

## Chapter ATCP 116

## DECEPTIVE OFFERS OF EMPLOYMENT

ATCP 116.01 Disclosure of purchase requirement

ATCP 116.02 Contract provisions

Note: Chapter Ag 116 was renumbered chapter ATCP 116 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1993, No. 448.

Note: This chapter is adopted under authority of s. 100.20 (2), Stats., and is administered by the Wisconsin department of agriculture, trade and consumer protection. Violations of this chapter may be prosecuted under s. 100.20 (6), 100.26 (3) or (6), Stats. A person who suffers a monetary loss because of a violation of this chapter may sue the violator directly under s. 100.20 (5), Stats., and may recover twice the amount of the loss, together with costs and reasonable attorneys' fees.

**ATCP 116.01 Disclosure of purchase requirement.** No person shall advertise or represent, either orally or in writing, through any media any offer of employment to engage any person as an employe, sales representative, independent dealer or other arrangement involving the selling of products dealt in by the advertiser, where a purchase or investment is required to obtain such employment, unless such requirement is fully disclosed in the advertisement or representation, together with the amount of the purchase price or investment required. No such advertisement or representation shall contain any false or misleading claims as to the nature of the employment or the amount of earnings, commissions or other compensation to be earned.

History: Cr. Register, September, 1962, No. 81, eff. 10-1-62.

**ATCP 116.02 Contract provisions.** (1) Every contract for the sale of goods which is entered into by reason of any offer of employment or other arrangement as provided in

s. ATCP 116.01 shall be in writing and shall clearly and completely set forth any and all provisions, guarantees, warranties, representations or statements made by the seller or representatives. Such contract shall separately state the cost of the goods, all carrying, interest or other charges, and the total gross price to be paid by the purchaser. The contract shall specifically state whether or not it may be assigned. A true and correct copy of such contract and any note the purchaser is required to sign shall be furnished to the purchaser.

(2) Such contracts shall in addition give a full description of the work to be performed by the buyer, together with the rate of pay or remuneration and how it is to be determined. The description shall include the usual working hours and minimum term of employment, as well as any other limitations or conditions imposed by the seller.

(3) Where a representation is made that a specific or exclusive territory, area or location is to be allocated to the buyer, the contract shall fully describe such territory, area or location. The contract shall state whether or not the territory is exclusive and any other condition or limitation imposed.

History: Cr. Register, September, 1962, No. 81, eff. 10-1-62; correction in (1) made under s. 13.93 (2m) (b) 5, Stats., Register, April, 1993, No. 448.