

**DEPARTMENT OF WORKFORCE DEVELOPMENT
NOTICE OF PROPOSED GUIDANCE DOCUMENTS**

Pursuant to section 227.112 of the Wisconsin Statutes, the Wisconsin Department of Workforce Development is hereby accepting comments on the proposed guidance documents listed below.

LOCATION OF PROPOSED GUIDANCE

Proposed guidance documents may be reviewed by accessing:
<https://dwd.wisconsin.gov/gdl/>

SUBMITTING PUBLIC COMMENTS

Public comments on proposed or adopted guidance documents may submitted by accessing:
<https://dwd.wisconsin.gov/gdl/>

DEADLINE FOR SUBMISSION

The comment period will run 21 days after the publication of this document in the Administrative Register.

AGENCY PUBLICATION

The below-listed guidance documents contain statements or interpretations of law under the following applicable state statutory or administrative code provisions: Wis. Stat. § 66.0903; Wis. Stat. chs. 103, 104, 105, 109, and 111; Wis. Admin. Code chs. DWD 218-225, 270-279, and 290-294.

CERTIFICATION

Pursuant to the authority delegated to me by the Secretary, I have reviewed the below-listed guidance documents or proposed guidance documents and I certify that they comply with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance documents or proposed guidance documents contain no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance documents or proposed guidance documents contain no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.



Matthew White
Director, Bureau of Investigations
Equal Rights Division

PROPOSED GUIDANCE DOCUMENTS

1.	Bone Marrow Organ Donation
2.	Civil Rights Homepage
3.	Information Sheet for Employment Cases (ERD-12437)
4.	How to file a Civil Rights Complaint
5.	Mediation Information
6.	List of CR Statutes and Codes
7.	Information about ADA
8.	Discrimination based on Age
9.	Discrimination based on Ancestry
10.	Discrimination based on Arrest & Conviction Record
11.	Avoiding discriminatory interview questions
12.	Avoiding discriminatory interview questions (Spanish)
13.	ER Complaint Process
14.	ER Complaint Process (Spanish)
15.	Discrimination based on Creed and Religion
16.	Discrimination Home Page
17.	Persons with Disabilities on the Job
18.	Persons with Disabilities on the Job (Spanish)
19.	Discrimination based on Disability
20.	Fair Employment Law Overview
21.	Discrimination based on Genetic Testing
22.	Discrimination based on Harassment
23.	Discrimination based on Honesty Testing
24.	How to Investigate Sexual Harassment
25.	Discrimination based on Marital Status
26.	Discrimination based on Military Status
27.	Discrimination based on Disability in Higher Education
28.	Discrimination based on Pregnancy
29.	Discrimination based on Public Accommodation
30.	Sample harassment policy
31.	Information on Settlement Process
32.	Information on Settlement Process (Spanish)
33.	Discrimination based on Sexual Orientation
34.	Discrimination based on Sex
35.	Discrimination based on Social Media
36.	Discrimination based on Use of lawful products
37.	Steps harassment victims can take
38.	FMLA Home Page
39.	FMLA FAQ
40.	FMLA FAQ (Spanish)
41.	FMLA Remedies at a Glance
42.	Housing Complaint Process
43.	Housing Complaint Process (Spanish)
44.	Housing Home Page

45.	Housing Remedies
46.	Housing Remedies (Spanish)
47.	Retaliation Protection
48.	Retaliation Protection - Elder Abuse
49.	Retaliation Protection - Chemicals in the Workplace
50.	Retaliation Protection - FMLA
51.	Retaliation Protection - Public Employee Health & Safety
52.	Retaliation Protection - Healthcare Workers
53.	Retaliation Protection - Reporting Public Assistance Fraud
54.	Retaliation Protection - Whistleblower status
55.	Breaks and meals
56.	Business Closing and Mass Layoffs
57.	Cessation of Healthcare benefits
58.	Employment of Minors
59.	Labor Standards Complaint Process
60.	Labor Standards Complaint Process (Spanish)
61.	Labor Standards Home Page
62.	Direct Deposit of Wages
63.	FLSA Overtime Changes
64.	Hours of Work and Overtime
65.	Hours of Work and Overtime - FAQ
66.	How to file a Labor Standards Wage Claim
67.	How to file a Labor Standards Complaint
68.	Labor Standards Online Applications and eForms
69.	Labor Standards Laws
70.	Labor Standards Laws (Spanish)
71.	Labor Standards Statutes and Codes
72.	Licensed Private Employment Agents & Home Care Workers
73.	Licensed Sheltered Workshops
74.	Medical Exams
75.	Minimum Wage
76.	Minimum Wage Regulations
77.	One day of rest in seven
78.	Permanent Record Requirements
79.	Records open to Employees
80.	Labor Standards Retaliation Law
81.	Salary Payment FAQ
82.	Salary Payment FAQ (Spanish)
83.	Rehabilitation Facilities / Sheltered Workshops
84.	Special Minimum Wage
85.	Traveling Sales Crews
86.	Unauthorized Wage Deductions
87.	Deductions for faulty workmanship, theft loss or damage
88.	Wage payment and Collection
89.	Who may file a Wage Claim
90.	Additional Info

