

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 354

Introduced by Kolowski, 31.

Read first time January 12, 2017

Committee:

- 1 A BILL FOR AN ACT relating to labor; to adopt the Wage Disclosure Act.
- 2 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 5 of this act shall be known and may be
2 cited as the Wage Disclosure Act.

3 Sec. 2. For purposes of the Wage Disclosure Act:

4 (1) Employer means any individual, partnership, limited liability
5 company, association, corporation, business trust, legal representative,
6 or organized group of persons employing four or more individuals in this
7 state at any one time. Employer does not include the United States, the
8 state, or any political subdivision thereof;

9 (2) Job applicant means an individual seeking employment with an
10 employer; and

11 (3) Wages means all remuneration for employment, including the cash
12 value of all remuneration paid in any medium other than cash.

13 Sec. 3. It shall be unlawful for an employer to:

14 (1) Screen job applicants based on their current or prior wages,
15 including any requirement that a job applicant's current or prior wages
16 satisfy minimum or maximum criteria;

17 (2) Request or require as a condition of being interviewed, or as a
18 condition of continuing to be considered for an offer of employment, that
19 a job applicant disclose his or her current or prior wages; or

20 (3) Seek information regarding a job applicant's current or prior
21 wages from the current or former employer of the job applicant, except
22 that an employer may confirm a job applicant's wages if the job applicant
23 provides written authorization to do so and the confirmation is done
24 after the employer has made an offer of employment to the job applicant.

25 Sec. 4. (1) The Commissioner of Labor may subpoena records and
26 witnesses related to the enforcement of the Wage Disclosure Act. The
27 commissioner or his or her agent may inspect all related records and
28 gather testimony on any matter relative to the enforcement of the act.

29 (2) Any employer who violates the Wage Disclosure Act shall be
30 guilty of a Class IV misdemeanor.

31 (3) It shall be the duty of the county attorney for the county in

1 which any violation of the Wage Disclosure Act occurs to prosecute the
2 same in the district court in the county where the offense occurred.

3 Sec. 5. The Commissioner of Labor may adopt and promulgate rules
4 and regulations to carry out the Wage Disclosure Act.