

OUR INSIGHTS

Employees Now Have Greater Rights to Work Overtime in Wisconsin

Author: Timothy G. Costello (Milwaukee)

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According to a Wisconsin state law, employers are required to provide a consecutive 24-hour rest period every 7 days for employees in factory and mercantile workplaces. As a result of the budget bill recently signed by Governor Scott Walker, Wisconsin employers will no longer be required to obtain permission from the Department of Workforce Development or to ask, on a case-by-case basis, to be exempt from these rest requirements. Governor Walker signed the \$72 billion biennial budget bill, which includes a provision that would allow workers to voluntarily opt out of the one day of rest and work more than seven consecutive days.

Wisconsin is one of only 13 states that mandate such a day of rest. In the past, Wisconsin employers and unions have been able to seek a waiver of this requirement by jointly requesting permission from the Wisconsin Department of Workforce Development. Unions would often seek some type of consideration in return for their consent to the waiver request, and unrepresented workers did not have a process to waive the day of rest. Employers can now directly ask employees if they want to work on their rest day. If so, the employee must state, in writing, that he or she has voluntarily chosen to work without at least 24 consecutive hours of rest in 7 consecutive days.

The budget bill also repealed the state's prevailing wage requirements for all municipal, school district, and local sewerage district projects and provides for utilizing the wage rates set by the Bureau of Labor Statistics of the U.S. Department of Labor for the remaining public works contracts that are covered by the Wisconsin prevailing wage statute.

Timothy G. Costello is the Office Managing Shareholder of the [Milwaukee office of Ogletree Deakins](#).

Timothy G. Costello (Milwaukee)



Timothy G. Costello has been practicing labor and employment law since 1980. His practice emphasis is in the construction, hard goods manufacturing, food manufacturing, and distribution industries. Tim is a contributing author to various publications on Wisconsin's Family and Medical Leave Law, OSHA and related safety

issues, and co-author of Construction Labor and Employment Law for the Wisconsin Contractor, published by the Wisconsin Chapter of the Associated General Contractors of America,...

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