

May 18, 2018

Mr. Brian J. Wagner  
President  
National Association of Postal Supervisors  
1727 King Street, Suite 400  
Alexandria, VA 22314-2753

**Certified Tracking: 7013 1710 0001 0522 6534**

Dear Brian:

The Postal Service proposes to modify the amount associated with its collection of administrative fees from employees for processing creditor garnishments. Currently, the Postal Service charges an \$80 set-up fee for executing a garnishment. Under the subject proposal, the Postal Service will charge \$6 each time a deduction is made from an employee's wages and monies are paid to the creditor.

Creditor garnishments generally result from debts for goods or services, and can include student loans in default and state tax levies. Monies withheld from employee wages are paid directly to the courts or agencies that have served legal documents to the Postal Service.

Pursuant to Title 39, U.S. Code, Section 1004(d) we have enclosed:

We have enclosed:

- A draft copy of a *Postal Bulletin* article announcing the change
- A copy of the legal authorities that grant the Postal Service the ability to make this change (5 USC, 5520a(j)(2) and 39 CFR 491.5)
- A copy of a narrative explanation of the purpose and effect of the proposed change

Please contact Bruce Nicholson at extension 7773 if you have questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "Alan S. Moore".

Alan S. Moore  
Manager  
Labor Relations Policies and Programs

Enclosures

(Postal Bulletin article final draft)

### Garnishment Administrative Fee Structure Change

Effective Pay Period 1/2019 (Pay Date January 11, 2019), the U.S. Postal Service® will change the way it collects administrative fees from employees for processing creditor garnishments. Currently, the Postal Service™ charges an \$80.00 set-up fee for executing a garnishment. Going forward, the Postal Service will charge \$6.00 each time a deduction is made from an employee's wages and monies are paid to the creditor. This change in the garnishment fee structure is a more equitable solution to the administrative fee burden placed on debtor employees and aligns closely with the current collection practices for child support fees and Treasury Offset fees.

The Postal Service is obligated to administrate, collect, and disburse monies subject to garnishment orders that are legally imposed upon Postal Service employees. The United States Code, 5 USC 5520a. (j)(2), states that a federal agency's administrative costs in executing a garnishment action may be added to the garnishment, and that the agency may retain costs covered as offsetting collections.

Furthermore, the implementing regulation at 39 CFR Sec. 491.5 states that Postal Service administrative costs in executing the garnishment action shall be added to each garnishment, and the costs recovered shall be retained as offsetting collections. The Postal Service reserves the right to:

- Re-determine the administrative cost of any garnishment if, in administering the garnishment, extra costs are incurred beyond those normally encountered, and
- Add the extra cost to each garnishment.

The extra costs recovered shall be retained as offsetting collections. The administrative costs will be collected from the employee upon whom the garnishment is served.

## **Briefing Sheet**

**Subject:** Proposed Change to Creditor Garnishment Administrative Fee Structure

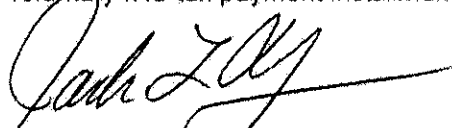
The United States Postal Service, like all employers, is required by various rules and regulations to make involuntary deductions from the payroll wages of its employees. Examples of involuntary deductions include child support withholding, creditor garnishment, and state and federal tax levies. Monies withheld from employee wages are paid directly to the courts, levying officers, or agencies that have served legal documents to the USPS.

Wage garnishment is the process of deducting money from an employee's monetary compensation, usually as a result of a court order. The money withheld is used to satisfy a debt owed by a debtor employee to a creditor. Garnishment statutes and their implementing regulations entitle employers to offset the expense of the deduction and payment processes by collecting fees from the employee. Payroll providers among our partner federal agencies and in private industry collect administrative fees for garnishment process.

For some categories of involuntary deductions (child support & Federal Treasury Offset Program), the fee amounts are mandated by legislation. For creditor garnishments the fees are set by the employer based on the expense of administration. The fees are collected to help defray the costs associated with executing the garnishment processes.

USPS has been charging a set-up fee for garnishments since 1995. Initially, the set-up fee was \$50.00. The fee was increased to \$80.00 in 2011. Going forward, USPS will discard the \$80.00 set-up fee in favor of charging a \$6.00 fee each time a garnishment deduction is made from an employee's wages and money is tendered to the creditor. This change in the garnishment fee structure is a more equitable solution to the administrative fee burden placed on debtor employees, and is aligned closely with how child support fees and Treasury Offset fees are collected.

