

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 258**

Introduced by Raybould, 28.

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 the lesser of (a) one and one-half percent, rounded  
18 to the nearest cent, or (b) the increase in the cost of living. The  
19 increase in the cost of living, which shall be measured by the percentage  
20 increase, if any, as of August of the previous year over the level as of  
21 August of the year preceding that year in the consumer price index for  
22 all urban consumers (CPI-U) for the Midwest Region, or its successor  
23 index, as published by the U.S. Department of Labor, or its successor  
24 agency, with the amount of the minimum wage increase rounded up to the  
25 nearest multiple of five cents. No later than October 15 of each year,  
26 commencing October 15, 2026, the Nebraska Department of Labor shall  
27 calculate and publish the minimum wage rate that will take effect the  
28 following January 1.

29           (3) For persons compensated by way of gratuities such as waitresses,  
30 waiters, hotel bellhops, porters, and shoeshine persons, the employer  
31 shall pay wages at the minimum rate of two dollars and thirteen cents per

1 hour, plus all gratuities given to them for services rendered. The sum of  
2 wages and gratuities received by each person compensated by way of  
3 gratuities shall equal or exceed the applicable minimum wage rate  
4 provided in subsection (1) or (2) of this section. In determining whether  
5 or not the individual is compensated by way of gratuities, the burden of  
6 proof shall be upon the employer.

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

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

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

15 (b) Is not an emancipated minor.

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

18 48-1203.01 (1) An employer may pay a new employee who is at least  
19 sixteen years of age but younger than eighteen younger than twenty years  
20 of age and who is not a seasonal or migrant worker or an emancipated  
21 minor a training wage rate as described in subsection (2) of this section  
22 of at least seventy-five percent of the federal minimum wage for ninety  
23 days from the date the new employee was hired. An employer may pay such  
24 new employee the training wage rate for an additional ninety-day period  
25 while the new employee is participating in on-the-job training which (a)  
26 (1) requires technical, personal, or other skills which are necessary for  
27 his or her employment and (b) (2) is approved by the Commissioner of  
28 Labor. No more than one-fourth of the total hours paid by the employer  
29 shall be at the training wage rate.

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

1        (a) Thirteen dollars and fifty cents per hour through December 31,  
2        2026; and

3        (b) A rate of seventy-five percent of the minimum wage rate that  
4        would otherwise be applicable under section 48-1203 on and after January  
5        1, 2027.

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

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