

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 551

Introduced by Lathrop, 12.

PURPOSE: The purpose of this resolution is to examine the enforcement of section 48-2909 with regard to the Employee Classification Act. The study shall examine the need for further enforcement and the effect misclassification has on multiple facets of business and labor in Nebraska, including its impact on state revenue, industries, and Nebraska communities. The study shall investigate actions to mitigate the problem, including enforcement of current law and possible statutory changes. This study shall include, but not be limited to, the following issues:

(1) The number of times and surrounding circumstances that have triggered section 48-2909 and enforcement of the Employee Classification Act;

(2) A research and overview of current tax policy related to misclassification and potential loss of state revenue as a result;

(3) Identifying the direct and indirect effects of misclassification on certain industries; and

(4) Ascertaining the result of misclassification on Nebraska communities and if it has caused complications such as the lack of workers' compensation and unemployment insurance, wage theft, and other employment uncertainties commonly accompanied with misclassification.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED THIRD LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.