USPS will continue to collect child support and Treasury Offset Program fees as directed by applicable law. USPS does not currently charge a fee for voluntary Bankruptcy payment plans or voluntary IRS tax payment installment plans.



Jack L. Meyer  
Manager, Accounting Services  
May 16, 2018

## 5 U.S.C.

United States Code, 2011 Edition

Title 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES

PART III - EMPLOYEES

Subpart D - Pay and Allowances

CHAPTER 55 - PAY ADMINISTRATION

SUBCHAPTER II - WITHHOLDING PAY

Sec. 5520a - Garnishment of pay

From the U.S. Government Publishing Office, [www.gpo.gov](http://www.gpo.gov)

### §5520a. Garnishment of pay

(a) For purposes of this section—

(1) “agency” means each agency of the Federal Government, including—

(A) an executive agency, except for the Government Accountability Office;

(B) the United States Postal Service and the Postal Regulatory Commission;

(C) any agency of the judicial branch of the Government; and

(D) any agency of the legislative branch of the Government, including the Government Accountability Office, each office of a Member of Congress, a committee of the Congress, or other office of the Congress;

(2) “employee” means an employee of an agency (including a Member of Congress as defined under section 2106);

(3) “legal process” means any writ, order, summons, or other similar process in the nature of garnishment, that—

(A) is issued by a court of competent jurisdiction within any State, territory, or possession of the United States, or an authorized official pursuant to an order of such a court or pursuant to State or local law; and

(B) orders the employing agency of such employee to withhold an amount from the pay of such employee, and make a payment of such withholding to another person, for a specifically described satisfaction of a legal debt of the employee, or recovery of attorney’s fees, interest, or court costs; and

(4) “pay” means—

(A) basic pay, premium pay paid under subchapter V, any payment received under subchapter VI, VII, or VIII, severance and back pay paid under subchapter IX, sick pay, incentive pay, and any other compensation paid or payable for personal services, whether such compensation is denominated as wages, salary, commission, bonus pay or otherwise; and

(B) does not include awards for making suggestions.

(b) Subject to the provisions of this section and the provisions of section 303 of the Consumer Credit Protection Act (15 U.S.C. 1673) pay from an agency to an employee is subject to legal process in the same manner and to the same extent as if the agency were a private person.

(c)(1) Service of legal process to which an agency is subject under this section may be accomplished by certified or registered mail, return receipt requested, or by personal service, upon—

(A) the appropriate agent designated for receipt of such service of process pursuant to the regulations issued under this section; or

(B) the head of such agency, if no agent has been so designated.

(2) Such legal process shall be accompanied by sufficient information to permit prompt identification of the employee and the payments involved.

(d) Whenever any person, who is designated by law or regulation to accept service of process to which an agency is subject under this section, is effectively served with any such process or with interrogatories, such person shall respond thereto within thirty days (or within such longer period as may be prescribed by applicable State law) after the date effective service thereof is made, and shall, as soon as possible but not later than fifteen days after the date effective service is made, send written notice that such process has been so served (together with a copy thereof) to the affected employee at his or her duty station or last-known home address.

(e) No employee whose duties include responding to interrogatories pursuant to requirements imposed by this section shall be subject to any disciplinary action or civil or criminal liability or penalty for, or on account of, any disclosure of information made by such employee in connection with the carrying out of any of such employee's duties which pertain directly or indirectly to the answering of any such interrogatory.

(f) Agencies affected by legal process under this section shall not be required to vary their normal pay and disbursement cycles in order to comply with any such legal process.

(g) Neither the United States, an agency, nor any disbursing officer shall be liable with respect to any payment made from payments due or payable to an employee pursuant to legal process regular on its face, provided such payment is made in accordance with this section and the regulations issued to carry out this section. In determining the amount of any payment due from, or payable by, an agency to an employee, there shall be excluded those amounts which would be excluded under section 462(g) of the Social Security Act (42 U.S.C. 662(g)).

(h)(1) Subject to the provisions of paragraph (2), if an agency is served under this section with more than one legal process with respect to the same payments due or payable to an employee, then such payments shall be available, subject to section 303 of the Consumer Credit Protection Act (15 U.S.C. 1673), to satisfy such processes in priority based on the time of service, with any such process being satisfied out of such amounts as remain after satisfaction of all such processes which have been previously served.

(2) A legal process to which an agency is subject under section 459 of the Social Security Act (42 U.S.C. 659) for the enforcement of the employee's legal obligation to provide child support or make alimony payments, shall have priority over any legal process to which an agency is subject under this section.

