

■ **MIGRANT LABOR LAW (*WAGE PAYMENT*)**

**TERMS:** Wage payments to out-of-state migrant workers temporarily employed in seasonal agricultural operations in Wisconsin are subject to provisions in the state's migrant labor law.

**Frequency of Payment** — Every employer must pay all wages earned by an out-of-state migrant farmworker directly to the worker, on regular paydays designated in advance by the employer, but no less often than twice a month.

**Medium of Pay** — Wages must be paid in U.S. currency or by check.

**Wages at Termination** — At the end of the period of employment for which a migrant worker was hired, the employer is generally required to pay all remaining wages within 3 days after the worker's last day.

**Wage Statements** — At the time of payment, employers must give each migrant worker a written statement showing the amount of the worker's gross and net wages, and each amount deducted or withheld for whatever purpose.

**Deductions** — It is illegal for an employer or migrant labor contractor to deduct or withhold from a migrant worker's wages any amount for the payment of past or expected debts, unless the worker has previously authorized the deduction or withholding in writing. This does not prevent an employer from making any wage deduction required by law or under a court order.

**ENFORCEMENT:** *Migrant Law Enforcement Section, Employment and Training Division, Wisconsin Department of Workforce Development, Madison, Wisconsin 53707 (608-266-0002).* Complaints regarding wage payments contrary to these provisions, or claims for unpaid wages, may be filed with the Department for investigation.

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.