

## Chapter 13: Underpayment, Overpayment and Recovery

### (v) Attachment of Wages

<b>Intent:</b>	To clarify the procedures when an applicant/recipient has their wages/income attached resulting in the applicant/recipient being eligible for Income Support
<b>Act:</b> (if applicable)	<b>37.</b> Except for the purpose of recovering an overpayment, income and employment support are not subject to attachment or seizure in satisfaction of a claim against a recipient.
<b>Regulations:</b>	N/A
<b>Overview:</b> (if applicable)	N/A
<b>Policy:</b>	<ul style="list-style-type: none"> <li>• Based on the following exemption amounts, there should not be a need to issue Income Support benefits to a recipient because their income was reduced due to the attachment of wages.</li> <li>• However, based on income in the past 30 days, the recipient may qualify for Income Support benefits until the order is suspended/adjusted so the applicant is no longer eligible for Income Support. (See <a href="#">Individual Benefits Under 21</a> or <a href="#">Families and Single Persons 21 and Over</a>)</li> <li>• The exemption amounts may not apply when income is garnished under the Enhancement of Support Order Act as this legislation is exempt from the Judgement Enforcement Regulations.</li> </ul> <p><b>Exemption Amounts - <a href="#">Section 49 (1) of Judgement Enforcement Regulations.</a></b></p> <ul style="list-style-type: none"> <li>• Net monthly amounts in excess of the following can be attached:             <ul style="list-style-type: none"> <li>○ a person supporting a spouse, no dependents - \$1,019.00</li> <li>○ a person supporting a spouse, with one dependent - \$1,059.00                 <ul style="list-style-type: none"> <li>▪ plus \$47 for each additional dependent</li> </ul> </li> <li>○ single parent with one dependent - \$963.00</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>▪ plus \$47 for each additional dependent</li> <li>○ Single person - \$649.00.</li> </ul>
<b>Procedure:</b>	<ul style="list-style-type: none"> <li>• Inform the recipient of Judgement Enforcement Regulations and advise the applicant/recipient to notify the employer to make the correction for the next pay cheque,</li> <li>• provide Income Support benefits only to the date the correction to the attachment is to be made,</li> <li>• notify the Support Enforcement Agency if the attachment was made by that Agency, to have it suspended/adjusted so the applicant is no longer eligible for Income Support, and</li> <li>• obtain Program Supervisor/District Manager approval if the covering period exceeds 30 days.</li> </ul>
<b>Authority Level:</b>	Client Services Officer
<b>Date revised:</b>	Program Supervisor/District Manager - covering period > 30 days Sept 12, 2007