(i) The provisions of this section shall not modify or supersede the provisions of section 459 of the Social Security Act (42 U.S.C. 659) concerning legal process brought for the enforcement of an individual's legal obligations to provide child support or make alimony payments.

(j)(1) Regulations implementing the provisions of this section shall be promulgated—

(A) by the President or his designee for each executive agency, except with regard to employees of the United States Postal Service, the President or, at his discretion, the Postmaster General shall promulgate such regulations;

(B) jointly by the President pro tempore of the Senate and the Speaker of the House of Representatives, or their designee, for the legislative branch of the Government; and

(C) by the Chief Justice of the United States or his designee for the judicial branch of the Government.

(2) Such regulations shall provide that an agency's administrative costs in executing a garnishment

action may be added to the garnishment, and that the agency may retain costs recovered as offsetting collections.

(k)(1) No later than 180 days after the date of the enactment of this Act, the Secretaries of the Executive departments concerned shall promulgate regulations to carry out the purposes of this section with regard to members of the uniformed services.

(2) Such regulations shall include provisions for—

(A) the involuntary allotment of the pay of a member of the uniformed services for indebtedness owed a third party as determined by the final judgment of a court of competent jurisdiction, and as further determined by competent military or executive authority, as appropriate, to be in compliance with the procedural requirements of the Servicemembers Civil Relief Act (50 App. U.S.C. 501 et seq.); and

(B) consideration for the absence of a member of the uniformed service from an appearance in a judicial proceeding resulting from the exigencies of military duty.

(3) The Secretaries of the Executive departments concerned shall promulgate regulations under this subsection that are, as far as practicable, uniform for all of the uniformed services. The Secretary of Defense shall consult with the Secretary of Homeland Security with regard to the promulgation of such regulations that might affect members of the Coast Guard when the Coast Guard is operating as a service in the Navy.

(Added Pub. L. 103–94, §9(a), Oct. 6, 1993, 107 Stat. 1007; amended Pub. L. 104–106, div. A, title VI, §643, Feb. 10, 1996, 110 Stat. 368; Pub. L. 104–193, title III, §362(b)(2), Aug. 22, 1996, 110 Stat. 2246; Pub. L. 105–85, div. A, title XI, §1105, Nov. 18, 1997, 111 Stat. 1923; Pub. L. 108–189, §2(b)(1), Dec. 19, 2003, 117 Stat. 2865; Pub. L. 108–271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 109–241, title IX, §902(a)(3), July 11, 2006, 120 Stat. 566; Pub. L. 109–435, title VI, §604(f), Dec. 20, 2006, 120 Stat. 3242.)

#### REFERENCES IN TEXT

The date of the enactment of this Act, referred to in subsec. (k)(1), probably means the date of enactment of Pub. L. 103–94, which enacted this section and was approved Oct. 6, 1993.

The Servicemembers Civil Relief Act, referred to in subsec. (k)(2)(A), is act Oct. 17, 1940, ch. 888, 54 Stat. 1178, as amended, which is classified to section 501 et seq. of Title 50, Appendix, War and National Defense. For complete classification of this Act to the Code, see section 501 of Title 50, Appendix, and Tables.

#### AMENDMENTS

**2006**—Subsec. (a)(1)(B), Pub. L. 109–435 substituted “Postal Regulatory Commission” for “Postal Rate Commission”.

Subsec. (k)(3), Pub. L. 109–241 substituted “Secretary of Homeland Security” for “Secretary of Transportation”.

**2004**—Subsec. (a)(1)(A), (D), Pub. L. 108–271 substituted “Government Accountability Office” for “General Accounting Office”.

**2003**—Subsec. (k)(2)(A), Pub. L. 108–189 substituted “Servicemembers Civil Relief Act” for “Soldiers’ and Sailors’ Civil Relief Act of 1940”.

**1997**—Subsec. (j)(2), Pub. L. 105–85, §1105(1), added par. (2) and struck out former par. (2) which read as follows: “Such regulations shall provide that an agency’s administrative costs incurred in executing legal process to which the agency is subject under this section shall be deducted from the amount withheld from the pay of the employee concerned pursuant to the legal process.”

Subsec. (k)(3), (4), Pub. L. 105–85, §1105(2), redesignated par. (4) as (3) and struck out former par. (3) which read as follows: “Regulations under this subsection may also provide that the administrative costs incurred in establishing and maintaining an involuntary allotment be deducted from the amount withheld from the pay of the member of the uniformed services concerned pursuant to such regulations.”

