

CR 82-196

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

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FEB 14 1983

H. J. [unclear]
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Howard S. Bellman, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Overtime Exemption for Forestry and Lumbering Employers were duly approved and adopted by this department on 2/14/83.
(Subject) (Date)

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 2:00 pm in the city of Madison, this 14th day of February A.D. 19 83.

Howard S. Bellman
Secretary

4-1-83

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ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 101.02(1) and 103.02, Stats., the Department of Industry, Labor and Human Relations hereby creates; amends; repeals and recreates; and repeals and adopts rules of Wisconsin Administrative Code chapter(s):

Ind. 74.04(14) Exemption
(Number) (Title)

The attached rules shall take effect on the day following publication
, pursuant to section
227.026, Stats.

Adopted at Madison, Wisconsin, this 14th
day of February, A.D., 1983.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Howard S. Bellman
Secretary

Administrative rule to create Ind 74.04(14) relating to overtime exemption for forestry and lumbering employers.

RULES IN FINAL DRAFT FORM

Plain language analysis by the
Department of Industry, Labor and Human Relations

The proposed exemption Ind 74.04(14) simply would exempt employers who have eight or less employes engaged in forestry and lumbering operations from paying time and one-half the regular rate of pay to employes.

In order to be exempt the employes would have to be engaged in planting or tending trees, cruising, surveying, or felling timber, or in preparing or transporting logs or other forestry products to the mill, processing plant, railroad, or other transportation terminal.

The Federal Fair Labor Standards Act of 1938 as amended contains the same exemption, therefore by adopting this exemption the State and Federal law would be consistent.

Pursuant to the authority vested in the Department of Industry, Labor and Human Relations under s. 101.02(1) and 103.02, Stats., the Department hereby adopts rules interpreting s. 103.02, Stats., as follows:

SECTION 1. Ind 74.04(14) is created to read:

(14) Any employe employed in the following forestry or lumbering operations, if the number of employes employed by the employer in the operation does not exceed 8:

(a) Planting or tending trees, cruising, surveying or felling timber:

- (b) Preparing logs or other forestry products; or
- (c) Transporting logs or other forestry products to a mill, processing plant or railroad or other transportation terminal.

SECTION 2. EFFECTIVE DATE. This rule takes effect on the first day of the month following publication of this rule in the Wisconsin Administrative Register as provided in s. 227.026(1) (intro), Stats.