

AMENDMENTS TO LB943

Introduced by Business and Labor

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

3           Section 1. Section 48-1203, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

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

8           ~~(a) Five dollars and fifteen cents per hour through July~~  
9 ~~23, 2007,~~

10           ~~(b) Five dollars and eighty-five cents per hour on and~~  
11 ~~after July 24, 2007, through July 23, 2008,~~

12           ~~(c) Six dollars and fifty-five cents per hour on and~~  
13 ~~after July 24, 2008, through July 23, 2009, and~~

14           ~~(d) Seven dollars and twenty-five cents per hour on and~~  
15 ~~after July 24, 2009.~~

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

18           (b) Seven dollars and sixty-five cents per hour on and  
19 after January 1, 2015, through December 31, 2015;

20           (c) Eight dollars and thirty-five cents per hour on and  
21 after January 1, 2016, through December 31, 2016; and

22           (d) Nine dollars per hour on and after January 1, 2017.

23           (2) For persons compensated by way of gratuities such

1 as waitresses, waiters, hotel bellhops, porters, and shoeshine  
2 persons, the employer shall pay cash wages at the minimum rate  
3 of ~~two dollars and thirteen cents per hour~~, calculated in this  
4 subsection plus all gratuities given to them for services rendered.

5 For the one-year period beginning on the effective date  
6 of this act, the minimum cash wage per hour shall be three dollars.

7 For each succeeding one-year period until the minimum cash wage  
8 under this subsection equals seventy percent of the minimum wage  
9 in effect under subsection (1) of this section, the minimum cash  
10 wage shall be equal to the amount for the preceding year increased  
11 by the lesser of ninety-five cents or the amount necessary for the  
12 wage to equal seventy percent of the minimum wage in effect under  
13 subsection (1) of this section, rounded to the nearest multiple  
14 of five cents. For each succeeding one-year period after the year  
15 in which the minimum cash wage under this subsection first equals  
16 seventy percent of the minimum wage in effect under subsection (1)  
17 of this section, the minimum cash wage shall be equal to the amount  
18 for the preceding year increased by the amount necessary to ensure  
19 that the minimum cash wage in effect under this subsection remains  
20 equal to seventy percent of the minimum wage in effect under  
21 subsection (1) of this section, rounded to the nearest multiple of  
22 five cents.

23 The sum of cash wages and gratuities received by each  
24 person compensated by way of gratuities shall equal or exceed the  
25 minimum wage rate provided in subsection (1) of this section. In  
26 determining whether or not the individual is compensated by way of  
27 gratuities, the burden of proof shall be upon the employer.

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

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

7           48-1205 (1) Every employer subject to the provisions  
8 of sections 48-1201 to 48-1209 Wage and Hour Act shall keep a  
9 summary of sections 48-1201 to 48-1209, the act, furnished by  
10 the Commissioner of Labor without charge, posted in a conspicuous  
11 place on or about the premises wherein any person subject to the  
12 provisions of sections 48-1201 to 48-1209 act is employed. Minimum  
13 wage amounts in effect shall also be posted and shall be furnished  
14 by the commissioner without charge.

15           (2) The Commissioner of Labor shall calculate the minimum  
16 wage amounts as provided in sections 48-1203 and 48-1203.01,  
17 recalculate such amounts whenever there is a change, and provide  
18 notice of such amounts and the date the amounts become effective to  
19 employers subject to the Wage and Hour Act.

20           Sec. 3. Original sections 48-1203 and 48-1205, Reissue  
21 Revised Statutes of Nebraska, are repealed.