**Section 300.900 Overpayment**

a) When the employee agrees that an overpayment has been made, the entire sum of the overpayment may be deducted on the employee's first regular payday subsequent to the payday on which the overpayment occurred. If an overpayment is not discovered until one or more paydays have passed, the employer and employee shall agree on a repayment schedule. If the employer and employee cannot agree on a repayment schedule, then the employer must comply with Section 9 of the Act and the rules herein (see all of Subpart D) and treat the overpayment as a cash advance.

b) If the employee refuses to sign such an agreement or in any way disputes the amount of overpayment or the employer's right to recoupment, no deduction shall be made unless the employer complies with the notice requirements enumerated in Section 9 of the Act and the rules herein (see all of Subpart D).

(Source: Added at 16 Ill. Reg. 13828, effective September 1, 1992)