

## Employee Protections Against Use of Honesty Testing Devices (WIS. STAT. § 111.37)

**Employers who use honesty testing must display this poster in one or more conspicuous places where notices to employees are customarily posted.**

Under Wisconsin law, requiring or requesting that an employee or applicant take an honesty test (lie detector) is unlawful or heavily regulated. Further, employers may not discriminate against a person who refuses to take a test or objects to its use.

**Exceptions** An employer **may request** that an employee take a test in connection with an investigation involving economic loss or injury to a business if the employee is a reasonable suspect. Honesty tests **can be used** by law enforcement agencies and certain businesses engaged in providing security services, alarm systems, and who manufacture, distribute or sell controlled substances.

**Employee & Applicant Rights** Any legally permitted honesty test is subject to strict safeguards, including an examinee's right to proper notice, the right to discontinue a test at any time and the right to advance written notice of the questions to be asked.

**Enforcement** Victims of unlawful honesty testing may file a complaint within **300 days** after the date the unfair honesty testing occurred, at one of the offices below.

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| <b>STATE OF WISCONSIN<br/>DEPARTMENT OF WORKFORCE DEVELOPMENT<br/>EQUAL RIGHTS DIVISION</b>  |   |
| STREET ADDRESS:  |   |
| 201 E WASHINGTON AVE ROOM A100<br>MADISON WI 53703   | 819 N 6th ST ROOM 723<br>MILWAUKEE WI 53203 |
| MAILING ADDRESS:   |   |
| PO BOX 8928, MADISON, WI 53708-8928  |   |
| Telephone: (608) 266-6860  | Telephone: (414) 227-4384                   |
| <b>Website: <a href="http://dwd.wisconsin.gov/er/">http://dwd.wisconsin.gov/er/</a></b>  |   |
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