

MIGRANT LABOR WORKER AGREEMENT

The information requested on this form is required under Wis. Stat. § 103.915 and Wis. Admin. Code Ch. DWD 301 to employ a migrant worker into the state of Wisconsin. Per Wis. Stat. § 103.915(2), an Employer/Migrant Labor Contractor (MLC) may elect not to use this form; however, if this form is not used, the Employer/MLC must use a form approved by the Department of Workforce Development ("DWD" or "the Department").

Personal information you provide may be used for secondary purposes per Wis. Stat. § 15.04(1)(m). Providing your social security number (SSN) is required so the Department can verify that the Employer/MLC is making the required payroll deductions and tax statements.

Note: Pursuant to Wis. Admin. Code § DWD 301.05(8)(b), Migrant Labor Worker Agreement/Contracts shall be maintained for 3 years and made available to the worker or DWD for inspection upon request. A copy of the written recruiting disclosure statement required under Wis. Stat. § 103.915(1)(a) should also be maintained with this form and available for inspection.

Per Wis. Stat. § 103.915(8), the recruiting disclosure statement, this work agreement and any incorporated attachments shall be written in English and, if the customary language of the migrant worker is not English, in the language of the worker. Both the English and translated version should be maintained and available for inspection.

1. Worker Information

Worker Name	Worker Permanent Address
Worker Telephone Number	Worker Social Security Number

2. Employer/MLC Information

Employer or MLC Name (also known as "recruiter")	Employer/MLC Permanent Address
Place of Employment (List work site address) (If more than one address, attach a complete list)	Employer/MLC Telephone Number

3. Kind of Work Available (Job Description and Crops)

Check all that apply.

Planting	Cultivating	Harvesting	Handling crops	Drying	Packing	Packaging	Raising
Processing	Freezing	Grading	Storing				

Any agricultural or horticultural commodity in its unmanufactured state.

Type of crop(s)

4. Applicable Wage Rates (Check here if wage details are attached)

Hourly Wage Rate

Position Recruited: _____ Recruited Hourly Wage: \$ _____

Position Hired: _____ Hired Hourly Wage: \$ _____

Update this section if the worker's position and/or hourly wage changes:

Updated Position: _____ Updated Hourly Wage: \$ _____

Update Date: _____ Worker Initials: _____ Employer/MLC Initials: _____

Piece-Rate Wage (If necessary, attach schedule.)

_____ per _____ crop

\$ _____ per hour

Note: Employer must complete both the piece-wage rate and guarantee hourly rate in this section.

5. Bonuses (Check here if bonus details attached)

Bonus Arrangement, if any: Yes No

If Yes, specify under what conditions bonus will be given or include in bonus details attachment:

Note: Bonuses may not be conditioned upon the worker continuing to work "until the end of the harvest." A bonus may be conditioned on a worker continuing to work up to 7 days beyond the approximate ending date in the work agreement.

6. Pay Period

Weekly Bi-weekly	Paid on:
	Sun Mon Tue Wed
	Thu Fri Sat

7. Approximate Hours of Employment (Work Hours)

Per day: _____ Per week: _____ (e.g., 8-12 hours per day and 32-50 hours per week)	
Straight Time Overtime, after ____ number of hours	Work Days – Check all that apply:
	Sun Mon Tue Wed
	Thu Fri Sat

8. Term of Employment

Approximate Beginning Date	Ending Date
Actual Report to Work Date:	
Note: The approximate beginning and end dates must comply with the minimum work guarantee as outlined in Section 15 below. If the actual report to work date is different from the approximate beginning date, then that date must be included above and initialed by both parties to this agreement.	

9. Housing

Housing Provided by Employer/MLC? Yes No	
<input type="checkbox"/> Family Housing Number of persons in the family provided housing: _____ Number of children under 18: _____ Maximum number of persons allowed to occupy assigned housing unit: _____ Type of Housing: House/Duplex Mobile Apartment (in an Apt Building) Hotel/Motel Other Cooking Facilities: No kitchen Central Mess Kitchen with stove/oven/refrigerator/sink Laundry Facilities: In Family Housing unit Shared facilities outside of housing unit Washer Dryer	Non Family (Single) Housing Type of Housing: House/Duplex Barracks/Dorm Mobile Apartment (in an Apt Building) Hotel/Motel Other Cooking Facilities: No kitchen Central Mess Kitchen with stove/oven/refrigerator/sink Shower/Restroom: Single Occupant Multi-Occupant Laundry Facilities (check all that apply): In housing unit Shared facilities outside of housing unit Washer Dryer Maximum number of persons allowed to occupy assigned sleeping area: _____
Cost <i>The maximum amount employers can deduct from a worker's paycheck for housing is \$58.00 per week. See Wis. Stat. s. 104.035</i> Cost for housing (including any amenities): \$ _____ How is cost calculated? (e.g. per person, per day, per contract term, etc.) If the housing costs will be deducted from pay, explain the rate of payroll deduction: Is a security deposit required? Yes No If Yes, how much? \$ _____	

10. Meals

Are meals provided by Employer/MLC? <input type="checkbox"/> Yes <input type="checkbox"/> No	List the meals provided:
Meals will be provided throughout the period of the contract term, unless otherwise specified. List any circumstances under which the meals listed above will not be provided:	
Describe how meal cost is calculated (e.g., per meal, per day, per contract term):	
Cost \$ _____ per _____	
Cost \$ _____ per _____	
Cost \$ _____ per _____	
Cost \$ _____ per _____	
If the meal costs will be deducted from pay, explain the rate of payroll deduction.	

