

Text of Proposed Rule

1 SECTION 1. CHAPTER DWD 278 is created to read:

2 CHAPTER DWD 278

3 HUMAN TRAFFICKING IDENTIFICATION AND PREVENTION TRAINING

4 DWD 278.01 **Authority and purpose.** This chapter is created to implement s. 103.155, Stats.,
5 regarding the provision of mandatory training regarding identifying and preventing human
6 trafficking crimes, as defined in s. 165.505 (1) (am), Stats.

7 DWD 278.02 **Definitions.** In this chapter:

8 (1) "Adult entertainment establishment" means a commercial establishment, business, or service
9 that offers sexually oriented material, devices, paraphernalia, or presentations or sexual activities,
10 services, exhibitions, or performances.

11 (2) "Covered employer" means an employer having control or direction of any employee engaged
12 in any of the following industries, sectors, or professions:

13 (a) Adult entertainment establishments.

14 (b) Campgrounds, as defined in s. 103.155 (1) (a), Stats.

15 (d) Construction.

16 (e) Farming, as defined under s. 102.04, Stats.

17 (f) Health and beauty salons.

18 (g) Healthcare.

19 (h) Housekeeping.

20 (i) Landscaping.

21 (j) Lodging establishments, as defined in s. 103.155 (1) (d), Stats.

22 (k) Mass transit.

23 (m) Property management.

24 (n) Restaurants and taverns.

1 (o) Gas stations, businesses with signs visible from an interstate or state highway that sell
2 gasoline and diesel fuel and other amenities, and roadside rest areas.

3 (p) Traveling sales crews, as defined in s. 103.34 (1) (e), Stats.

4 (3) "Department" means the department of workforce development.

5 (4) "Employee" has the meaning given in s. 103.001 (5), Stats.

6 (5) "Employer" has the meaning given in s. 103.001 (6), Stats.

7 ~~(6) "Covered Employer" means an employer having control or direction of any employee~~
8 ~~engaged in any of the following industries, sectors, or professions: adult entertainment establishments,~~
9 ~~campgrounds, childcare and out of school time programming, construction, farming, as defined under s.~~
10 ~~102.04, Stats., health and beauty salons, healthcare, housekeeping, landscaping, lodging establishments,~~
11 ~~mass transit, primary and secondary education, property management, restaurants and taverns, gas~~
12 ~~stations, travel centers, and roadside rest areas, and traveling sales crews, as defined under s. 103.34 (1)~~
13 ~~(e), Stats.~~

14 (6) "Entity principal" has the meaning given in s. 103.155 (1) (b), Stats.

15 (7) "Private security officer" means an employee whose primary job responsibilities include
16 protecting people and property through patrolling the worksite, monitoring surveillance equipment,
17 controlling access to the worksite, responding to emergencies at the worksite, coordinating with law
18 enforcement or ensuring compliance with safety protocols.

19 (8) "Public transit manager" means an employee who plans, manages, and oversees the daily
20 functions, operations, and activities of a public transit system or entity.

21 (9) "Site principal" has the meaning given in s. 103.155 (1) (e), Stats.

22 ~~(14) "Vulnerable Individual" means: a minor, an adult engaging in commercial sex acts as~~
23 ~~described in s. 940.302 (1) (a), Stats., an adult engaging in labor or services where those services are~~
24 ~~procured through another.~~

25 DWD 278.03 **Persons required to receive training.** All of the following persons are required to
26 receive training under this chapter:

1 (1) Employees of covered employers who are likely to interact with the public and vulnerable
2 individuals.

3 (2) Private security officers.

4 (3) Public transit managers.

5 (4) Employees of entity principals who are likely to interact with the public or vulnerable
6 individuals.

7 (5) Entity principals and site principals.

8 (6) Owners and managers of adult entertainment establishments.

9 DWD 278.04 **Training required content.** (1) TRAINING CONTENT. The training required under
10 this chapter shall comport with the requirements of s. 103.155 (2) (c) and (d), Stats.

11 The required training may be provided at no cost by using the training video on the Department's
12 website in accordance with 103.155 (4), Stats. The use of the training video created by the Department is
13 not mandatory as long as the training provided meets the requirements of s. 103.155 (2) (c) and (d), Stats.

14 **Note:** Section 10.03.155 (2) (c), Stats., sets forth the subjects that the training must include.
15 Section 103.155 (2) (d), Stats., requires the training to be at least 20 minutes in length and allows the
16 training to be in person or interactive. Section 103.155 (4), Stats., requires the Department to produce a
17 training video regarding the training subjects and to make the video available to the public at no cost on
18 the Department's website. The video is available at [dwd.wisconsin.gov/er/preventtrafficking].

19 (2) TIME TO PROVIDE OR UNDERGO TRAINING. The training required under this chapter shall be
20 undergone or provided as required under s. 103.155 (2) (d), Stats.

21 **Note:** Section 103.155 (2) (d), Stats., requires the training to be undergone or provided within 60
22 days of an employee being hired or of individual becoming an entity principal, site principal, or adult
23 entertainment establishment owner. The statute also requires the training to be undergone or provided at
24 least every 2 years.

1 DWD 278.05 **Recordkeeping.** (1) Every entity principal, adult entertainment establishment
2 owner, and employer required under this chapter to provide training shall make a contemporaneous record
3 for each person for whom training is required that contains all of the following information:

4 (a) The person's name.

5 (b) The start date of the person's employment and, if known, the end date of the person's
6 employment.

7 (c) The person's job title.

8 (d) The completion date of the person's most recent training.

9 (2) All records required under this section shall be maintained for at least two years from the date
10 of the most recent training the person completed.

11 **SECTION 2. EFFECTIVE DATE.** This rule takes effect on the first day of the month following publication
12 in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

13 Signed this _____ day of _____, 2026.

Amy Pechacek, Secretary-designee