

PREPARED BY: Scott Danigole  
 DATE PREPARED: February 07, 2019  
 PHONE: 471-0055

# LB 361

Revision: 00

## FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

<b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates)				
	<b>FY 2019-20</b>		<b>FY 2020-21</b>	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 361 prohibits an employer from retaliating or discriminating against an employee or applicant for employment because the employer or applicant files a complaint under the Wage and Hour Act or testifies, assists, or participates in an investigation proceeding, or action concerning a violation of the act.

Section 8 provides for similar prohibition of retaliation or discrimination under the Nebraska Wage Payment and Collection Act.

The Department of Labor estimates that any additional costs associated with the provisions of LB 361 can be absorbed with current resources.

No fiscal impact.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 361	AM:	AGENCY/POLT. SUB: Nebraska Department of Labor
REVIEWED BY: Neil Sullivan	DATE: 2/7/2019	PHONE: (402) 471-4179
COMMENTS: No basis to disagree with the Nebraska Department of Labor estimate of minimal fiscal impact from LB 361.		

Please complete ALL (5) blanks in the first three lines.

**2019**

**LB<sup>(1)</sup> 361**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Labor

Prepared by: <sup>(3)</sup> Katie Thurber Date Prepared: <sup>(4)</sup> 2/5/2019 Phone: <sup>(5)</sup> 402-471-9912

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

	<u>FY 2019-20</u>		<u>FY 2020-21</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
<b>TOTAL FUNDS</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>

**Explanation of Estimate:**

LB 361 creates a new violation of both the Wage and Hour Act and the Nebraska Wage Payment and Collection Act. Under LB 361, it shall be a violation of the Wage and Hour Act and/or the Nebraska Wage Payment and Collection Act, if an employer retaliates or discriminates against an employee or applicant for employment because of he or she filed a complaint under either act; or testified, assisted, or participated in an investigation, proceeding, or action concerning a violation of the acts. LB 361 gives the Commissioner of Labor the authority to investigate and enforce these provisions of the Wage and Hour Act and the Wage Payment and Collection Act.

Because the Department of Labor already enforces these laws covered by LB 361, it will know if there has been a complaint filed by an employee under either act. The Department of Labor will only need to investigate if there was any retaliation or discrimination. The Department sees approximately 1,200 complaints per year. If 5% of complainants allege retaliation, the Department would see 60 new complaints per year. NDOL can absorb any fiscal impact.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

**Personal Services:**

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2019-20</u>	<u>2020-21</u>
	<u>19-20</u>	<u>20-21</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
<b>TOTAL.....</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>