

ONE HUNDRED FOURTH LEGISLATURE - SECOND SESSION - 2016
COMMITTEE STATEMENT
LB83

Hearing Date: Monday January 26, 2015
Committee On: Business and Labor
Introducer: Cook
One Liner: Provide certain protections for employees relating to wage disclosure

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	5	Senators Crawford, Ebke, Harr, Howard, Johnson
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:	1	Senator Bloomfield

Verbal Testimony:

Proponents:

Tanya Cook
Mike Marvin
Mary Herres

Theresa Shephard
Rodney D. Vlcek

Representing:

Introducer
NAPE-AFSCME Local 61
Nebraska Democratic Women's Caucus and Center for
People in Need
Self
Nebraska State AFL-CIO

Opponents:

Ron Sedlacek
Bob Hallstrom
Kathy Siefken

Representing:

Nebraska Chamber of Commerce
National Federation of Independent Business
Nebraska Grocery Industry Associations

Neutral:

Howard Fox

Representing:

Omaha Public Power District

Summary of purpose and/or changes:

LB 83 provides that under the Nebraska Wage Payment and Collection Act, an employer cannot require nondisclosure by an employee of his/her wages. The employer cannot:

- *Require nondisclosure as a condition of employment,
- *Require the employee to sign a waiver denying his/her right to disclose wages,
- *Take any adverse employment action for disclosing wages,
- *Coerce, intimidate or threaten the employee related to wage disclosure, or
- *Retaliate against an employee for disclosing wages.

The bill does not permit an employee to disclose proprietary or trade secret information or to disclose another employee's wage to a competitor. If an employer provides an employee handbook, notice of employees' rights to wage disclosure must be contained therein.

If an employer violates this section, the employee may bring a civil action. If the court finds for the employee, the court

must order costs of the action and reasonable attorney's fees to be paid by the employer. Additionally, the court may order reinstatement, back pay, restoration of lost service credit, expungement of adverse records, or other money damages.

Explanation of amendments:

AM 2191 strikes the contents of LB 83. It amends Nebraska's Equal Pay Act as the act would apply to employers with two or more employees, rather than fifteen or more employees.

Burke Harr, Chairperson