Subsec. (l), Pub. L. 105-85, §1105(3), struck out subsec. (l) which read as follows: "The amount of an agency's administrative costs deducted under regulations prescribed pursuant to subsection (j)(2) or (k)(3) shall be credited to the appropriation, fund, or account from which such administrative costs were paid."

1996—Subsecs. (h)(2), (i). Pub. L. 104-193 substituted "section 459 of the Social Security Act (42 U.S.C. 659)" for "sections 459, 461, and 462 of the Social Security Act (42 U.S.C. 659, 661, and 662)".

Subsec. (j)(2). Pub. L. 104-106, §643(a), added par. (2) and struck out former par. (2) which read as follows: "Such regulations shall provide that an agency's administrative costs in executing a garnishment action may be added to the garnishment, and that the agency may retain costs recovered as offsetting collections."

Subsec. (k)(3), (4). Pub. L. 104-106, §643(b), added par. (3) and redesignated former par. (3) as (4).

Subsec. (l). Pub. L. 104-106, §643(c), added subsec. (l).

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-193 effective six months after Aug. 22, 1996, see section 362(d) of Pub. L. 104-193, set out as a note under section 659 of Title 42, The Public Health and Welfare.

For provisions relating to effective date of title III of Pub. L. 104-193, see section 395(a)-(c) of Pub. L. 104-193, set out as a note under section 654 of Title 42, The Public Health and Welfare.

#### EFFECTIVE DATE; SAVINGS PROVISION

Section effective 120 days after Oct. 6, 1993, and not to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as a note under section 7321 of this title.

#### PILOT PROGRAM ON ALTERNATIVE NOTICE OF RECEIPT OF LEGAL PROCESS FOR GARNISHMENT OF FEDERAL PAY FOR CHILD SUPPORT AND ALIMONY

Pub. L. 105-261, div. A, title X, §1061, Oct. 17, 1998, 112 Stat. 2128, authorized the Secretary of Defense to conduct a pilot program on alternative notice procedures for withholding or garnishment of pay for the payment of child support and alimony under section 659 of Title 42, The Public Health and Welfare, required the Secretary to submit to Congress, not later than Jan. 1, 2001, a report describing the experience of the Department of Defense under the authority provided for the program, and provided for termination of pilot program on Sept. 30, 2001.

#### EX. ORD. NO. 12897. GARNISHMENT OF FEDERAL EMPLOYEES' PAY

Ex. Ord. No. 12897, Feb. 3, 1994, 59 F.R. 5517, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 5520a(j)(1)(A) of title 5, United States Code, as added by section 9 of Public Law 103-94, it is hereby ordered as follows:

SECTION 1. The Office of Personnel Management, in consultation with the Attorney General, is designated to promulgate regulations for the implementation of section 5520a of title 5, United States Code, with respect to civilian employees and agencies in the executive branch, except as provided in section 2 of this order.

SEC. 2. The Postmaster General is designated to promulgate regulations for the implementation of section 5520a of title 5, United States Code, with respect to employees of the United States Postal Service.

WILLIAM J. CLINTON.

[Code of Federal Regulations]  
[Title 39, Volume 1]  
[Revised as of July 1, 2006].  
From the U.S. Government Printing Office via GPO Access  
[CITE: 39CFR491]

[Page 157-160]

TITLE 39--POSTAL SERVICE

CHAPTER I--UNITED STATES POSTAL SERVICE

PART 491 GARNISHMENT OF SALARIES OF EMPLOYEES OF THE POSTAL SERVICE AND  
THE POSTAL RATE COMMISSION

Sec.

- 491.1 Authorized Agent to receive service.
- 491.2 Manner of service.
- 491.3 Sufficient legal form.
- 491.4 Identification of employees.
- 491.5 Costs.
- 491.6 Response to process.
- 491.7 Release of information.
- 491.8 Execution of process.
- 491.9 Restrictions on garnishment.

Authority: 5 U.S.C. 5520a; 39 U.S.C. 401; E.O.12897, 59 FR 5517, 3  
CFR, 1994 Comp., p. 858.

Source: 63 FR 67403, Dec. 7, 1998, unless otherwise noted.

Sec. 491.1 Authorized Agent to receive service.

