

AMENDMENTS TO LB494

Introduced by Business and Labor.

1 1. Strike the original sections and insert the following new
2 sections:

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

5 48-1203 (1) Except as otherwise provided in this section and section
6 48-1203.01, every employer shall pay to each of his or her employees a
7 minimum wage of:

8 (a) Seven dollars and twenty-five cents per hour through December
9 31, 2014;

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

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

13 (2)(a) For persons compensated by way of gratuities such as
14 waitresses, waiters, hotel bellhops, porters, and shoeshine persons, the
15 employer shall pay cash wages at the minimum rate provided in subdivision
16 (2)(b) of this section of two dollars and thirteen cents per hour, plus
17 all gratuities given to them for services rendered.

18 (b) The minimum cash wage per hour shall be:

19 (i) Two dollars and thirteen cents per hour through July 31, 2015;

20 (ii) Two dollars and thirty-five cents per hour on and after August
21 1, 2015, through December 31, 2015; and

22 (iii) Two dollars and sixty-four cents per hour on and after January
23 1, 2016.

24 (c) The sum of cash wages and gratuities received by each person

25 compensated by way of gratuities shall equal or exceed the minimum wage

26 rate provided in subsection (1) of this section. In determining whether

27 or not the individual is compensated by way of gratuities, the burden of

1 proof shall be upon the employer.

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

6 Sec. 2. Section 48-1205, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 48-1205 Every employer subject to the Wage and Hour Act provisions
9 ~~of sections 48-1201 to 48-1209~~ shall keep a summary of the act sections
10 ~~48-1201 to 48-1209~~, furnished by the Commissioner of Labor without
11 charge, posted in a conspicuous place on or about the premises wherein
12 any person subject to the act provisions of sections ~~48-1201 to 48-1209~~
13 is employed. Minimum wage amounts in effect shall also be posted by such
14 employers and shall be furnished by the commissioner without charge.

15 Sec. 3. Original section 48-1205, Reissue Revised Statutes of
16 Nebraska, and section 48-1203, Reissue Revised Statutes of Nebraska, as
17 amended by section 1, Initiative Law 2014, No. 425, are repealed.

18 Sec. 4. Since an emergency exists, this act takes effect when passed
19 and approved according to law.