

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 122**

Introduced by Hunt, 8.

Read first time January 07, 2021

Committee: Business and Labor

1 A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section  
2 48-1203, Revised Statutes Cumulative Supplement, 2020; to change  
3 provisions relating to the minimum wage; and to repeal the original  
4 section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-1203, Revised Statutes Cumulative Supplement,  
2 2020, 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 (2) (3) Any employer employing student-learners as part of a bona  
21 fide vocational training program shall pay such student-learners' wages  
22 at a rate of at least seventy-five percent of the minimum wage rate which  
23 would otherwise be applicable.

24 Sec. 2. Original section 48-1203, Revised Statutes Cumulative  
25 Supplement, 2020, is repealed.