

Chapter ILHR 278

WAGE GARNISHMENT

ILHR 278.01 Allowance

Note: Chapter Ind 78 was renumbered chapter ILHR 278 under s. 13.93 (2m) (b) 1., Stats., Register, February, 1996, No. 482.

ILHR 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 pars. (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.