

AMENDMENTS TO LB265

Introduced by Raybould, 28.

1 1. Insert the following new sections:

2 **Sec. 9.** Section 48-1203, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:

4 48-1203 (1) Except as otherwise provided in this section and section
5 48-1203.01, every employer shall pay to each of his or her employees a
6 minimum wage of:

7 (a) Nine dollars per hour through December 31, 2022;

8 (b) Ten dollars and fifty cents per hour on and after January 1,
9 2023, through December 31, 2023;

10 (c) Twelve dollars per hour on and after January 1, 2024, through
11 December 31, 2024;

12 (d) Thirteen dollars and fifty cents per hour on and after January
13 1, 2025, through December 31, 2025; and

14 (e) Fifteen dollars per hour on and after January 1, 2026, through
15 December 31, 2026.

16 (2) The minimum wage established in subdivision (1)(e) of this
17 section shall be increased on January 1, 2027, and on January 1 of
18 successive years, by one and three-quarters percent ~~the increase in the~~
19 ~~cost of living. The increase in the cost of living shall be measured by~~
20 ~~the percentage increase, if any, as of August of the previous year over~~
21 ~~the level as of August of the year preceding that year in the consumer~~
22 ~~price index for all urban consumers (CPI-U) for the Midwest Region, or~~
23 ~~its successor index, as published by the U.S. Department of Labor, or its~~
24 ~~successor agency, with the amount of the minimum wage increase rounded up~~
25 ~~to the nearest multiple of five cents.~~ No later than October 15 of each
26 year, commencing October 15, 2026, the Nebraska Department of Labor shall
27 calculate and publish the minimum wage rate that will take effect the

1 following January 1.

2 (3) For persons compensated by way of gratuities such as waitresses,
3 waiters, hotel bellhops, porters, and shoeshine persons, the employer
4 shall pay wages at the minimum rate of two dollars and thirteen cents per
5 hour, plus all gratuities given to them for services rendered. The sum of
6 wages and gratuities received by each person compensated by way of
7 gratuities shall equal or exceed the applicable minimum wage rate
8 provided in subsection (1) or (2) of this section. In determining whether
9 or not the individual is compensated by way of gratuities, the burden of
10 proof shall be upon the employer.

11 (4) Any employer employing student-learners as part of a bona fide
12 vocational training program shall pay such student-learners' wages at a
13 rate of at least seventy-five percent of the minimum wage rate which
14 would otherwise be applicable under this section.

15 (5)(a) An employer may pay a youth minimum wage of thirteen dollars
16 and fifty cents per hour to an employee who:

17 (i) Is at least fourteen years of age but younger than sixteen years
18 of age; and

19 (ii) Is not an emancipated minor.

20 (b) Beginning on January 1, 2030, and on January 1 of every fifth
21 year thereafter, the youth minimum wage shall increase by one and one-
22 half percent, rounded to the nearest cent.

23 **Sec. 10.** Section 48-1203.01, Reissue Revised Statutes of Nebraska,
24 is amended to read:

25 48-1203.01 (1) An employer may pay a new employee who is at least
26 sixteen years of age but younger than twenty years of age and who is not
27 a seasonal or migrant worker or an emancipated minor a training wage rate
28 as described in subsection (2) of this section of at least seventy-five
29 percent of the federal minimum wage for ninety days from the date the new
30 employee was hired. An employer may pay such new employee the training
31 wage rate for an additional ninety-day period while the new employee is

1 participating in on-the-job training which (a) ~~(1)~~ requires technical,
2 personal, or other skills which are necessary for his or her employment
3 and (b) ~~(2)~~ is approved by the Commissioner of Labor. No more than one-
4 fourth of the total hours paid by the employer shall be at the training
5 wage rate.

6 (2) For the purposes of this section, the training wage rate shall
7 be:

8 (a) Thirteen dollars and fifty cents per hour through December 31,
9 2026; and

10 (b) Beginning on January 1, 2027, and on January 1 of each year
11 thereafter, the training wage rate shall increase by one and one-half
12 percent, rounded to the nearest cent.

13 (3) An employer shall not pay the training wage rate if the hours of
14 any other employee are reduced or if any other employee is laid off and
15 the hours or position to be filled by the new employee is substantially
16 similar to the hours or position of such other employee. An employer
17 shall not dismiss or reduce the hours of any employee with the intention
18 of replacing such employee or his or her hours with a new employee
19 receiving the training wage rate.

20 **Sec. 14.** Original section 48-1203.01, Reissue Revised Statutes of
21 Nebraska, and section 48-1203, Revised Statutes Cumulative Supplement,
22 2024, are repealed.

23 2. Correct the operative date so that the sections added by this
24 amendment become operative three calendar months after the adjournment of
25 this legislative session.

26 3. Renumber the remaining sections accordingly.