

**FISCAL NOTE**  
**LEGISLATIVE FISCAL ANALYST ESTIMATE**

| <b>ESTIMATE OF FISCAL IMPACT – STATE AGENCIES</b> (See narrative for political subdivision estimates) |                     |                |                     |                |
|---|---------------------|----------------|---------------------|----------------|
|   | <b>FY 2018-19</b>   |                | <b>FY 2019-20</b>   |                |
|   | <b>EXPENDITURES</b> | <b>REVENUE</b> | <b>EXPENDITURES</b> | <b>REVENUE</b> |
| GENERAL FUNDS   |                     |                |                     |                |
| CASH FUNDS  |                     |                |                     |                |
| FEDERAL FUNDS   |                     |                |                     |                |
| OTHER FUNDS   |                     |                |                     |                |
| TOTAL FUNDS   |                     |                |                     |                |

**Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.**

LB 843 amends the Nebraska Wage Payment and Collection Act.

The bill prohibits an employer from certain actions regarding an employee’s wages, including the following:

- Requiring nondisclosure of wages as a condition of employment;
- Taking any adverse employment action against an employee for disclosing their wages or voluntarily discussing another employee’s wages;
- Intimidating or threatening an employee to discourage disclosure of wages, interfering with an employee’s efforts to disclose their wages, or disciplining an employee for disclosure of their wages;
- Retaliating against an employee for asserting rights or remedies under the Act;
- Discharge or retaliate against an employee because they have inquired about, discussed, or disclosed comparative compensation information for the purpose of determining whether the employer is compensating an employee in a manner that provides equal pay for equal work.

The bill further provides that nothing in this bill allows an employee, without written permission, to disclose proprietary information, trade secrets, or other information subject to legal privilege or protection by law, or obliges an employer or employee to disclose wages.

The bill provides for a civil action by the employee against the employer for a violation. If a court finds in favor of the employee, the court shall, in addition to any judgment, order costs and reasonable attorney’s fees to be paid by the employer.

The Department of Labor indicates that there is no fiscal impact has a result of the provisions of LB 843.

We agree with the Department’s estimate of fiscal impact.

|   |                  |   |  |
|---|------------------|---|--|
| <b>ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY &amp; POLT. SUB. RESPONSE</b>                      |                  |   |  |
| <b>LB: 843</b>  | <b>AM:</b>       | <b>AGENCY/POLT. SUB: Nebraska Department of Labor (023)</b> |  |
| REVIEWED BY: Joe Wilcox   | DATE: 01/16/2018 | PHONE: <a href="tel:4024714178">(402) 471-4178</a>          |  |
| COMMENTS: No basis to dispute the Nebraska Department of Labor estimate of No Fiscal Impact to the Agency from LB843. |                  |   |  |

Please complete ALL (5) blanks in the first three lines.

**2018**

**LB<sup>(1)</sup> 843**

**FISCAL NOTE**

State Agency OR Political Subdivision Name: <sup>(2)</sup> Nebraska Department of Labor

Prepared by: <sup>(3)</sup> Kim Schreiner Date Prepared: <sup>(4)</sup> 1/8/2018 Phone: <sup>(5)</sup> 402-471-2492

**ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION**

|               | <u>FY 2018-19</u>   |                | <u>FY 2019-20</u>   |                |
|---------------|---------------------|----------------|---------------------|----------------|
|               | <u>EXPENDITURES</u> | <u>REVENUE</u> | <u>EXPENDITURES</u> | <u>REVENUE</u> |
| GENERAL FUNDS | _____               | _____          | _____               | _____          |
| CASH FUNDS    | _____               | _____          | _____               | _____          |
| FEDERAL FUNDS | _____               | _____          | _____               | _____          |
| OTHER FUNDS   | _____               | _____          | _____               | _____          |
| TOTAL FUNDS   | =====               | =====          | =====               | =====          |

Explanation of Estimate: There will be no fiscal impact on the Nebraska Department of Labor.

**BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE**

Personal Services:

| <u>POSITION TITLE</u>     | <u>NUMBER OF POSITIONS</u> |              | <u>2018-19</u>      | <u>2019-20</u>      |
|---------------------------|----------------------------|--------------|---------------------|---------------------|
|                           | <u>18-19</u>               | <u>19-20</u> | <u>EXPENDITURES</u> | <u>EXPENDITURES</u> |
| _____                     | _____                      | _____        | _____               | _____               |
| _____                     | _____                      | _____        | _____               | _____               |
| Benefits.....             | _____                      | _____        | _____               | _____               |
| Operating.....            | _____                      | _____        | _____               | _____               |
| Travel.....               | _____                      | _____        | _____               | _____               |
| Capital outlay.....       | _____                      | _____        | _____               | _____               |
| Aid.....                  | _____                      | _____        | _____               | _____               |
| Capital improvements..... | _____                      | _____        | _____               | _____               |
| TOTAL.....                | _____                      | _____        | _____               | _____               |