



CCPA-50

January 19, 1971

This is in further reference to your letter of May 4, 1970, concerning the application of section 304 of Title III, Restriction on Garnishment, of the Consumer Credit Protection Act.

As indicated in our public domain letter of June 12, 1969, where a considerable length of time has elapsed between two garnishments it may be that the employee is being discharged for "one indebtedness", the current indebtedness. The first indebtedness may no longer be a material consideration in the discharge. As a rule of thumb, it would seem that where the interval between two garnishments exceeds one year, a discharge from employment following the second garnishment must be carefully scrutinized. Each case, however, must turn on its own facts and circumstances.

Sincerely,

Robert D. Moran
Administrator