

Application for Migrant Labor Contractor and Employee/Agent of Migrant Labor Contractor to Operate in Wisconsin

Use of this form: This form is required for individuals to register as Migrant Labor Contractors under Wis. Stat. § 103.91(1). Pursuant to Wis. Stat. § 103.91(2), the migrant labor contractor may submit a copy of a federal Farm Labor Contractor Certificate of Registration application in lieu of this form. This form is also required for Employees or Agents of Certified Migrant Contractors in Wisconsin who, pursuant to Wis. Stat. § 103.91(7) must provide information to receive an "Agent Identification Card" in order to conduct business in Wisconsin.

Misrepresentation on this application, violation of Wis. Stat. §§ 103.90-103.97, violation of § DWD 301, failure to pay court-ordered child or family support, delinquent taxes, or delinquent unemployment insurance contributions may result in denial of your migrant labor contractor certificate. See Wis. Stat. § 103.91(4).

No identification card will be issued until all materials have been received and verified.

No certification will be issued until all materials have been received and verified. No one may begin working as a migrant labor contractor in Wisconsin until the certificate has been issued. Please apply for certification no less than 20 days before you wish to begin work in Wisconsin. Providing an incomplete application, including failure to provide Form WH-514 and insufficient insurance coverage, may result in additional delays in gaining certification in Wisconsin.

Instructions:

Migrant Labor Contractors (Company or Independent Contractor)

Individuals who must certify as **Migrant Labor Contractors** in Wisconsin must complete Parts I, III, and IV of the form. Mail or email the following items to the Department of Workforce Development for certification:

- The completed form (Parts I, III, and IV)
- A fee of \$100 made out to The Department of Workforce Development (must be mailed)
- A copy of the applicant's U.S. DOL Wage and Hour Farm Labor Contractor (FLC) certificate
- A completed Vehicle Mechanical Inspection Report (Form WH-514) for each vehicle that will be used to transport workers
- A copy of a policy of insurance covering each vehicle to be used for the transportation of migrant workers showing that the policy is in full force and effect with policy coverages as described in DWD Admin Code Chapter 301.05(8)(c) and Wis Stat § 103.91(8)(f)
 - Vehicle liability insurance of not less than \$100,000 per seat per vehicle, but where the total insurance is not required to be more than \$5,000,000 per vehicle, is required for all vehicles by the Department. Wisconsin's vehicle insurance requirements may differ from those of the Department of Labor.

Any updates to this form including contracting with additional employers, using additional vehicles, performing additional activities as it relates to migrant labor, etc., must be provided to the Department and approved before updates may take effect.

Migrant Labor Contractors must submit the application for employees or agents of a certified Migrant Labor Contractor within 10 days of hiring.

Employees of a Migrant Labor Contractor (Agent)

Applications for individuals who are **employees or agents of a certified Migrant Labor Contractor** must include completed Parts I, II, and IV of the form. Mail or email the following items to the Department of Workforce Development to obtain an "Agent Identification Card" in order to conduct business in Wisconsin:

- The completed form (Parts I, II, and IV)
- A copy of the applicant's U.S. DOL Wage and Labor Farm Labor Contractor Employee (FLCE) certificate
- No fee is required for employees or agents of Migrant Labor Contractors.

Mail:

Wisconsin Department of Workforce Development
Division of Employment & Training
Migrant and Seasonal Farmworker Programs
1819 Aberg Avenue Suite C
Madison, WI 53704

Email: MSFW@dwd.wisconsin.gov

Provision of your social security number (SSN) is mandatory per Wis. Stat. § 103.91(2)(b)1. Failure to provide your SSN will result in denial of your application, unless the applicant submits a statement made or subscribed under oath or affirmation that they do not have a social security number. In addition, Migrant Labor Contractors who are not applying as an individual must provide the federal employer identification number per Wis Stat § 103.91(2)(b)1. The Department of Workforce Development may not disclose the SSN or FEIN to any person except to the Department of Revenue and Department of Children and families per Wis Stat § 103.91(2)(b)3.

Information provided, other than SSN and FEIN, may be used for other purposes.

