

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 599

FINAL READING

Introduced by Ebke, 32; Brasch, 16; Groene, 42; Kintner, 2; Lindstrom, 18; Schnoor, 15; Kolterman, 24; Watermeier, 1; Krist, 10; Stinner, 48; Garrett, 3; Coash, 27; Davis, 43; Larson, 40; Bloomfield, 17; Riepe, 12; Kuehn, 38.

Read first time January 21, 2015

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section
- 2 48-1203, Reissue Revised Statutes of Nebraska, as amended by section
- 3 1, Initiative Law 2014, No. 425; to provide a minimum wage for
- 4 certain young student workers; to provide an operative date; and to
- 5 repeal the original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-1203, Reissue Revised Statutes of Nebraska, as
2 amended by section 1, Initiative Law 2014, No. 425, is amended to read:

3 48-1203 (1) Except as otherwise provided in this section and section
4 48-1203.01, every employer shall pay to each of his or her employees a
5 minimum wage of:

6 (a) Seven dollars and twenty-five cents per hour through December
7 31, 2014;

8 (b) Eight dollars per hour on and after January 1, 2015, through
9 December 31, 2015; and

10 (c) Nine dollars per hour on and after January 1, 2016.

11 (2) For persons compensated by way of gratuities such as waitresses,
12 waiters, hotel bellhops, porters, and shoeshine persons, the employer
13 shall pay wages at the minimum rate of two dollars and thirteen cents per
14 hour, plus all gratuities given to them for services rendered. The sum of
15 wages and gratuities received by each person compensated by way of
16 gratuities shall equal or exceed the minimum wage rate provided in
17 subsection (1) of this section. In determining whether or not the
18 individual is compensated by way of gratuities, the burden of proof shall
19 be upon the employer.

20 (3) Any employer employing student-learners as part of a bona fide
21 vocational training program shall pay such student-learners' wages at a
22 rate of at least seventy-five percent of the minimum wage rate which
23 would otherwise be applicable.

24 (4)(a) Any employer employing young student workers shall pay such
25 young student workers wages at a rate of at least eight dollars per hour
26 or eighty-five percent of the federal minimum wage, whichever is higher.
27 No more than one-fourth of the total hours paid by the employer shall be
28 at the wage rate prescribed in this subsection.

29 (b) For purposes of this subsection, young student worker means any
30 person who (i) is eighteen years of age or younger, (ii) does not have a
31 high school diploma, (iii) does not have a dependent child as defined in

1 section 43-504, and (iv) does not qualify for the wage rate prescribed in
2 subsection (3) of this section or section 48-1203.01.

3 Sec. 2. This act becomes operative on January 1, 2016.

4 Sec. 3. Original section 48-1203, Reissue Revised Statutes of
5 Nebraska, as amended by section 1, Initiative Law 2014, No. 425, is
6 repealed.