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Chapter Ind 72

MINIMUM WAGE REGULATIONS FOR ADULT WOMEN AND MINORS

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Ind 72.01 Definitions. (1) The clauses "cities and villages with a population of 1,000 or more" includes communities and isolated establishments which are within the industrial and commercial areas of such cities, although outside of their territorial limits.

(2) In determining the population of the cities and villages the last federal census is controlling.

(3) Agriculture will mean the same as "farm premises" as defined in section 102.04 (4) of the Workmen's Compensation Act.

History: Am. Register, April, 1956, No. 4, eff. 5-1-56; am. Register, May, 1960, No. 53, eff. 6-1-60.

Ind 72.02 Minimum rates and method of computation. (1) MINIMUM RATES. Except in domestic service and agriculture as provided for in sections Ind 72.03 and 72.04, no employer shall employ any adult woman or any minor in any occupation, trade or industry at a lesser hourly rate than is indicated below:

(a) Adult women and minors 16 years of age and over:

- 1. In cities and villages with a population of 1,000 or more ----- 85¢
- 2. Elsewhere in the state ----- 75¢

(b) Minors under 16 years of age:

- 1. In cities and villages with a population of 1,000 or more ----- 75¢
- 2. Elsewhere in the state ----- 65¢

(2) ALLOWANCE FOR BOARD AND LODGING. Where board and/or lodging are furnished by the employer an allowance may be made of not more than \$13.50 per week or \$.65 per meal for board, and \$6.75 per week or \$.90 per day for lodging in cities and villages with a population of 1,000 or more; and of not more than \$12.00 per week or \$.60 per meal for board and \$6.00 per week or \$.85 per day for lodging elsewhere in the state.

(3) TIPS. Tips received from patrons of an employer cannot be counted as part of the wage in computing the rates prescribed in this order.

(4) PAYMENT OF WAGES ON OTHER THAN TIME BASIS. Where payment of wages is made upon a basis or system other than time rate, the actual wage shall not be less than provided for in this order, but if the piece rates paid for any particular kind of work yield to 65% of

the women and minors employed thereon five cents per hour more than the minimum hourly rates prescribed in paragraph (1), then such piece rates are deemed adequate for such employes and differences between earnings at these rates and the prescribed hourly rates do not have to be made up by the employer.

(5) **HOME WORK.** Wages paid to home workers shall be in accordance with the rates prescribed in this order.

(6) **DETERMINATION OF COMPLIANCE.** The payroll period shall be taken as the unit in determining compliance with the minimum rates prescribed in this order.

History: Am. Register, April, 1956, No. 4, eff. 5-1-56; am. Register, May, 1960, No. 53, eff. 6-1-60.

Ind 72.03 Domestic service in private homes. (1) WEEKLY BASIS. The minimum wage of adult women and minors employed in domestic service in private homes for 45 or more hours per week shall be computed on a weekly basis as follows:

(a) Adult women and minors 16 years of age and over:

1. In cities and villages with a population of 1,000 or more
 - a. If board only is furnished ----- \$24.75 per week
 - b. If board and lodging are furnished ----- \$18.00 per week
 2. Elsewhere in the state
 - a. If board only is furnished ----- \$21.75 per week
 - b. If board and lodging are furnished ----- \$15.75 per week
- (b) Minors under 16 years of age:
1. In cities and villages with a population of 1,000 or more
 - a. If board only is furnished ----- \$20.25 per week
 - b. If board and lodging are furnished ----- \$13.50 per week
 2. Elsewhere in the state
 - a. If board only is furnished ----- \$17.25 per week
 - b. If board and lodging are furnished ----- \$11.25 per week

(2) **HOURLY BASIS.** The minimum wage of adult women and minors employed in domestic service in private homes for less than 45 hours per week shall be computed on an hourly basis as prescribed in Ind 72.02. Employes not living in the home, but who are required to be on duty for more than 45 hours per week shall be paid, as a minimum for 45 hours per week.

(3) **CASUAL EMPLOYMENT IN PRIVATE HOMES.** The minimum rates prescribed by this order shall not apply to casual employment of minors under eighteen years of age in or around a home in work usual to the home of the employer, and not in connection with or a part of the business, trade, or profession of the employer, such as caring for children, mowing lawns, raking leaves, shoveling snow or other similar odd jobs. For the purpose of this paragraph "casual" employment shall mean the employment of a minor under eighteen years of age outside of school hours for not more than 15 hours per week for any one employer.

History: Am. Register, April, 1956, No. 4, eff. 5-1-56; am. Register, May, 1960, No. 53, eff. 6-1-60.

