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## **2001 SENATE BILL 309**

November 6, 2001 – Introduced by Senators Hansen, Baumgart, Burke, Decker, Plache, Risser and Wirch, cosponsored by Representatives Gunderson, Balow, Lassa, J. Lehman and Meyerhofer. Referred to Committee on Labor and Agriculture.

AN ACT to amend 103.85 (2) (c); and to create 103.85 (2) (cm) and 103.85 (2m)
of the statutes; relating to: one day of rest in 7 for a person who is employed
exclusively in the production of pasteurized cheese products that have
expiration dates that are not less than 60 days after the date on which the
products were packaged.

## 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 bill requires a person who is employed exclusively in the production of pasteurized processed cheese products that have expiration dates that are not less than 60 days after the date on which the products were packaged to be given one day of rest in seven, unless the person voluntarily agrees to work without one day of rest in seven.

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

## **SENATE BILL 309**

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SECTION 1.	103.85	(2) (c) 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 freezers, except as provided in sub. (2m).

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

103.85 **(2)** (cm) Persons described in sub. (2m) 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.** 103.85 (2m) of the statutes is created to read:

103.85 **(2m)** Notwithstanding sub. (2) (c) and except as provided in sub. (2) (cm), this section applies to a person who is employed exclusively in the production of pasteurized processed cheese products that have expiration dates that are not less than 60 days after the date on which the products were packaged.

## **SECTION 4. 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) (cm) and (2m) 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.

20 (END)