

STATE OF ARIZONA EMPLOYEE WAGE GARNISHMENTS TAX LEVIES

Frequently Asked Questions and Answers for State of Arizona employees

THESE FREQUENTLY ASKED QUESTIONS (FAQs) AND CORRESPONDING ANSWERS ARE NOT INTENDED TO BE LEGAL ADVICE. IF YOU HAVE ANY LEGAL QUESTIONS, YOU SHOULD OBTAIN LEGAL COUNSEL.

Where should garnishment documents be served?

STATE OF ARIZONA
DEPARTMENT OF ADMINISTRATION
100 NORTH 15TH AVENUE, SUITE 302
PHOENIX, ARIZONA 85007

What is the Contact Information for Garnishments?

EMAIL: GARNISHMENTS@AZDOA.GOV
PHONE: (602) 542-6082
FAX: (602) 364-2215

Document Submission Deadline:
Documents must be received by Central Payroll by 12:00 PM (noon) the Tuesday before payday to be effective that payday.

What documents are mailed to me when my wages are levied?

For a State Levy / Arizona Department of Revenue (DOR): Notice of Levy on Salary or Wages and Statement of Exemptions.

For a Federal Levy / Internal Revenue Service (IRS): Notice of Levy on Wages, Salary and Other Income Parts 2, 3, 4 and 5.

When will the garnishment be put in place?

For DOR: A.R.S. § 42-1201(E) requires us to put it in place from the date the levy is first made and keep the levy in effect continuously until the liability out of which the levy arose is satisfied or unenforceable.

For IRS: The IRS requires us to respond immediately and keep the levy in effect for all wages and salary for personal services until a Release of Levy is received.

How will the garnishment deduction be calculated?

The amount deducted is calculated in accordance with Federal and State laws using the following formula:

Gross Earnings

- Taxes

- Retirement

- Long Term Disability

- Voluntary Deductions active when the levy was received

= **Disposable Earnings**

Disposable Earnings

- Exempt Amount (use Publication 1494*)

= **Nonexempt Earnings**

Deduction Amount = the lesser of Nonexempt Earnings or the Remaining Balance

*Publication 1494 is used to determine the amount of Exempt Wages (Net Pay).

The default setup for the levy calculation is Married Filing Separate with 1 Exemption.

If this changes, complete a new Statement of Exemptions and submit it to Central Payroll.

What if I already have a garnishment, can wages be subject to more than one garnishment?

Yes. However, the first garnishment, or higher priority garnishment, may limit the amount deducted for any other garnishments.

I have never received notification of the original debt, is this legal?

Any defenses or questions about the underlying debt should be brought to the issuing agency's attention or legal advice sought.

Central Payroll has no authority to change or stop the garnishment.

The levy garnishment amount is too high; can it be changed or reduced?

Any agreement for a reduction of the deduction amount must be requested of and ordered by the issuing agency. If you obtain a reduction (Wage Assignment for a lesser amount) or a Release of Levy, please send it to this office by fax at (602) 364-2215 or by email at Garnishments@azdoa.gov.

The levy has been released by the issuing agency, where do I send the release?

If you obtain a Release of Levy, please send it to this office by fax at (602) 364-2215 or by email at Garnishments@azdoa.gov.

I have entered into a Voluntary Repayment Agreement with the Issuing Agency, where do I send it?

A.R.S. § 38-612 prohibits the State from deducting certain voluntary amounts from your paycheck. You will have to pay the issuing agency directly in accordance with the agreement. However, the State may accept these forms as a release of the involuntary levy.

What if my number of exemptions or filing status changes while the levy is in effect?

Complete a new Statement of Exemptions and send it to this office by fax at (602) 364-2215 or by email at Garnishments@azdoa.gov. Although tax withholding elections for your bi-weekly paycheck may be updated through the Y.E.S. website, exemptions for calculations of the levy cannot. The Statement of Exemptions must always be filed on paper and sent to the Central Payroll office.

I did not receive any documents in the mail, can you email them?

Central Payroll cannot email any garnishment documents, because we are required to mail them to your home address. You can always confirm or change your home address at any time by logging in to the Y.E.S. website at www.yes.az.gov.