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# Guide to laws and regulations for restaurant owners

## ***STATE VS. FEDERAL LAW***

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All Wisconsin restaurants must comply with Wisconsin state labor laws. Restaurants meeting certain criteria are covered by the Federal Labor Standards Act (FLSA) and must obey federal laws in addition to state laws. If the two laws differ, you must follow the **stricter** of the two laws -- in other words, the law most beneficial to the employee. The WRA HERO manual will outline both state and federal law where applicable.

### **You must obey state and federal laws if:**

- Your business has an annual gross revenue of \$500,000 or more.

**-OR-**

- You do not meet the revenue criteria but you have employees who are engaged in “interstate commerce.” Example: servers who handle credit cards are engaged in interstate commerce because credit card transactions cross state lines. In this case, you would apply federal and state law to those employees handling the credit cards and only the state law to the rest of your employees.

**Note:** You must count the revenue of your entire business “enterprise” in the calculation. If you own other retail businesses, even if they are separate corporations, the sales must be added together.

**If you do not meet the above criteria, you only need to follow state law.**

**Questions? Call the WRA Hotline: 1-800-589-3211**

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