

AMENDMENTS TO LB15

Introduced by Briese, 41.

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

3 Section 1. Section 48-1203, Revised Statutes Cumulative Supplement,
4 2020, as amended by section 1, Initiative Law 2022, No. 433, is amended
5 to read:

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

9 (a) Nine dollars per hour through December 31, 2022;

10 (b) Ten dollars and fifty cents per hour on and after January 1,
11 2023, through December 31, 2023;

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

14 (d) Thirteen dollars and fifty cents per hour on and after January
15 1, 2025, through December 31, 2025; and

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

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

1 2026, the Nebraska Department of Labor shall calculate and publish the
2 minimum wage rate that will take effect the following January 1.

3 (3) For persons compensated by way of gratuities such as waitresses,
4 waiters, hotel bellhops, porters, and shoeshine persons, the employer
5 shall pay wages at the minimum rate of two dollars and thirteen cents per
6 hour, plus all gratuities given to them for services rendered. The sum of
7 wages and gratuities received by each person compensated by way of
8 gratuities shall equal or exceed the applicable minimum wage rate
9 provided in subsection (1) or (2) of this section. In determining whether
10 or not the individual is compensated by way of gratuities, the burden of
11 proof shall be upon the employer.

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

16 (5) An employer may pay an employee who is at least fourteen years
17 of age but no more than seventeen years of age a youth minimum wage of
18 ten dollars and fifty cents per hour.

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

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

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

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

4 (b) A rate of seventy-five percent of the minimum wage rate that
5 would otherwise be applicable under section 48-1203 on and after January
6 1, 2027.

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

14 Sec. 3. Original section 48-1203.01, Reissue Revised Statutes of
15 Nebraska, and section 48-1203, Revised Statutes Cumulative Supplement,
16 2020, as amended by section 1, Initiative Law 2022, No. 433, are
17 repealed.