

New Hampshire

■ WAGE PAYMENT LAWS (*REQUIRED PAY*)

TERMS: Whenever a farm operator or other agricultural establishment with 5 or more workers requests a worker to report to work on any given day, the worker is generally entitled to at least 2 hours' pay at the worker's regular rate, unless the employer made a good-faith effort to notify the worker not to report that day.

ENFORCEMENT: *Inspection Division, New Hampshire Department of Labor, Concord, New Hampshire 03301 (603-271-3176).*

As an alternative to filing a wage claim with the Department, the law gives workers the right to sue the employer in civil court to enforce this provision, using a private attorney or a public legal services program.

Puerto Rico

■ AGRICULTURAL WORKERS ANNUAL BONUS LAW

TERMS: Every agricultural worker who has performed at least 200 hours of agricultural services or earned at least \$200 in agricultural wages in Puerto Rico over the annual period starting July 1 of each year and ending June 30 of the next year is entitled to a bonus equal to 4 percent of the worker's total agricultural income, but in no case less than \$165 or more than \$235. The agricultural bonus, financed by the government of Puerto Rico, is payable by December 20 following the end of the corresponding annual period.

For the purpose of determining eligibility for and the amount of each worker's annual bonus, no later than August 31 of each year all agricultural employers must report to the administering agency the name of each worker employed, the worker's Social Security number, total hours worked, and the amount of earnings over the annual reporting period.

ENFORCEMENT: *Agricultural Development Administration, Puerto Rico Department of Agriculture, San Juan, Puerto Rico 00908 (787-304-5350).* This agency is responsible for investigating claims for unpaid annual bonuses. If a worker is eligible for the bonus but does not receive all or part of it because one or more employers failed to report their earnings, the worker may claim *double* the amount of the difference between the total bonus payable and the bonus actually received.

Prosecuting claims for unpaid annual bonuses on behalf of agricultural workers is the responsibility of the *Bureau of Labor Standards, Puerto Rico Department of Labor and Human Resources, Hato Rey, Puerto Rico 00918 (787-754-2100).*

Wisconsin

■ MIGRANT LABOR LAW (*GUARANTEED HOURS*)

TERMS:

Guarantees Hours — The required written work agreement between an employer or contractor and an out-of-state migrant worker must contain a guarantee of (1) at least 20 hours of work in each one-week period or 45 hours of work in each 2-week period for field work, or (2) at least 64 hours in a 2-week period if the worker is employed in both field and processing operations.

The guarantee covers the entire time from the date the worker is notified to report to work (or the date the worker actually reports for work, if later) to the date of termination of employment.

Exceptions — The hours guarantee generally applies only to workers 18 years of age and older. If a worker is not available for work on a particular day during the guarantee period, the employer may reduce the minimum guarantee by an amount equal to the wages the worker would have earned had the worker been available.

Furthermore, the employer is not obligated to pay the minimum guarantee if the worker reports for work as notified but is never employed due to a weather disaster or similar circumstances beyond the employer's control. Within 24 hours after reporting for work in any such case, the worker is entitled to receive pay at the agreed-upon rate for the elapsed time between the worker's departure from the point of origin and return to the point of origin, but in no event less than 3 nor more than 6 days' pay at 8 hours per day.

ENFORCEMENT: *Migrant Law Enforcement Section, Employment and Training Division, Wisconsin Department of Workforce Development, Madison, Wisconsin 53707 (608-266-0002).* A migrant worker who has not received pay in accordance with guarantees shown in the work agreement should contact the Department.

Without regard to action by the Department, a migrant worker affected by a violation of the migrant labor law by an employer or migrant labor contractor has a right to file suit against the violator in civil court, using a private attorney or public legal service provider.

SPECIAL NOTE: An employer or labor contractor may not fire, discipline or discriminate in any way against a migrant worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions. A worker who has been subjected to unlawful retaliation may file suit against the employer or contractor involved, using a private attorney or public legal service provider.