

## Chapter DWD 278

### WAGE GARNISHMENT

#### DWD 278.01 Allowance.

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Note: Chapter Ind 78 was renumbered chapter ILHR 278 under s. 13.93 (2m) (b) 1., Stats., Register, February, 1996, No. 482. Chapter ILHR 278 was renumbered chapter DWD 278 under s. 13.93 (2m) (b) 1., Stats., and corrections were made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, May, 1997, No. 497.

**DWD 278.01 Allowance. (1)** When earnings are the subject of a garnishment action, the garnishee shall pay over to the principal defendant on the date when the earnings would normally be payable, a subsistence allowance which is the greater of the following:

(a) *Monthly basis.* 75% of the disposable earnings earned then due or owing; or an amount equal to 130 times the federal minimum wage.

(b) *Weekly basis.* 75% of the defendant's disposable earnings then due or owing; or an amount equal to 30 times the federal minimum hourly wage for each full week of the pay period.

(c) *Daily basis.* 75% of the disposable earnings earned then due or owing; or an amount equal to 6 times the federal minimum wage.

(d) *Commission or bonus basis.* 75% of the earnings earned then due or owing; or an amount equal to that computed under par. (a), (b) or (c).

(2) For the purpose of this rule "federal minimum hourly wage" means that wage prescribed by section 6 (a) (1) of the fair labor standards act of 1938 as amended.

History: Cr. Register, January, 1970, No. 169, eff. 2-1-70.