**Section 300.930 Notice of Disputed Deductions**

a) Notice by an employer of disputed deductions from wages under Section 9 of the Act shall be either typewritten or clearly handwritten and shall include: the name and last known address of the employee from whose wages or final compensation the deduction is being made; the amount that is being withheld; the reason for which the deduction is being made; the date on which payment would have been made; the name, business address and telephone number of the employer and any officer or agent of the employer who will present the employer's position to the Department during its investigation of the deduction; and any supporting documentation. The notice shall be prominently marked "NOTICE OF DISPUTED DEDUCTION" on both the letter and the envelope and shall be mailed or delivered to the Department's Chicago office at 160 N. LaSalle, C-1300, Chicago IL 60601 on or before the day the money is due to the employee.

b) The Department will notify the employee of the proposed deduction and provide an opportunity for the employee to contest the deduction. The employee's response shall be typewritten or clearly handwritten and shall state the reasons why the employee contests the deduction. The response shall be prominently marked "DISPUTED DEDUCTION RESPONSE" on both the letter and the envelope and shall be mailed or delivered to the Department's Chicago office. If the employee does not respond within 10 days after receipt of the Department's notice, the deduction shall be permitted and the Department will take no further action. Acceptance of late responses by the employee shall be at the sole discretion of the Department.

c) The Department may permit a deduction when an employer can establish by clear and convincing evidence that:

1) the employee is indebted to the employer in an amount equal to or greater than the amount sought to be withheld; and

2) it would be inequitable to require the employer to make payment to the employee prior to the employee satisfying his or her obligation to the employer.

(Source: Amended at 38 Ill. Reg. 18517, effective August 22, 2014)