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SENATE SUBSTITUTE AMENDMENT 1, TO 2003 SENATE BILL 94

May 21, 2003 - Offered by Senator Hansen.

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 a person who is employed in the processing

of raw dairy products after the point at which those products are sufficiently

processed so as to be storable without immediate threat of perishing.

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, 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 substitute amendment narrows the exception to the one day of rest in seven requirement for persons employed in the manufacture of butter, cheese, or other dairy products to persons employed in the processing of raw dairy products to the point at which those

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products are sufficiently processed so as to be storable without immediate threat of perishing.

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 employed in the manufacture of butter, cheese, or other dairy products or in the distribution of milk or cream, or in canneries and or freezers.

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

103.85 (2) (cm) Persons employed in the processing of raw dairy products to the point at which those products are sufficiently processed so as to be storable without immediate threat of perishing.

SECTION 3. Initial applicability.

(1) Subject to section 103.85 (4) of the statutes, this act first applies to persons who are affected by a collective bargaining agreement that contains provisions inconsistent with this act on the day on which the collective bargaining agreement expires or is extended, modified, or renewed, whichever occurs first.

13 (END)