	<b>SALARY ADMINISTRATION</b>	<b>Human Resource Manual</b>
<b>Recoveries From Pay/Garnishment</b>		<b>Section 1406</b>

## RECOVERIES FROM PAY/GARNISHMENT

### PURPOSE

1. The Government may make recoveries from an employee's pay.

### APPLICATION


2. These guidelines and procedures apply to all employees.

### DEFINITIONS

3. **Garnishment** is withholding money in compliance with a legal order to pay the employee's debt to a third party.

### PROVISIONS

4. Recoveries may be made from an employee's pay for money owing to the Government for:
  - (1) over-payment of salary or wages;
  - (2) salary paid for unearned leave and absence without leave;
  - (3) loans, advances and allowances, such as:
    - an advance for travel or removal expenses;
    - an allowance to purchase and transport food if residing in an eligible community; or
    - assistance to purchase tools.
  - (4) arrears on deductions from pay;
  - (5) rent arrears; and
    - (a) other debts collectible, including tenant damages to staff accommodations, under the *Financial Administration Act* or on authorization of the Comptroller General.
5. For continuing employees in the Nunavut Employees Union (NEU) or Nunavut Teachers Association (NTA) bargaining units, no more than 10% of gross earnings per pay period may be deducted for recoveries.

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6. For senior managers and employees in the excluded group, the amount to be deducted per pay cheque will be 10% of the employee's gross earnings per pay period unless the Employer and Employee mutually arrange on an alternative repayment schedule for recoveries. If the total amount outstanding is less than 10% of the employee's gross earnings per pay period, the full amount is deducted from one pay period.
7. Recoveries are not subject to the limitations in #5, and #6 above in the following cases:
  - recovery for an absence without approved leave;
  - collection of money owed to the Government upon termination of employment;
  - recovery under garnishment, such as compliance with a court order.
8. In addition, recoveries of monies owed as described in 4 (3) and (5) (a) above from employees in the NEU bargaining unit are not subject to the limitation in 5 above. These recoveries are made in full or as mutually arranged between the Employer and the employee.
9. Compensation and Benefits, upon receipt of notification of money owing, starts recovery action.

**AUTHORITIES AND REFERENCES**

10. Financial Administration Act
11. Main Collective Agreement with the NEU  
 Article 24.02 (c) (i) and (ii), Pay  
 Article 40.12 Food Purchasing and Transportation Assistance
12. Collective Agreement with the NTA  
 Article A1.10 (1), Salary

**CONTACTS**

13. For further information or clarification, please contact:

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