1999 ASSEMBLY BILL 365

June 1, 1999 – Introduced by Representatives F. Lasee, Meyerhofer, Ryba, Musser, Goetsch, Sykora and Plouff, cosponsored by Senators Drzewiecki, Decker and Wirch. Referred to Committee on Labor and Employment.

AN ACT *to amend* 103.85 (2) (c); and *to create* 103.85 (2) (cm) of the statutes;

relating to: one day of rest in 7 for persons employed in the manufacture of
butter, cheese or other dairy products subsequent to the first processing of the
milk from which those products are made.

Analysis by the Legislative Reference Bureau

Under current law, subject to certain exceptions, every employer who owns or operates a factory or mercantile establishment must allow every person employed in the factory or mercantile establishment to have at least 24 consecutive hours of rest in every period of seven consecutive days (one day of rest in seven). Currently, an employer of a person employed in the manufacture of butter, cheese or other dairy products, or in the distribution of milk or cream, or in a cannery or freezer, is not required to allow the person to have one day of rest in seven. This bill requires a person employed in the manufacture of butter, cheese or other dairy products subsequent to the first processing of the milk from which those products are made to be given one day of rest in seven, unless the person voluntarily agrees to work without one day of rest in seven. The bill, however, continues the exception to the one day of rest in seven law for persons employed in the first processing of milk,

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including the manufacture of butter, cheese or other dairy products from that milk, in the distribution of milk or cream or in a cannery or freezer.

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

SECTION 1. 103.85 (2) (c) of the statutes is amended to read:

103.85 **(2)** (c) Persons who are employed in the first processing of milk, as defined in s. 97.01 (10) (a), including the manufacture of butter, cheese or other dairy products from that milk, or in the distribution of milk or cream, or in canneries and freezers.

SECTION 2. 103.85 (2) (cm) of the statutes is created to read:

103.85 **(2)** (cm) Persons who are employed in the manufacture of butter, cheese or other dairy products subsequent to the first processing of the milk, as defined in s. 97.01 (10) (a), from which those dairy products are made and who voluntarily agree to work for 7 or more consecutive days without 24 consecutive hours of rest in those 7 or more days.

SECTION 3. Initial applicability.

(1) This act first applies to persons who are affected by a collective bargaining agreement that contains provisions inconsistent with section 103.85 (2) (c) of the statutes, as affected by this act, or with section 103.85 (2) (cm) of the statutes, as created by this act, on the day on which the collective bargaining agreement expires or is extended, modified or renewed, whichever occurs first.

18 (END)