

■ MIGRANT LABOR LAW (*HOURS OF LABOR AND OVERTIME*)

TERMS: Migrant workers in Wisconsin are protected by hour and overtime standards in the state's migrant labor law.

Workers Employed Solely in Agricultural Labor —

Maximum Hours — Except in an emergency, no migrant worker who performs only agricultural labor for a particular employer may be forced by the employer to work, or be penalized for failing to work, for more than 6 days or 60 hours in any one week, or more than 12 hours in any one day.

Meal Periods — It is illegal to employ a migrant worker for more than 6 hours straight without a meal period of at least 30 minutes, unless the work can be completed within one additional hour. Employers do not have to pay workers for meal periods.

Other Migrant Agricultural Workers —

Overtime Pay on Sunday — A migrant worker who is not employed solely in agricultural operations is entitled to receive no less than 1½ times the worker's regular rate of pay for any hours worked on Sunday, unless the worker is allowed another day of rest that week.

Rest Periods — Each migrant worker not employed exclusively in agricultural labor must be provided a paid rest period of at least 10 minutes within each 5 hours of continuous employment.

Meal Periods — No migrant worker may be required to work for more than 6 hours straight without a paid or unpaid meal period of at least 30 minutes, unless the work can be completed within one additional hour.

ENFORCEMENT: *Migrant Law Enforcement Section, Employment and Training Division, Wisconsin Department of Workforce Development, Madison, Wisconsin 53707 (608-266-0002)*. Violations of the migrant labor law's hour and overtime standards may be reported to 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.