LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 577

Introduced by Vargas, 7.
Read first time January 22, 2019
Committee: Business and Labor

A BILL FOR AN ACT relating to the Employee Classification Act; to amend section 48-2906, Reissue Revised Statutes of Nebraska, and section 48-2907, Revised Statutes Cumulative Supplement, 2018; to provide for expediting investigations under the act; to authorize the Commissioner of Labor to cause contractors to cease performance of services for a violation of the act; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,
Section 1. Section 48-2906, Reissue Revised Statutes of Nebraska, is amended to read:

48-2906 The department shall timely investigate all credible reports made pursuant to section 48-2905. When the health, safety, and welfare of the general public is threatened, the commissioner may expedite an investigation and may cause a contractor who is the subject of such investigation to cease the performance of services on a site where a violation is being investigated.

Sec. 2. Section 48-2907, Revised Statutes Cumulative Supplement, 2018, is amended to read:

48-2907 (1) In addition to any other fines or penalties provided by law, if the commissioner finds, after notice and hearing, that a contractor has violated the Employee Classification Act, the contractor shall be assessed, by the commissioner, a five-hundred-dollar fine per each misclassified individual for the first offense and a five-thousand-dollar fine per each misclassified individual for each second and subsequent offense. The commissioner may also cause such contractor to cease the performance of services on a site where such violation was identified.

(2) Any contractor who has unpaid fines for a violation of the Employee Classification Act shall be barred from contracting with the state or any political subdivision until such fines are paid.

Sec. 3. Original section 48-2906, Reissue Revised Statutes of Nebraska, and section 48-2907, Revised Statutes Cumulative Supplement, 2018, are repealed.