

CHAPTER 235, Laws of 1977

AN ACT to amend 109.03 (1) and (5); and to create 109.03 (1) (a) and (b) of the statutes, relating to the required frequency of wage payments to certain employees.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 109.03 (1) and (5) of the statutes are amended to read:

109.03 (1) REQUIRED FREQUENCY OF PAYMENTS. Every employer shall as often as monthly pay to every employe engaged in the employer's business, except those employes engaged in logging operations and farm labor, all wages or salaries earned by such employe to a day not more than 31 days prior to the date of such payment. Employes engaged in logging operations and farm labor shall be paid all earned wages and salaries no less often than at regular quarterly intervals. Any employe who is absent at the time fixed for payment or who for any other reason is not paid at that time shall be paid thereafter at any time upon 6 days' demand. The required frequency of wage or salary payments provided in this subsection does not apply to:

(5) ENFORCEMENT; SUNDAYS AND HOLIDAYS. ~~No~~ Except as provided in sub. (1), no employer may by special contract with employes or by any other means secure exemption from this section. Each employe shall have a right of action against any employer for the full amount of the employe's wages due on each regular pay day as provided in this section, in any court of competent jurisdiction. Whenever the regular payments cover wages earned to a date more than 8 days prior to the day of payment if the day fixed for the monthly payment falls on a Sunday or holiday, payment shall be made on the previous business day.

SECTION 2. 109.03 (1) (a) and (b) of the statutes are created to read:

109.03 (1) (a) Employes covered under a valid collective bargaining agreement establishing a different frequency for such payments, including deferred payments exercised at the option of employes; or

(b) School district employes who voluntarily request payment over a 12-month period for personal services performed during the school year, unless such school district employes are covered under a valid collective bargaining agreement which precludes this method of payment.
