



CCPA-66

March 16, 1976

This is in reply to your letter dated February 16, 1976, asking if something can be done about the garnishments, wage assignments on your wages and the wages which you receive.

The Federal Wage Garnishment Law (Title III of the Consumer Credit Protection Act) limits the amounts which may be deducted from a wage-earner's income in any one week, and prohibits an employer from discharging any employee because that person's earnings have been subjected to garnishment for any one indebtedness. It does not change other matters related to garnishment. Therefore, such matters as whether more than one garnishment may be served against the employee's wages at any one time, the maximum number of garnishments, and the priority of garnishment orders remain within the jurisdiction of the laws of your State. Where the State law permits deductions pursuant to several garnishment orders in any one pay period, the total of all the amounts deducted may not exceed the statutory limits specified on page 3 of the enclosed pamphlet "Wage Garnishment Law".

Since a wage assignment is a transfer of the right to receive wages, ordinarily affected by means of a contract, wage assignments are not within the scope of this law. If a legal proceeding to enforce a wage assignment results in a judgment with a garnishment order, the law would then be applicable.

The Fair Labor Standards Act is the Federal law of most general application which establishes minimum wages and overtime compensation. As indicated on page 4 of the enclosed "Handy Reference Guide", the present Federal minimum wage that applies to most employment is \$2.30 an hour. Raising the minimum wage as you imply would require legislative action on the part of Congress.

You may be sure that the Government shares your concern about current economic conditions and strongly desires that all persons have the opportunity to earn an adequate living for themselves and their families. A number of proposals to improve the economy are under consideration. Further, the Department of Labor is continually looking over the national labor situation to learn at first hand what the problems are and how to solve them.

If you should have any further questions concerning the application of either of these laws you may wish to contact our Field Station located at Room G-42, Richland, Washington 99352 (MA: P.O. Box 399), telephone: (509) 942-6169 and that office will be pleased to assist you. We do suggest that you telephone or write prior to visiting that office since it is staffed by personnel whose duties frequently require them to be away from the office.

Sincerely,

William Hoffman, Director
Division of Minimum Wage and Hour Standards