11. Transportation

Transportation from worker's permanent residence to place of employment or housing. Transportation is arranged by employer: Yes No If Yes: Transportation is funded by the employer, then deducted from the worker's paycheck. Transportation is paid by the employer in full. Other: _____ Mode of transportation: Bus Van Car/Truck Airplane Worker's own transportation Cost to worker: \$ _____ Additional information: Is cost deducted from payroll? Yes No If Yes, explain the rate of payroll deduction: Describe how cost is calculated (e.g. per ride, per mile, etc.) Worker arranges their own transportation and employer reimburses some or all of the cost. Explain the rate of reimbursement How and when will the worker be reimbursed?	Transportation from worker's temporary residence (migrant labor camp or other location) to worksite. Transportation is arranged by the employer: Yes No If Yes: Transportation is funded by the employer, then deducted from the worker's paycheck. Transportation is paid by the employer in full. Other: _____ Mode of transportation: Bus Van Car/Truck Airplane Worker's own transportation Cost to worker: \$ _____ Additional information: Is cost deducted from payroll? Yes No If Yes, explain the rate of payroll deduction: Describe how cost is calculated (e.g. per ride, per mile, etc.) Worker arranges their own transportation and employer reimburses some or all of the cost. Explain the rate of reimbursement How and when will the worker be reimbursed?
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12. Other Authorized Deductions (Check here if charge/deduction details attached)

Are there any other charges or deductions from wages beyond those required by law? Yes No Housing (details in section 9) Meals (details in section 10) Transportation (details in section 11) Other, please describe:
<p><i>Deductions for defective or faulty workmanship, lost or stolen property or damage to property cannot be pre-authorized. The employee must authorize these types of deductions in writing after the damage has occurred. See Wis. Stat. s. 103.455.</i></p>

13. Worker's Family Information (if applicable)

Are family members employed by the same Employer/MLC? Yes No

If Yes, list names of all working family employed:

Are there family members over the age of 6? Yes No

Note: Housing used for a family with one or more children over 6 years of age shall have a room or partitioned sleeping area for the spouses. The partition shall be of rigid materials and installed so as to provide reasonable privacy.

14. Labor Disputes

Have there been wage complaints filed against the Employer/MLC with the U.S. Department of Labor–Wage & Hour Division or the DWD–Equal Rights Division within the last 2 years? Yes No

If Yes, explain:

15. Work Guarantee

The minimum work guarantee under s. 103.915 (4) (b), Stats., shall cover the period from the date the worker is notified by the employer to report for work, which date shall be reasonably related to the Approximate Beginning Date specified in Section 8 of this work agreement or the date the worker reports for work, whichever is later. The minimum guarantee continues until the date of the final termination of employment as specified as the "ending date" in Section 8 of this work agreement. or earlier if the worker is terminated for cause or due to seriously adverse circumstances beyond the Employer/MLC's control.

If a worker is notified by the Employer/MLC to report for work or is employed prior to the Approximate Beginning Date, the period of employment and the guarantee of minimum work shall begin on the date the worker is notified to report for work or the date the worker reports for work, whichever is later, and shall continue until the final termination of employment, as specified above, signed at the time of recruitment, or earlier if the worker is terminated for cause or due to seriously adverse circumstances beyond the Employer/MLC's control.

If the beginning or ending period of employment does not coincide with the employer's pay period, the employer may reduce the guarantee for such beginning or ending period to an amount that is equal to the number of days in the beginning or ending period of employment multiplied by one-sixth of the guarantee if the employer's guarantee is on a weekly basis or multiplied by one-twelfth of the guarantee if the employer's guarantee is on a biweekly basis. If a worker is not available for work, the employer may reduce the minimum guarantee by an amount equal to the wages the worker would have earned if the worker had been available for work.

A date can be considered "reasonably related to the Approximate Beginning Date" if the number of days between the date the worker is notified by the employer to report for work and the approximate beginning date specified in this work agreement is no greater than 15% of the length of time between the approximate beginning date specified in the work agreement and the end date in this agreement or 10 days, whichever is shorter.

Work Guarantee:
 Agricultural 45 hours/2 weeks
 Non-Agricultural 20 hours/week or 64 hours/2 weeks

I understand that if I am not available for work, the Employer/MLC may reduce the minimum guarantee by an amount equal to the wages I would have earned had I been available.

I hereby understand and accept the conditions and terms of employment as described herein and I have received a copy of the work agreement.

Worker Name (print):

Worker Signature:	Date Signed:
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For Employer/MLC

At the time of recruitment, I provided a written recruiting disclosure statement as required by Wis. Stat. § 103.915(1)(a) that contained the information required in this agreement.

I hereby certify that this work agreement describes the terms and conditions of employment and those terms and conditions of employment are not less favorable than those provided local workers for similar work.

Employer/MLC Name (print):

Employer/MLC Signature:	Date Signed:
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