Teachers College, Columbia University

Policy on Recouping Salary Overpayments

PURPOSE

To establish Teachers College policy and procedures relating to recouping salary overpayments in compliance with legislation 12 NYCRR 195.

POLICY

Despite best efforts, an individual may sometimes receive salary overpayments due to the College’s clerical or mathematical errors. This policy sets out the procedures for correcting these payments.

Procedure for Recoument:

The procedure for recoument will depend on whether the full overpayment can be recouped from the employee’s next paycheck.

When an overpayment is identified, the individual will be provided written (e-mail or paper) notice of the College’s intention to recoup the overpayment.

- If the entire amount of the overpayment can be reclaimed in the next wage payment, notice will be given at least three business days before the deduction. The overpayment can be recouped in the next wage payment as long as it does not exceed the net wages after other permissible deductions for that payment (See appendix A for notification to be provided)

- In other cases, notice will be given at least three weeks before the deductions will begin. Each recovery will not exceed 12.5% of the gross wages earned in that wage payment and will not reduce the effective hourly wage below the minimum wage (See appendix B for notification to be provided).

Overpayments which occurred within 8 weeks of providing the above notice may be recouped through this policy. Overpayments which are identified after 8 weeks of occurrence must be addressed via an alternate process.
Procedures for Contesting Recoupment:

Affected individuals may contest the recouping of the overpayment as follows:

The deadlines for challenging recoupment will depend on whether the notice indicates that the full overpayment can be recouped from the employee’s next paycheck.

- If the notice indicates that the full overpayment will be recouped from the employee’s next payment, the employee must, within three days from the date of the receipt of the notice of intent to recoup, deliver to the Payroll Department an email (payrolldept@tc.columbia.edu) or paper response (Payroll Department is located at 120 Whittier Hall) indicating why they are questioning the overpayment.

- If the notice indicates that recoupment will take place over more than one paycheck, the employee must, within one week from the date of the receipt of the notice of intent to recoup, deliver to the Payroll Department an email (payrolldept@tc.columbia.edu) or paper response (Payroll Department is located at 120 Whittier Hall) indicating why they are questioning the overpayment.

The College will reply to the individual’s submission, addressing the issues raised by the individual stating the College’s position including whether the College agrees or disagrees with the individual and the reason why the College agrees or disagrees. This response will take place within two days for a payment to be recouped in a single paycheck and within one week for a payment to be recouped over more than one paycheck.

The College’s reply will also notify the employee of the opportunity to meet with a College representative within one week of receiving the College’s reply to discuss any disagreements that remain regarding the deductions.
If the employee elects a meeting, the College will provide the individual with written notice of the final determination regarding the deductions within one week of this meeting. When making a final determination regarding the amount of the deduction to be made per pay period and the date such deduction(s) shall commence, the College shall consider the issues raised in the individual’s request regarding the amount of each deduction.

If an employee challenges a notice to recoup, the College will delay taking the deduction for three weeks after issuing the final determination. The College will repay the employee for any deduction found to be improper no later than the time period provided for payment of wages earned on the day of that determination.

Responsible Office: Payroll

Adopted: January 24, 2014
Appendix A

Sample Notification for Recouping Overpayments in the Next Wage Payment

You have received an overpayment of $______ before taxes and other deductions on your mm/dd/yyyy paycheck. The College intends to recoup these funds in your mm/dd/yyyy paycheck.

If you do not agree with the College’s assessment of the overpayment, please provide written notice to the Payroll Office within three days of the date of this notice as to why you believe your paycheck on mm/dd/yyyy was correct or what you believe the correct overpayment amount to be. Your notice should be time stamped when submitted to the Payroll Office at 120 Whittier Hall or submitted via e-mail to payrolldept@tc.columbia.edu.

The procedure for challenging recoupment is available at www.tc.edu/policylibrary/policy_on_recouping_salary_overpayments.

Date:mm/dd/yyyy
Appendix B

Sample Notification for Recouping Overpayments over Several Pay Cycles

You have received an overpayment of $______ before taxes and other deductions on your mm/dd/yyyy paycheck. The College intends to recoup these funds over the following pay cycles as indicated:

Payment 1: mm/dd/yyyy paycheck - $xx.xx
Payment 2: mm/dd/yyyy paycheck - $xx.xx
Payment 3: mm/dd/yyyy paycheck - $xx.xx
Payment 4: mm/dd/yyyy paycheck - $xx.xx
Payment 5: mm/dd/yyyy paycheck - $xx.xx
Payment 6: mm/dd/yyyy paycheck - $xx.xx

If you do not agree with the College’s assessment of the overpayment, please provide written notice to the Payroll Office within one week of this notice as to why you believe your paycheck on mm/dd/yyyy was correct or what you believe the correct overpayment amount to be. Your notice should be time stamped when submitted to the Payroll Office at 120 Whittier Hall or submitted via e-mail to payrolldept@tc.columbia.edu

The procedure for challenging recoupment is available at www.tc.edu/policylibrary/policy_on_recouping_salary_overpayments.

Date:mm/dd/yyyy