Part I: All Applicants Must Complete this Section (Required)		
1. Applicant Name (last, first, middle initial)		
2. Application for: Initial Renewal	3. Social Security Number	4. Date of Birth (mm/dd/yyyy)
5. Applicant Home Address (street, R.F.D., or P.O. Box)		
6. City, State, Zip Code		
7. Telephone Number	8. Email Address	
9. Do you drive a vehicle to transport workers? Yes No	If Yes, provide the following the information: Driver's license no. State of issuance Expiration date	
10. Has the U. S. Department of Labor or any other state denied/refused your application or revoked/suspended your license to operate as a migrant labor contractor? Yes No Please provide explanation and documentation of correction:		
11. Has the Wisconsin Department of Revenue certified that you are liable for delinquent taxes? Yes No		
12. Has the Wisconsin Department of Workforce Development certified that you are liable for delinquent unemployment insurance payments? Yes No		
13. Has the Wisconsin Department of Children and Families or a county child support agency issued a subpoena or warrant for you for failure to pay child support or related expenses? Yes No		
14. If you have answered Yes to any of questions 11 through 13 above, please explain.		
Part II: To be Completed by the Employee or Agent of Farm Labor Contractor		
An employee or agent of a farm labor contractor is employed and working on behalf of a registered Migrant Labor Contractor.		
15. Name of registered Migrant Labor Contractor you are working for: You do not need to complete Part III as the employee or agent of the Contractor. Skip to Part IV		

Part III: To be completed by Migrant Labor Contractor

Any person who, for a fee or other consideration, on behalf of another person or organization, recruits, solicits, hires, or furnishes migrant workers for employment in this state.

16. Veteran Fee Waiver Eligibility Code: _____
 *If you are a **Veteran applying for a first time certificate**, you may be eligible for a one-time fee waiver. For more information on fee waiver go to <http://dva.state.wi.us/Ben-FeeWaiver.asp>.

17. Do you operate as a(n):
 Individual Corporation Partnership Association Other: _____

18. Legal Name of LLC/Corporation/Partnership/Association 19. FEIN

20. LLC/Corporation/Partnership/Association Address, if different from Part I

21. Do you perform one or more of the following activities with respect to migrant workers? (Check all that apply.)
 Solicit Recruit Hire Furnish Workers House Transport

22. For the activities listed in question 21, please list:
 Number of U.S. Migrant Workers from Outside of Wisconsin*:
 Number of H-2A Workers**:
 Number of Seasonal Agricultural Workers (local)***:

23. Is housing provided for migrant workers? Yes No	If Yes, what type(s) of housing? (Check all that apply.) Hotels Migrant Camp/Barracks Mobile Homes Apartments Duplexes Other:
If No, does the Employer/Contractor assist in recommending housing options? Yes No	

24. Will you be transporting workers (driving them yourself or paying someone to drive them)? Yes No	If No, how will workers get to the worksite?
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If Yes, in the table below list the make, model, year, and VIN of vehicles used to transport workers. Proof of Insurance (POI) and a Vehicle Inspection Report (WH-514) must be included for each vehicle. If more than five vehicles will be used, provide information in a separate attachment. If you are not providing transportation, ensure Question 24 is completed above.
 Failure to report that you will be providing transportation and failure to provide vehicle documentation may result in denial of your application or revocation of your Migrant Labor Contractor Certification under Wis Stat § 103.91(4)(a)1. Certificate will not be issued until POI and WH-514 are provided for each vehicle. Issuance amounts are defined in Wis. Stat. § 103.91(8)(f) and DWD Admin Code § DWD 301.05(8)(c).

Make	Model	Year	VIN	POI	WH-514
					<input type="checkbox"/>

25. Do you charge workers a fee for any of the activities you checked in Question 21 above? Yes No	If Yes, list the activities for which a fee is charged and explain: 1. 2. 3. 4. 5.
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26. You must list all employers in which you will be working for/with. If more than five, attach a separate page.		
Name of Employer	County	Anticipated Work Dates

27. Do you presently hold, or have you ever held a federal certificate to operate as a farm labor contractor or crew leader from the U. S. Department of Labor or any state?

Yes No

If Yes, provide the following:

When: Where: Registration number(s):

Provide a copy of current U.S. DOL Wage and Hour Farm Labor Contractor (FLC) certificate and Farm Labor Contractor Employee (FLCE).

Part IV: To be completed by all Applicants

A false or dishonest answer to any question in this application may result in a refusal, suspension or revocation of the certificate or registration and a fine.

I certify that all representations made by me in this application are true to the best of my knowledge and belief:

Migrant Labor Contractor Employee/Agent Signature	Date Signed
Migrant Labor Contractor Signature	Date Signed

For Office Use Only

Date Received at State Office	Date Application Certified	Date Application Disapproved
	DWD Staff Signature	

* Migrant Workers from Outside of Wisconsin are workers whose permanent residence is outside of Wisconsin who travel to Wisconsin to work in seasonal agricultural jobs. Do not include H-2A workers

**H-2A Workers are nonimmigrant foreign workers brought to the U.S. to perform agricultural labor or services of a temporary or seasonal nature. The U.S. Department of Labor approves the use of H-2A workers

*** Seasonal Agricultural Workers are workers who live locally and travel from their permanent residence to work and return to their permanent residence after the workday.