

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

- 1 A BILL FOR AN ACT relating to the Employee Classification Act; to amend
- 2 section 48-2906, Reissue Revised Statutes of Nebraska, and section
- 3 48-2907, Revised Statutes Cumulative Supplement, 2018; to provide
- 4 for expediting investigations under the act; to authorize the
- 5 Commissioner of Labor to cause contractors to cease performance of
- 6 services for a violation of the act; and to repeal the original
- 7 sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-2906, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 48-2906 The department shall timely investigate all credible reports
4 made pursuant to section 48-2905. When the health, safety, and welfare of
5 the general public is threatened, the commissioner may expedite an
6 investigation and may cause a contractor who is the subject of such
7 investigation to cease the performance of services on a site where a
8 violation is being investigated.

9 Sec. 2. Section 48-2907, Revised Statutes Cumulative Supplement,
10 2018, is amended to read:

11 48-2907 (1) In addition to any other fines or penalties provided by
12 law, if the commissioner finds, after notice and hearing, that a
13 contractor has violated the Employee Classification Act, the contractor
14 shall be assessed, by the commissioner, a five-hundred-dollar fine per
15 each misclassified individual for the first offense and a five-thousand-
16 dollar fine per each misclassified individual for each second and
17 subsequent offense. The commissioner may also cause such contractor to
18 cease the performance of services on a site where such violation was
19 identified.

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

23 Sec. 3. Original section 48-2906, Reissue Revised Statutes of
24 Nebraska, and section 48-2907, Revised Statutes Cumulative Supplement,
25 2018, are repealed.