

## Chapter DWD 103

### EXCLUDED EMPLOYMENTS

DWD 103.001 Definitions.

DWD 103.01 Certain excluded employments.

**Note:** Chapter Ind-UC 103 was renumbered to be chapter ILHR 103 under s. 13.93 (2m) (b) 1. and 2., Register, August, 1987, No. 380. Chapter ILHR 103 was renumbered Chapter DWD 103 under s. 13.93 (2m) (b) 1., Stats. and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, June, 1998, No. 498.

**DWD 103.001 Definitions.** Unless the context clearly indicates a different meaning, the definitions in ch. DWD 100 apply to this chapter.

**History:** Cr. Register, September, 1995, No. 477, eff. 10-1-95.

**DWD 103.01 Certain excluded employments.** All of the following provisions shall apply in interpreting s. 108.02 (15), Stats.:

**(1) UNPAID CORPORATION OR ASSOCIATION OFFICERS AND MERE DIRECTORS EXCLUDED.** Under s. 108.02 (15) (k) 8., Stats., service as an unpaid officer of a corporation or association is not “employment”, but all paid officers of any association or corporation are in “employment” under ch. 108, Stats., subject to s. 108.02 (15) (L), Stats. Mere “directors”, however, who perform

no paid duties for a corporation or association other than attendance at directors’ meetings shall not be deemed in an “employment” or be deemed the employer’s “employees” for the purposes of ch. 108, Stats. Directors who perform multiple paid duties for a corporation or association, including attendance at directors’ meetings, shall not be considered “employees” in “employment” when attending directors’ meetings but shall be considered “employees” in “employment” when performing other paid duties.

**(2) UNPAID MANAGERS OF A LIMITED LIABILITY COMPANY.** Under s. 108.02 (15) (k) 8., Stats., service as an unpaid manager of a limited liability company is not “employment”, but all paid managers of a limited liability company are in “employment” under ch. 108, Stats., subject to ss. 108.02 (12), 108.02 (15) (L), and 108.068, Stats.

**History:** 1-2-56; r. (2), Register, September, 1968, No. 153, eff. 10-1-68; emerg. am. eff. 2-19-93; am. Register, May, 1993, No. 449, eff. 6-1-93; CR 18-033: am. (intro.), (1), cr. (2) Register May 2019 No. 761, eff. 6-1-19; CR 22-010: am. (2) Register June 2022 No. 798, eff. 7-1-22.