

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

:
:
:
: Docket No.
:
:
:

WAGE EXECUTION NOTICE TO EMPLOYER

You are being served with a wage execution, a court order requiring you to withhold non-exempt wages from a person employed by you. This execution is being served upon you because your employee has had a judgment entered against him/her by the United States District Court for the District of Connecticut requiring him/her to pay damages to (insert name of party making application) _____ and the employee has not made payment of the total amount of the judgment plus any court costs. This notice is to inform you of the actions you must take in order to comply with the law regarding wage executions. Please read each section carefully.

1. **YOU MUST NOTIFY THE EMPLOYEE** - Your employee has certain legal rights which may allow him/her to request the court to change or stop this execution upon his/her wages. A notice of these rights and how to get a hearing in court is provided in the attached "Exemption and Modification Claim Form". You must complete Sections I and II below and Section III of the attached "Exemption and Modification Claim

Form^m and DELIVER OR MAIL, POSTAGE PREPAID, A COPY OF THESE PAPERS TO YOUR EMPLOYEE IMMEDIATELY so that your employee can make any claims within the 20 day time period allowed by law. This 20 day time period begins on the day the officer serves these papers on you.

2. EXECUTION NOT EFFECTIVE FOR 20 DAYS - This execution is not effective until after 20 days from the day the officer served these papers on you. This time is allowed to permit your employee to exercise his/her legal rights. No money should be deducted from your employee's wages until the first wages you pay to your employee after the 20 day period ends.

3. FURTHER STAY OF EXECUTION - If your employee elects to make a claim to the court that his/her wages are partially or totally exempt from execution to pay this judgment or he/she seeks to have the count of this execution changed. wages are not to be withheld from the employee until the court decides the claims or determines the rights of your employee in this case.

If you are notified that your employee is exercising his/her rights, do not begin withholding his/her wages until you are notified that the court has decided the issues raised and will permit execution against your employee's wages.

If you are not notified that your employee has filed papers with the court, the execution is to be enforced after 20 days from the date of service on you.

4. **ONLY ONE EXECUTION TO BE SATISFIED AT A TIME** - You must make deductions from your employee's wages and pay over the withheld money against only one execution at a time. If you are served with more than one execution against the employee's wages, the executions are to be satisfied in the order in which you are served with them.

5. **MAXIMUM AMOUNT DEDUCTED** - The maximum amount which can be legally withheld from your employee's wages is 25% of his disposable earnings for each week. The amount to be withheld to pay this execution may be less than 25%, but it can never be more. The computations you complete below will allow you to calculate the exact amount which should be withheld from this employee's wages.

Unless the court orders that this execution is to be for a smaller amount, you must withhold and pay over the maximum amount which you figure out using the computations below. Your employee has the right to request the court to reduce the amount withheld, but until you receive notice that the court has agreed to allow the amount to be reduced, you must withhold the maximum amount.

6. **YOUR DUTY TO COMPLY WITH THE EXECUTION** - You have a legal duty to make deductions from your employee's wages and pay any amounts deducted as required by this execution. If you do not, legal action may be taken against you. If you are found to be in contempt of a court order, you may be held liable to (insert name of party making

application) _____ for the amounts of wages which you did not withhold from your employee.

7. **DISCIPLINE AGAINST YOUR EMPLOYEE** - You may not discipline, suspend or discharge your employee because this wage execution has been served upon you. If you do unlawfully take action against your employee, you may be liable to pay him/her all of his/her lost earnings and employment benefits from the time of your action to the time that the employee is reinstated.

The law allows you to take disciplinary measures against the employee if you are served with more than 7 wage executions against his/her wages in any calendar year.

SECTION I. COMPUTATION OF EMPLOYEE'S DISPOSABLE EARNINGS

"DISPOSABLE EARNINGS" means that part of the earnings of an individual remaining after the deduction from those earnings of amounts to be withheld for payment of federal income and employment taxes, normal retirement contributions, union dues and initiation fees, group life insurance premiums, health insurance premiums, federal tax levies, and state income tax deductions authorized pursuant to section 12-34b (income tax deduction for out-of-state residents employed in Connecticut).

1. Employee's gross compensation per week _____
2. Federal Income tax withheld _____
3. Federal Employment Tax _____
4. Normal retirement contribution _____
5. Union Dues and initiation fees _____
6. Group life insurance premium _____
7. Health insurance premium _____

SECTION II COMPUTATION OF AMOUNT OF EXECUTION

(To be calculated by employer)

		<u>Col.1</u>	<u>Col.2</u>
A-1	Weekly disposable earnings (from line 11 above)	\$	XXXXX
A-2	25% of disposable earnings for week	XXXXX	\$
B-1	Weekly disposable earnings (from line 11 above)	\$	XXXXX
B-2	40 times the current federal minimum hourly wage	\$	XXXXX
	Amount by which line B-1 exceeds line B-2	XXXXX	\$
AMOUNT OF EXECUTION (lesser of the two amount in col.2		XXXXX	\$

Note:

If the computation indicates that an amount should be withheld in satisfaction of the execution, and your employee does not file the Modification and Claim Form, you must begin to deduct the amount of the execution 20 days after the date of service upon you.

Checks should be made payable to:

and mailed to:

It is important that the employee's name appears on the check.

If the amount of the execution is computed to be zero, you must direct a letter to the United States District Court specified on the front of the Modification and Claim Form and explain that your computations indicate that no amount can be deducted in satisfaction of the execution (Sections I & II). Copies of your letter and computations must also be sent to (insert name of party making application) _____ at the above address.

- 8. Other federal tax levies _____
- 9. State income tax withheld _____
- 10. Total allowable deductions
(Add lines 2-9) _____
- 11. **WEEKLY DISPOSABLE EARNINGS** (Subtract
line 10 from line 1) _____