

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WASHINGTON, D.C. 20210

CCPA

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70 NOV 1972

This is in reply to your letter of August 4, 1972, concerning our enforcement of the restrictions on discharge from employment by reason of garnishment provided in Title III of the Consumer Credit Protection Act. You are particularly interested in whether we have initiated any actions under 15 U.S.C. 1674(b), which prescribes penalties for the willful discharge of an employee whose wages have been garnished for one indebtedness.

This Department has not yet initiated any actions under the provisions of 15 U.S.C. 1674(b). Compliance with the Act in the case of unlawful discharge has been obtained primarily through our investigation and conciliation program. Generally, there would be no need for litigation when we obtain redress of the employees' rights through such administrative procedures. Every effort is made in cases involving unlawful discharge to attain restoration of the employee to the same employment held before such discharge, and restitution of any wages lost as a result of an illegal discharge. Cases in which such redress is not achieved administratively are referred to the Solicitor of Labor for evaluation and litigation. This Department has litigated cases pursuant to 15 U.S.C. 1674(a) and private individuals have also brought such actions. Cases which are appropriate will be litigated pursuant to 15 U.S.C. 1674(b) as they arise.

Sincerely,

Horace E. Menasco  
Deputy Assistant Secretary

OFFICE OF THE DEPUTY ASSISTANT SECRETARY  
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