

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 834**

Introduced by Hunt, 8.

Read first time January 06, 2022

Committee:

- 1 A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section
- 2 48-1202, Reissue Revised Statutes of Nebraska; to redefine a term;
- 3 and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 48-1202, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3 48-1202 For purposes of the Wage and Hour Act, unless the context  
4 otherwise requires:

5 (1) Employ shall include to permit to work;

6 (2) Employer shall include any individual, partnership, limited  
7 liability company, association, corporation, business trust, legal  
8 representative, or organized group of persons employing four or more  
9 employees at any one time except for seasonal employment of not more than  
10 twenty weeks in any calendar year, acting directly or indirectly in the  
11 interest of an employer in relation to an employee, but shall not include  
12 the United States, the state, or any political subdivision thereof;

13 (3) Employee shall include any individual employed by any employer  
14 but shall not include:

15 (a) Any individual employed in agriculture;

16 (b) Any individual employed as a baby-sitter in or about a private  
17 home;

18 (c) Any individual employed in a bona fide executive,  
19 administrative, or professional capacity or as a superintendent or  
20 supervisor;

21 (d) Any individual employed by the United States or by the state or  
22 any political subdivision thereof;

23 (e) Any individual engaged in the activities of an educational,  
24 charitable, religious, or nonprofit organization when the employer-  
25 employee relationship does not in fact exist or when the services  
26 rendered to such organization are on a voluntary basis;

27 (f) Apprentices and learners otherwise provided by law;

28 (g) Veterans in training under supervision of the United States  
29 Department of Veterans Affairs; or

30 (h) A child in the employment of his or her parent or a parent in  
31 the employment of his or her child; ~~or~~

1       ~~(i) Any person who, directly or indirectly, is receiving any form of~~  
2 ~~federal, state, county, or local aid or welfare and who is physically or~~  
3 ~~mentally disabled and employed in a program of rehabilitation, who shall~~  
4 ~~receive a wage at a level consistent with his or her health, efficiency,~~  
5 ~~and general well-being;~~

6       (4) Occupational classification shall mean a classification  
7 established by the Dictionary of Occupational Titles prepared by the  
8 United States Department of Labor; and

9       (5) Wages shall mean all remuneration for personal services,  
10 including commissions and bonuses and the cash value of all remunerations  
11 in any medium other than cash.

12       Sec. 2. Original section 48-1202, Reissue Revised Statutes of  
13 Nebraska, is repealed.