. Any employee who does not report to their scheduled appointment with Labor Relations shall be charged with insubordination and shall be subject to appropriate disciplinary action.
4. If the third garnishment is not removed from the employee's record within fourteen (14) calendar days (not released), the employee shall receive a written reprimand. IAD shall contact Labor Relations after the fourteen (14) day period and start the necessary discipline.

F. FOURTH GARNISHMENT

1. On receipt of an employee's fourth garnishment that has NOT been released, the Finance Department will prepare a memorandum to the Personnel Services Division (PSD) advising them of the notification and that termination action should be taken.
2. PSD shall forward this memo to IAD.
3. IAD shall contact Labor Relations and initiate the necessary proceedings.

G. GARNISHMENT CONTINUATIONS

1. When the Finance Department receives wage garnishment continuations of a previously received garnishment (same complainant, same case number, etc.) the first, second or third garnishment forms will not be used in this instance since they relate to the same debt.
2. The Finance Department will send a memorandum directly to the employee. Copies shall not be sent to Labor Relations.

H. EMPLOYEE RELATIONS

The disciplinary action set forth under this procedure may be modified at the discretion of the Director of Labor Relations.