

AMENDMENTS TO LB 265

Introduced by Nantkes, 46

1 1. Insert the following sections:

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

4 48-1203 (1) Except as otherwise provided in this section
5 and section 48-1203.01, every employer shall pay to each of his
6 or her employees wages at the minimum rate of four dollars and
7 ~~twenty-five cents per hour through August 31, 1997, and five~~
8 ~~dollars and fifteen cents per hour on and after September 1, 1997.~~
9 a minimum wage of:

10 (a) Five dollars and fifteen cents per hour through July
11 23, 2007;

12 (b) Five dollars and eighty-five cents per hour on and
13 after July 24, 2007, through July 23, 2008;

14 (c) Six dollars and fifty-five cents per hour on and
15 after July 24, 2008, through July 23, 2009; and

16 (d) Seven dollars and twenty-five cents per hour on and
17 after July 24, 2009.

18 (2) For persons compensated by way of gratuities such
19 as waitresses, waiters, hotel bellhops, porters, and shoeshine
20 persons, the employer shall pay wages at the minimum rate of two
21 dollars and thirteen cents per hour, plus all gratuities given
22 to them for services rendered. The sum of wages and gratuities
23 received by each person compensated by way of gratuities shall

1 equal or exceed the minimum wage rate provided in subsection (1)
2 of this section. In determining whether or not the individual is
3 compensated by way of gratuities, the burden of proof shall be upon
4 the employer.

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

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

11 48-1203.01 An employer may pay a new employee who is
12 younger than twenty years of age and is not a seasonal or migrant
13 worker a training wage at a rate of ~~four dollars and twenty-five~~
14 ~~cents per hour~~ of at least seventy-five percent of the federal
15 minimum wage for ninety days from the date the new employee was
16 hired. An employer may pay such new employee the training wage
17 rate for an additional ninety-day period while the new employee is
18 participating in on-the-job training which (1) requires technical,
19 personal, or other skills which are necessary for his or her
20 employment and (2) is approved by the Commissioner of Labor. No
21 more than one-fourth of the total hours paid by the employer shall
22 be at the training wage rate.

23 An employer shall not pay the training wage rate if the
24 hours of any other employee are reduced or if any other employee is
25 laid off and the hours or position to be filled by the new employee
26 is substantially similar to the hours or position of such other
27 employee. An employer shall not dismiss or reduce the hours of any

1 employee with the intention of replacing such employee or his or
2 her hours with a new employee receiving the training wage rate.

3 Sec. 3. Original sections 48-1203 and 48-1203.01, Reissue
4 Revised Statutes of Nebraska, are repealed.

5 Sec. 4. Since an emergency exists, this act takes effect
6 when passed and approved according to law.

7 2. Renumber the remaining sections and correct internal
8 references accordingly.