Register, May, 1960, No. 53
Wages and Hours

Ind 72.04 Agriculture. (1) WEEKLY BASIS. The minimum wage of adult women and minors employed in agriculture for 45 or more hours per week shall be computed on a weekly basis as follows:

(a) Adult women and minors 16 years of age and over:

- 1. If board only is furnished ----- \$21.75 per week
- 2. If board and lodging are furnished ----- \$15.75 per week

(b) Minors under 16 years of age:

- 1. If board only is furnished ----- \$17.25 per week
- 2. If board and lodging are furnished ----- \$11.25 per week

(2) HOURLY BASIS. (a) The minimum wage of adult women and minors 16 years of age or over employed in agriculture on an hourly basis shall not be less than \$.75 per hour. Minors under 16 years of age shall not be paid less than \$.65 per hour.

(b) Where board and/or lodging are furnished to women and minors employed on an hourly basis, an allowance may be made of not more than \$12.00 per week or \$.60 per meal for board, and \$6.00 per week or \$.85 per day for lodging.

(3) PAYMENT OF WAGES ON OTHER THAN TIME BASIS. Where the payment of wages is made on a basis or system other than time rate, the actual wage shall not be less than provided for in section Ind 72.02 (4). The commission may, also, upon the application of an employer or group of employers covered by this section, approve specific piece rates for any particular kind of employment on the basis of such tests or studies as it deems adequate. Where such piece rates are established, the requirements of section Ind 72.09 (5) and (6) will be waived.

History: Am. Register, April, 1956, No. 4, eff. 5-1-56; am. Register, May, 1960, No. 53, eff. 6-1-60; am. (3), Register, June, 1961, No. 66, eff. 7-1-61.

Ind 72.05 Minimum rates and pay hours; adult women and minor operators in telephone exchanges. (1) MINIMUM RATES. The minimum hourly rates to be paid by telephone exchanges to adult women and minors employed as operators are those prescribed in section Ind 72.02.

(2) PAY HOURS. (a) For the 16 hour period 6:00 A.M. to 10:00 P.M. of the same day, telephone exchanges shall pay their operators as a minimum for no less than the number of hours indicated on the following schedule:

Size of exchange	Hours to be counted as pay hours
1-199 telephones -----	12
200 telephones and over -----	16

(b) For the 8 hour period 10:00 P.M. of one day to 6:00 A.M. of the following day, telephone exchanges shall pay their operators as a

minimum for not less than the number of hours indicated in the following schedule:

Size of exchange	Hours to be counted as pay hours
1-199 -----	3
200-399 -----	4
400-599 -----	6
600 telephones and over -----	8

(3) **PRIVATE RESIDENCE.** In telephone exchanges which are located in a private residence and operated primarily by members of the household, the payment of wage for the operation of the switchboard of \$1.15 per month per phone will be regarded as a compliance with the minimum wage law, but if outside help is employed, such help must be paid upon the basis outlined in subsections (1) and (2).

(4) **CLASSIFICATION.** In determining the classification of an exchange, all telephones served by the exchange must be counted. This includes all main telephones connected to the central office equipment, all extension telephones including P B X extensions and all telephones for which switching service is performed on lines not owned by the exchange giving the switching service.

History: Cr. Register, May, 1956, No. 5, eff. 6-1-56; am. Register, May, 1960, No. 53, eff. 6-1-60.

Ind 72.09 Permanent records to be kept by the employer. Each employer shall keep permanent records for at least two years, available for inspection by a duly authorized deputy of the industrial commission, showing the following facts concerning each woman and minor employe:

- (1) Name and address.
- (2) Age.
- (3) Date of birth of all minors.
- (4) Dates of entering and leaving employ.
- (5) Time of beginning and ending of work and of meal periods each day.
- (6) Total number of hours worked per day and per week.
- (7) Wages paid per payroll period.
- (8) Output of employe, if paid on other than time basis.

History: Am. Register, April, 1956, No. 4, eff. 5-1-56; am. Register, May, 1960, No. 53, eff. 6-1-60.

Ind 72.10 Posting of order. On a form prescribed by the commission, every employer shall keep posted a copy of this order in a conspicuous place.

History: Am. Register, April, 1956, No. 4, eff. 5-1-56; am. Register, May, 1960, No. 53, eff. 6-1-60.

Ind 72.11 Forms. The following forms are listed in accordance with Sec. 227.013, Wis. Stats. These forms are issued by the Woman & Child Labor Division and may be obtained from the Industrial Commission, 1 West Wilson Street, Madison.

(1) **CL-39 Minimum Wage Regulations For Adult Women And Minors.** (See Ind 72.10).

History: Cr. Register, October, 1957, No. 22, eff. 11-1-57.