POLICY STATEMENT
Each employee of Augusta University is responsible for and is expected to pay on a timely basis all of his or her debts owed to Augusta University, including fees, fines, penalties, and other financial obligations. If a non-exempt employee fails to do so, Augusta University may withhold pay from the employee’s paycheck(s) in amount(s) totaling the debt that the employee owes to Augusta University. An exempt employee’s pay may be withheld for disciplinary reasons related to safety violations of major significance, subject to the provisions of the Fair Labor Standards Act. (The suspension of an exempt employee without pay is covered under other university policies on progressive discipline)

AFFECTED STAKEHOLDERS
Indicate all entities and persons within the Enterprise that are affected by this policy:
☐ Alumni  ☒ Faculty  ☐ Graduate Students  ☐ Health Professional Students  ☐ Staff  ☐ Undergraduate Students  ☐ Vendors/Contractors  ☐ Visitors  ☒ Other: Student Employees

DEFINITIONS
• Debt shall mean any amount owed to Augusta University by an employee, including fees, fines, penalties, and other financial obligations that have arisen out of an employee’s actions or inaction. Debts shall not include parking fines or fees or amounts owed for reimbursement of moving/relocation expenses, which are covered by separate university policies.
• Employee shall include all faculty members, administrative officers, classified personnel, and students employed by Augusta University, on a regular, regular-limited term, temporary, or temporary-occasional basis.
• Department shall mean the Augusta University department or administrative unit that either is responsible for assessing the fee, fine, or penalty at issue or has suffered a financial loss caused by an employee’s action or inaction.
• Notice shall mean the written notification given by the Augusta University Department to an employee that shall set forth the nature of the debt, the amount owed to Augusta University, and the deadline by which payment must be made.
• Safety rules of major significance shall mean those rules related to the prevention of serious danger in the workplace or to other employees.

PROCESS & PROCEDURES

Notification of Employee
The Department that is responsible for assessing the fee, fine, or penalty at issue or that has suffered a financial loss caused by an employee’s action or inaction shall notify the employee in writing, which
includes email, of the nature of the debt, the amount owed to Augusta University, and the deadline by
which payment must be made (no sooner than sixteen (16) business days from the date of the initial
Notice). The Notice shall inform the employee that if the debt is not paid by the stated date, payment will
be deducted from the employee’s paycheck(s). The Notice shall also inform the employee that he or she
may contest such debt by submitting a written statement challenging the validity of the debt to the
Department head within five (5) business days from the date of the Notice.

Employee Challenge and Department Head Review
If the employee chooses to submit a written statement challenging the validity of the debt, he or she should
include all documentation that the employee believes supports his or her challenge. The employee may, if
he or she so chooses, request in his or her written statement to meet with the Department head. As soon
as practical, the Department head shall determine the debt’s validity and inform the employee in writing
of his or her decision. If requested by the employee in his or her written statement, the Department head
may elect to meet with the employee before rendering his or her decision. If the Department head
determines that the debt is not valid, he or she shall notify the employee that the Notice of debt is
withdrawn. If the Department head determines that the debt is valid, he or she shall so notify the employee
and inform the employee of the new due date for payment (no sooner than sixteen (16) business days from
the date of the Department head’s determination), that payment will be deducted from the employee’s pay
if the debt is not paid by the stated date, and that the employee may appeal the Department head’s decision
by submitting a written appeal to the member of the President’s Cabinet who has primary supervisory
responsibility for the Augusta University Department within five (5) business days from the date of the
Department head’s determination.

Employee Appeal and Cabinet Member Review
If the employee timely appeals the Department head’s determination that the debt is valid, the Cabinet
member shall rule on the employee’s appeal and inform the employee of his or her decision as soon as
practical. The Cabinet member’s decision is final. If the Cabinet member upholds the Department head’s
determination, the Cabinet member shall inform the employee of the final due date for payment and that
the debt will be deducted from the employee’s pay if the debt is not paid by the final date.

Withholding of Pay
If the employee has not paid the amount of the debt by the final due date, the Department head shall submit
to the Office of the Controller written directions to withhold the amount of the debt from the employee’s
pay and shall provide a copy of such directions to the employee. The Office of the Controller will withhold
such an amount from the employee’s paycheck as appropriate, provided that such withholding does not
result in the employee earning an amount below what would be required to be paid by applicable minimum
wage and overtime laws. In addition, withholding for the amount of the debt will occur only after legally
ordered deductions (such as ordered child support, garnishment orders, etc.) have been taken out of the
employee’s paycheck. If the employee leaves Augusta University employment before the debt
has been fully paid, the Office of the Controller shall withhold, consistent with this policy, the remaining
amount of the debt from the employee’s final paycheck, which includes any annual leave payout. If the
employee leaves Augusta University employment while their appeal is in a pending status under this
policy, the Department head shall notify the Office of Controller of the disputed sum so that the Office of
Controller may withhold the disputed amount until such time as a final determination is made. The Department head and cabinet member shall expedite their review of the appeal so that final determination can be forwarded to the Office of Controller no later than 21 business days after the employee’s last date of employment. After there has been a final determination of the debt’s validity, the Office of the Controller will either retain or return to the employee all or part of the amount withheld, as warranted.

Exceptions
The withholding of pay for certain debts owed by an employee to Augusta University will be handled in accordance with existing Augusta University policies that specifically address those debts. For example, amounts owed by an employee for relocation and moving expenses because of the employee’s failure to remain at Augusta University will be handled in accordance with Augusta University Administrative Policy “Relocation and Moving Expenses for New Employees.”

REFERENCES & SUPPORTING DOCUMENTS
Policy Manual of the Board of Regents, Section 8.2.13 “Garnishment of Pay”:
https://www.usg.edu/policymanual/section8/

RELATED POLICIES
Human Resources Administrative Practice Manual of the Board of Regents, Classification, Compensation, and Payroll “Policy on Withholding of Pay”:
https://www.usg.edu/hr/manual/withholding_of_pay
Augusta University Administrative Policy “Relocation and Moving Expenses for New Employees”: Relocation & Moving Expenses for New Employees Policy

APPROVED BY:

Executive Vice President for Academic Affairs and Provost, Augusta University
Date: 10/11/2021

President, Augusta University Date: 10/11/2021