



**Hundredth Legislature - First Session - 2007  
Committee Statement  
LB 271**

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**Hearing Date:** February 5, 2007  
**Committee On:** Business and Labor

**Introducer(s):** (Friend)

**Title:** Change fringe benefit provisions under the Nebraska Wage Payment and Collection Act

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - Advanced to General File with Amendments
  - X Indefinitely Postponed
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**Vote Results:**

6	Yes No Present, not voting	Senators Cornett, Lathrop, McGill, Rogert, Wallman, White
1	Absent	Senator Chambers

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**Proponents:**

Senator Friend  
Jerry Pigsley  
Bruce Stee  
  
Brian Hale  
Dan Hoing  
Gary Krumland  
Kim Hawekotte  
Ed Wimes  
Jerry Stilmock  
  
Brandon Polt  
Bruce Rieker  
Jon Edwards  
Tom Jeffers  
Tim Esser  
Peter McHargue

**Representing:**

Introducer  
Nebraska Chamber of Commerce  
SHRM, Nebraska State Council Greater Omaha Chamber  
Nebraska Assoc. of School Boards  
City of Papillion  
League of Nebraska Municipalities  
Douglas County  
University of Nebraska  
Nebr. Bankers Assoc., National Federation of Independent Business, Nebr. Pharmacists Assoc.  
Nebraska Health Care Assoc.  
Nebraska Hospital Assoc.  
NACO  
Nebraska Cooperative Council  
Central Valley Ag  
Farmer's Cooperative

**Opponents:**

Thomas Dowd  
Mark McGuire

**Representing:**

AFL-CIO  
NSEA

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**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:** LB 271 would change the definition of wages, by making “fringe benefits” a wage *only* where an employer has a policy or agreement to that effect. Within the policy or agreement, the employer may determine how fringe benefits are earned, accrued, or provided and whether fringe benefits are paid at the time of termination. Finally, an employer has the duty to provide notice to the employees when an alteration is made to the fringe benefit plan.

**Section by Section Summary**

**Section 1:** amends §48-1228 to include section 3 of this act within the Nebraska Wage Payment and Collection Act.

**Section 2:** Definitional Section; amends §48-1229 to strike “including fringe benefits” from inclusion in the definition of wages; inserts Wages includes fringe benefits if so determined by policy or by agreement of the employer.

**Section 3: *New Language;*** An employer may determine by policy or agreement the following:

- Terms, conditions, limitations on how fringe benefits are administered including how the benefits are provided, earned, or accrued; and
- Terms, conditions, limitations on whether fringe benefits are paid at the time of termination.

Employers must give reasonable notice of any alteration of the fringe benefit plan to affected employees.

**Explanation of amendments, if any:**

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**Senator Abbie Cornett, Chairperson**