

# State of Wisconsin



2021 Senate Bill 332

Date of enactment:  
Date of publication\*:

## 2021 WISCONSIN ACT

AN ACT *to renumber and amend* 103.68 (2); *to amend* 103.24 and 103.66 (2); and *to create* 103.68 (2) (bm) of the statutes; **relating to:** the employment of minors.

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

**SECTION 1.** 103.24 of the statutes is amended to read:

**103.24 Hours of work.** The department shall determine and fix reasonable hours of employment for minors under 16 years of age in street trades. Except as provided in this section, the department may not fix hours of employment for minors under 16 years of age in street trades that exceed the maximum hours per day and per week specified in s. 103.68 (2) ~~(a) and (b)~~ (am) 1. and 2. and (bm) 1. a. and b., that exceed the maximum days per week specified in s. 103.68 (2) ~~(c)~~ (am) 3. and (bm) 1. c., or that begin earlier or end later than the hours specified in s. 103.68 (2) ~~(d) and (e)~~ (am) 4. and 5. and (bm) 1. d. and e. The department may not limit the hours of employment for minors 16 years of age or over in street trades or the hours of employment for minors of any age who are engaged in the delivery of newspapers to the consumer.

**SECTION 2.** 103.66 (2) of the statutes is amended to read:

103.66 (2) The department may investigate and fix reasonable classifications of employments and hours of employment for minors under 16 years of age and may issue general or special orders fixing for those minors maximum hours of employment per day and per week,

maximum days of employment per week, hours at which employment may begin and end, and the duration of lunch and other rest periods as are necessary to protect the life, health, safety, and welfare of those minors. For minors under 16 years of age, the department may not fix hours of employment that exceed the maximum hours per day and per week specified in s. 103.68 (2) ~~(a) and (b)~~ (am) 1. and 2. and (bm) 1. a. and b., that exceed the maximum days per week specified in s. 103.68 (2) ~~(c)~~ (am) 3. and (bm) 1. c., or that begin earlier or end later than the hours specified in s. 103.68 (2) ~~(d) and (e)~~ (am) 4. and 5. and (bm) 1. d. and e. For minors 16 years of age or over, the department may fix the duration of lunch and other rest periods, but may not limit hours of employment or issue general or special orders fixing maximum hours of employment per day or per week, maximum days of employment per week, or hours at which employment may begin and end.

**SECTION 3.** 103.68 (2) of the statutes is renumbered 103.68 (2) (am), and 103.68 (2) (am) (intro.), as renumbered, is amended to read:

103.68 (2) (am) (intro.) ~~No~~ Except as provided in par. (bm), no minor under 16 years of age may be employed or permitted to work in any gainful occupation, other than in domestic service, farm labor, or public exhibitions, as provided in s. 103.78, as follows:

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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**SECTION 4.** 103.68 (2) (bm) of the statutes is created to read:

103.68 (2) (bm) 1. Subject to subd. 2., no minor under 16 years of age working for an employer that is not covered by the federal Fair Labor Standards Act, 29 USC 201 to 219, and whose employees are not covered by the federal Fair Labor Standards Act, 29 USC 201 to 219, may be employed or permitted to work in any gainful occupation, other than in domestic service, farm labor, or public exhibitions, as provided in s. 103.78, as follows:

a. For more than 3 hours on a school day or 8 hours on a nonschool day.

b. For more than 18 hours in a school week or 40 hours in a nonschool week.

c. For more than 6 days in a week.

d. Before 6:00 a.m. or after 9:30 p.m. on a day preceding a school day.

e. Before 6:00 a.m. or after 11:00 p.m. on a day preceding a nonschool day.

2. Minors under 16 years of age who are employed after 10:00 p.m. shall receive at least 8 consecutive hours of rest from the end of one shift to the beginning of the next shift.

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