91.	Administrative Codes
92.	Apply for PW Determination
93.	Debarred Contractor List
94.	PW Home page
95.	Disclaimer
96.	Prevailing Wage FAQ
97.	Gaining access to PW Online Determinations
98.	Request a Determination
99.	Helpful Information
100.	How to request PW Determination
101.	PW Law
102.	How to create a new account
103.	PW Overtime
104.	PW Contact Information
105.	PW Forms
106.	Proper Classification of PW Workers
107.	PW Laws
108.	Project, County Initial and Final Determinations
109.	Prevailing wage rate
110.	Description of online application
111.	Gain access to submit a collective bargaining agreement
112.	Upload Collective Bargaining Agreement
113.	PW Dictionary A
114.	PW Dictionary B
115.	PW Dictionary C
116.	PW Dictionary D
117.	PW Dictionary E
118.	PW Dictionary F
119.	PW Dictionary G
120.	PW Dictionary H
121.	PW Dictionary I
122.	PW Dictionary L
123.	PW Dictionary M
124.	PW Dictionary Main Page
125.	PW Dictionary O
126.	Add, Delete or Modify Dictionary
127.	PW Dictionary P
128.	PW Dictionary R
129.	PW Dictionary S
130.	PW Dictionary T
131.	PW Dictionary U
132.	PW Dictionary W
133.	Work Permit Homepage
134.	Employment of Minors Guide
135.	Employment of Minors Guide (Spanish)
136.	Guide to Child Labor

137.	Work Permit Law Changes 06/23/2017
138.	Manufacturing & Construction Equipment
139.	Work Permit Officer Handbook
140.	Traveling Sales Crews Regulations
141.	Work Permit Application Instructions
142.	List of Work Permit Offices
143.	Newsletters Homepage
144.	06/2019 Newsletter
145.	Federal Overtime Changes effective 12/01/2016
146.	Wisconsin Hours of Work & Overtime Law
147.	Federal Overtime Changes effective 12/01/2016
148.	Master Class Registration Instructions
149.	Master Class Flyer
150.	Instructions to Join Master Class WebEx
151.	List of Licensed Sheltered Workshops
152.	List of Work Permit Offices
153.	2014 PW Entire Booklet
154.	2015 PW Entire Booklet
155.	PW Changes Effective 01/01/2017
156.	2013 PW Survey Spreadsheet
157.	CPR Template
158.	CPR Template for Union Only
159.	CPR Wage Entry
160.	Job Classification Table
161.	Job Class Descriptions
162.	PW Application Required Fields
163.	CPR Wage Entry Unions
164.	PW Laws 2012
165.	Wage Payment & Collection Law (ERD-8784-PWEB)
166.	Poster - Honesty Testing
167.	Poster - Healthcare Benefit Cessation
168.	Poster - Retaliation Projection for Health Care Workers
169.	Poster - Retaliation Projection for Health Care Workers (Spanish)
170.	Manufacturing & Construction Equipment & Wisconsin Employment of Minors Laws
171.	Poster - Bone Marrow and Organ Donation
172.	Poster - Bone Marrow and Organ Donation (Spanish)
173.	CR Subpeona
174.	Poster - Wisconsin Fair Employment Law
175.	Poster - Wisconsin Fair Employment Law (Spanish)
176.	Poster - Wisconsin FMLA
177.	Poster - Wisconsin FMLA (Spanish)
178.	Poster - Business Closing / Mass Layoff
179.	Poster - Business Closing / Mass Layoff (Spanish)
180.	Poster - Subminimum Wage Notice
181.	Poster - Hours & Times of Day Minors May Work
182.	Poster - Hours & Times of Day Minors May Work (Spanish)

183.	Poster - Wisconsin Minimum Wage Rates
184.	Poster - Wisconsin Minimum Wage Rates (Spanish)
185.	Historical Resume of Wisconsin Minimum Wage Regulations
186.	Right to Control
187.	Classify a Worker as Employee or Non-Employee
188.	Employers Right to Control
189.	Worker Classification Case Studies
190.	Worker Classification Additional Factors
191.	Integral Part
192.	Intensions
193.	Payments
194.	Time Worked
195.	Retirement
196.	Direction
197.	Annual Leave
198.	Termination
199.	SSA Taxes
200.	Equipment
201.	Skill
202.	Employee or Independent Contractor?
203.	Employers Six Part Test
204.	Worker Classification Case Studies
205.	Worker Classification Case Study - Worth v. Tyer
206.	Degree of Permanence
207.	Special Skill
208.	Degree of Control
209.	Integral Part
210.	Investment
211.	Profit or Loss
212.	Wisconsin Statutes Chapter 111
213.	Wisconsin Statutes Chapter 111 Subchapter 2
214.	Worker Classification Case Study Spirides v. Reinhardt