Notwithstanding the designation, in Sec. 2.2 of this chapter, of the General Counsel as agent for the receipt of legal process against the Postal Service, the sole agent for service of garnishment process directed to the pay of Postal Service employees and employees of the Postal Rate Commission ('employees') is the Manager, Payroll Processing Branch, 2825 Lone Oak Parkway, Eagan, MN 55121-9650 ('Authorized Agent'). The Authorized Agent shall have sole authority to receive service of legal process in the nature of garnishment (hereinafter sometimes referred to as 'process') arising under the law of any state, territory, or possession, or the order of a court of competent jurisdiction of any state, territory, or possession (including any order for child support and alimony or bankruptcy). The Authorized Agent may not receive or transmit service of process in a private legal matter on behalf of an employee. No process shall be effectively served until it is received by the Authorized Agent or his designee. No other employee shall have the authority to accept service of such

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process. Service of process in conformity with Rule 4(i) of the Federal



Rules of Civil Procedure (28 U.S.C. Appendix) is not waived for any suit or action wherein the Postal Service, its officers, or employees are parties. Any Order, issued in bankruptcy, for the withholding of sums from pay due an employee and which is directed to the Postal Service for handling outside the voluntary allotment procedure, is legal process subject to the provisions of these regulations.

Sec. 491.2 Manner of service.

Service of process on the Authorized Agent or his designee may be made in person or by certified or registered mail, with return receipt requested, at the address of the Authorized Agent. Service may also be made on the Authorized Agent by means of any private delivery service pursuant to its authority for the private carriage of letters under an exception to the Private Express Statutes, 39 U.S.C. 601-606, provided that the private delivery organization issues a receipt bearing the name and address of both the addressee and sender, as well as the date of delivery and the signature of the receiving agent. No garnishment is effectively served until it is received by the Authorized Agent or his designee regardless of the chosen mode of delivery. Process addressed to, delivered to, or in any manner given to any employee, other than the Authorized Agent or his designee, may, at the sole discretion of the employee, be returned to the issuing court marked ``Not Effectively Served.'' A copy of or reference to these regulations may be included. Employees are not authorized to redirect or forward garnishment process to the Authorized Agent. In the event that the address of the Authorized Agent is changed, mail may be forwarded from his last published address to his new official address until such time as these regulations are amended to reflect the new address.

Sec. 491.3 Sufficient legal form.

No document purporting to garnish employee wages shall be deemed sufficient unless it can be determined from the face of the document that it is legal process in the nature of garnishment; that it is issued by a court of competent jurisdiction or an authorized official pursuant to an order of such a court or pursuant to federal, state or local law, evidenced by a signature of the issuing person; and that it contains the name of the garnished party, with his or her social security number, orders the employing agency to withhold from pay a specific amount of money, specifically describes the judgment of debt or administrative action complete with statutory citation and contains specific advice as to where to send the funds as they are periodically withheld including the complete Zip Code (Zip + 4). When there is a suggestion that the employee is under the jurisdiction of a bankruptcy proceeding, the creditor must provide documentary evidence to prove that his legal process is not in violation of the bankruptcy court's jurisdiction before the creditor's garnishment may be processed. Documents deficient in any of these respects may be returned to the issuing court or authorized official inscribed ``Insufficient as to legal form.''

Sec. 491.4 Identification of employees.

Garnishments must be accompanied by sufficient information to permit prompt identification of the employee and the payments involved. Garnishment of an employee whose name and social security number is similar to but not identical with the name and social security number on the garnishment will not be processed. An exact match of both name and social security number is required in order to permit processing; otherwise, the garnishment will be returned marked "Insufficient identifying information." Garnishments which are insufficient in regard to identifying information will not be held pending receipt of further information and must be served again when the proper information is obtained.

Sec. 491.5 Costs.

The Postal Service's administrative costs in executing the garnishment action shall be added to each garnishment and the costs recovered shall be retained as offsetting collections. The Postal Service reserves the right to redetermine the administrative cost of

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any garnishment if, in administering any garnishment, extra costs beyond those normally encountered are incurred, and add the extra cost to each garnishment. The extra costs recovered shall be retained as offsetting collections.

Sec. 491.6 Response to process.

(a) Within fifteen days after receipt of process that is sufficient for legal form and contains sufficient information to identify the employee, the Authorized Agent shall send written notice that garnishment process has been served, together with a copy thereof, to the affected employee at his or her duty station or last known address. The Authorized Agent shall respond, in writing, to the garnishment or interrogatories within thirty days of receipt of process. The Authorized Agent may respond within a longer period of time as may be prescribed by applicable state law. Neither the Authorized Agent nor any employee shall be required to respond in person to any garnishment served according to the provisions of 5 U.S.C. 5520a and the regulations in this section. A sufficient response to legal process shall consist of any action of the Postal Service consistent with these regulations. The action shall be considered to be given under penalty of perjury and shall constitute a legally sufficient answer to any garnishment. The Postal Service may, in its sole discretion, answer or otherwise respond to documents purporting to be legal process which are insufficient as to the manner of service, insufficient as to the identification of the employee, insufficient as to legal form or insufficient for any other reason.

