

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 362

Introduced by Hansen, M., 26.

Read first time January 16, 2019

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to the Nebraska Wage Payment and Collection
- 2 Act; to amend section 48-1234, Revised Statutes Cumulative
- 3 Supplement, 2018; to require payment of unpaid wages as prescribed;
- 4 to harmonize provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-1234, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 48-1234 (1) The Commissioner of Labor shall issue a citation to an
4 employer when an investigation reveals that the employer may have
5 violated the Nebraska Wage Payment and Collection Act, other than a
6 violation of subsection (2) of section 48-1230.

7 (2) If a citation is issued, the employer shall pay to any employees
8 that were the subject of the violation underlying such citation any
9 unpaid wages due to such employees and found to be owing by the
10 commissioner.

11 (3) (2) When a citation is issued, the commissioner shall notify the
12 employer of the any proposed administrative penalty and any amount owed
13 under subsection (2) of this section , if any, by certified mail or any
14 other manner of delivery by which the United States Postal Service can
15 verify delivery. The administrative penalty shall be not more than five
16 hundred dollars in the case of a first violation and not more than five
17 thousand dollars in the case of a second or subsequent violation.

18 (4) (3) The employer has fifteen working days after the date of the
19 citation or penalty to contest such citation, or penalty, or amount found
20 to be owed under subsection (2) of this section. Notice of contest shall
21 be sent to the commissioner who shall provide a hearing in accordance
22 with the Administrative Procedure Act.

23 Sec. 2. Original section 48-1234, Revised Statutes Cumulative
24 Supplement, 2018, is repealed.