

CITY PROPOSAL – OVERPAYMENTS OF COMPENSATION

City Proposed Language:

ARTICLE XX OVERPAYMENTS OF COMPENSATION

When the City determines an overpayment has been made to an employee, it shall notify the employee of the overpayment and afford the employee an opportunity to respond prior to commencing recoupment actions. Thereafter, reimbursement shall be made to the City through one of the following methods mutually agreed to by the employee and the City:

- xx.1 Cash payment or payments.
- xx.2 Installments through payroll deduction to cover at least the same number of pay periods in which the error occurred. When overpayments have continued for more than one-year, full payment may be required by the City through payroll deductions over the period of one year. In no event shall amounts deducted from payment of salary or wages exceed 25% of the employee's net disposable earnings.
- xx.3 Absent mutual agreement on a method of reimbursement within 30 days, the City shall proceed with recoupment in the manner set forth in Article xx.2.
- xx.4 An employee who separates from employment prior to full repayment of the amount owed shall have withheld from any money owing the employee upon separation an amount sufficient to provide full repayment. If the amount of money owing upon separation is insufficient to provide full reimbursement to the City, the City shall have the right to exercise any and all other legal means to recover the additional amount owed.