(b) The requirements of paragraph (a) of this section are illustrated by the following example:

Example: Each periodic check with the accompanying Financial Institution Statement shall be considered to be a legally sufficient

answer. Where legal process has been processed but no money was deducted, (for the reason of insufficient pay, prior garnishment in force, etc.) the mailing label or other written response shall be a sufficient answer. Where the Postal Service sends a check or mailing label, no further action will be required (such as a cumulative report or notarized statement.) Documents which are defective with respect to service, lack of legal sufficiency, failure to properly identify the employee, or other reason, do not require a response or an answer but if the Postal Service chooses to act in any way, such as to return the document, that act shall be a sufficient answer.

Sec. 491.7 Release of information.

(a) No employee whose duties include responding to interrogatories to garnishments shall release information in response to a garnishment until it is determined that sufficient information, as required in Sec. 491.4, has been received in writing as part of the garnishment legal process. The Authorized Agent may, at his or her sole discretion, accept or initiate telephone or telefax inquiries concerning garnishments. No other employee may release any information about employees except in conformity with the Privacy Act of 1974, 5 U.S.C. 552a, and the regulations in 39 CFR Part 266, "Privacy of Information."

(b) The Authorized Agent's response to legal process is sufficient if it contains only that information not otherwise protected from release by any federal statute including the Privacy Act. Neither the Postal Service nor the Postal Rate Commission shall be required to provide formal answers to interrogatories received prior to the receipt of legal process. Employment verification may be obtained by accessing the Postal Service's employment verification system by dialing 1-(800) 276-9850.

Sec. 491.8 Execution of process.

(a) All legal process in the nature of garnishment shall be date and time stamped by the Authorized Agent when received for the purpose of determining the order of receipt of process which is sufficient as to legal form and contains sufficient information for identification of the employee, the Authorized Agent's date and time stamp shall be conclusive evidence. Child support and alimony garnishments will be accorded priority over commercial garnishments under 5 U.S.C. 5520a as provided in 5 U.S.C. 5520a(h)(2). Garnishments shall be executed provided that the pay cycle is open for input or, if closed, will be held until the next cycle. In no event shall the Postal Service be required to

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vary its normal pay or disbursement cycles in order to comply with legal process of any kind. Garnishments shall be recalculated, if required, to fit within the normal postal pay cycles. The Postal Service shall not be required to withhold pay and hold the funds in escrow. The Postal Service, in its sole discretion, may process more than one garnishment at a time within the restrictions on garnishments in Section 491.9 of these regulations. The Postal Service may, in its sole discretion,

accept and hold for processing garnishments received after the garnishment currently in force.

(b) The Postal Service will only accept and effectuate legal process for a person who is currently employed. Upon cessation of employment, process relating to that individual will be terminated and not retained. The Postal Service shall not be required to establish an escrow account to comply with legal process even if the applicable law of the jurisdiction requires private employers to do so. Legal process must state on its face that the Postal Service withhold up to a specific total amount of money, the Postal Service will not calculate interest, charges, or any variable in processing a garnishment. The Postal Service may continue processing a garnishment if the garnishing attorney provides the adjusted total including the additional money owed, as determined from his calculation of the variable amounts. The attorney is deemed to certify on his professional responsibility that the calculations are correct and will indemnify the employee directly for any errors. All garnishments of periodic pay may be effectuated in accordance with the bi-weekly pay schedule. The Postal Service need not vary its pay and disbursement cycles to accommodate withholding on any other cycle.

(c) Neither the Postal Service, the Postal Rate Commission nor any disbursing officer shall be liable for any payment made from moneys due from, or payable by the Postal Service or the Postal Rate Commission to any individual pursuant to legal process regular on its face.

(d) The Postal Service, the Postal Rate Commission, any disbursing officer or any other employee shall not be liable to pay money damages for failure to comply with legal process.

#### Sec. 491.9 Restrictions on garnishment.

Garnishments under this section shall be subject to the restrictions in 15 U.S.C. 1671-1677, including limits on the amounts which can be withheld from an employee's pay and the priority of garnishments.

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