



## 2013 SENATE BILL 557

February 3, 2014 – Introduced by Senators FARROW, S. FITZGERALD and GROTHMAN, cosponsored by Representatives BORN, BALLWEG, BIES, BROOKS, JACQUE, JAGLER, KESTELL, KNODL, KULP, T. LARSON, LEMAHIEU, MARKLEIN, MURTHA and THIESFELDT. Referred to Committee on Judiciary and Labor.

1     **AN ACT to amend** 104.09 of the statutes; **relating to:** exempting employers from  
2             keeping records of the hours of employment of an employee who is exempt from  
3             the overtime pay requirement and who is not compensated on an hourly rate  
4             basis.

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### *Analysis by the Legislative Reference Bureau*

Under current administrative rules promulgated by the Department of Workforce Development, employers are generally required to pay employees 1.5 times their regular rates of pay for all hours worked in excess of 40 hours per week (overtime pay). Those rules, however, exempt from the overtime pay requirement certain employees, including employees whose primary duty consists of administrative, executive, or professional work; outside salespersons; highly compensated employees; and computer professionals (exempt employees). Current law also requires an employer to keep records of the hours of employment and wages of its employees, including its exempt employees.

This bill provides that an employer is not required to keep a record of the hours of employment of an exempt employee who is not compensated on an hourly rate basis.

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

