

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 258**

FINAL READING

Introduced by Raybould, 28; Murman, 38.

Read first time January 14, 2025

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section
- 2 48-1203.01, Reissue Revised Statutes of Nebraska, and section
- 3 48-1203, Revised Statutes Cumulative Supplement, 2024; to change
- 4 provisions relating to the minimum wage and the training wage; to
- 5 enact a youth minimum wage; to harmonize provisions; and to repeal
- 6 the original sections.
- 7 Be it enacted by the people of the State of Nebraska,

1       **Section 1.** Section 48-1203, Revised Statutes Cumulative Supplement,  
2       2024, 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) Nine dollars per hour through December 31, 2022;

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

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

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

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

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

28       (3) For persons compensated by way of gratuities such as waitresses,  
29       waiters, hotel bellhops, porters, and shoeshine persons, the employer  
30       shall pay wages at the minimum rate of two dollars and thirteen cents per  
31       hour, plus all gratuities given to them for services rendered. The sum of

1 wages and gratuities received by each person compensated by way of  
2 gratuities shall equal or exceed the applicable minimum wage rate  
3 provided in subsection (1) or (2) of this section. In determining whether  
4 or not the individual is compensated by way of gratuities, the burden of  
5 proof shall be upon the employer.

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

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

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

14 (ii) Is not an emancipated minor.

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

18 **Sec. 2.** Section 48-1203.01, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 48-1203.01 (1) An employer may pay a new employee who is at least  
21 sixteen years of age but younger than twenty years of age and who is not  
22 a seasonal or migrant worker or an emancipated minor a training wage rate  
23 as described in subsection (2) of this section of at least seventy-five  
24 percent of the federal minimum wage for ninety days from the date the new  
25 employee was hired. An employer may pay such new employee the training  
26 wage rate for an additional ninety-day period while the new employee is  
27 participating in on-the-job training which (a) (1) requires technical,  
28 personal, or other skills which are necessary for his or her employment  
29 and (b) (2) is approved by the Commissioner of Labor. No more than one-  
30 fourth of the total hours paid by the employer shall be at the training  
31 wage rate.

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

3       (a) Thirteen dollars and fifty cents per hour through December 31,  
4 2026; and

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

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

15       **Sec. 3.** Original section 48-1203.01, Reissue Revised Statutes of  
16 Nebraska, and section 48-1203, Revised Statutes Cumulative Supplement,  
17 2024, are repealed.