

AMENDMENTS TO LB943

(Amendments to Standing Committee amendments, AM1922)

Introduced by Nordquist

1 1. Insert the following section:

2 Section 1. Section 48-1202, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 48-1202 For purposes of the Wage and Hour Act, unless the
5 context otherwise requires:

6 (1) Employ shall include to permit to work;

7 (2) Employer shall include any individual, partnership,
8 limited liability company, association, corporation, business
9 trust, legal representative, ~~or~~ organized group of persons,
10 employing or enterprise whose annual gross volume of sales made
11 or business done is not less than five hundred thousand dollars,
12 that employs at least four or more employees at any one time
13 except for seasonal employment of not more than twenty weeks in
14 any calendar year, acting directly or indirectly in the interest of
15 as an employer in relation to an employee. Employer ~~but~~ shall not
16 include the United States, the state, or any political subdivision
17 thereof;

18 (3) Employee shall include any individual employed by any
19 employer but shall not include:

20 (a) Any individual employed in agriculture;

21 (b) Any individual employed as a baby-sitter in or about
22 a private home;

1 (c) Any individual employed in a bona fide executive,
2 administrative, or professional capacity or as a superintendent or
3 supervisor;

4 (d) Any individual employed by the United States or by
5 the state or any political subdivision thereof;

6 (e) Any individual engaged in the activities of an
7 educational, charitable, religious, or nonprofit organization when
8 the employer-employee relationship does not in fact exist or when
9 the services rendered to such organization are on a voluntary
10 basis;

11 (f) Apprentices and learners otherwise provided by law;

12 (g) Veterans in training under supervision of the United
13 States Department of Veterans Affairs;

14 (h) A child in the employment of his or her parent or a
15 parent in the employment of his or her child; or

16 (i) Any person who, directly or indirectly, is receiving
17 any form of federal, state, county, or local aid or welfare and
18 who is physically or mentally disabled and employed in a program of
19 rehabilitation, who shall receive a wage at a level consistent with
20 his or her health, efficiency, and general well-being;

21 (4) Occupational classification shall mean a
22 classification established by the Dictionary of Occupational
23 Titles prepared by the United States Department of Labor; and

24 (5) Wages shall mean all remuneration for personal
25 services, including commissions and bonuses and the cash value
26 of all remunerations in any medium other than cash.

27 2. On page 3, line 20, strike "48-1203" and insert

1 "48-1202, 48-1203,".

2 3. Renumber the remaining sections accordingly.