

LEGISLATIVE BILL 1130

Approved by the Governor March 23, 1988

Introduced by Chizek, 31

AN ACT relating to wages; to amend sections 48-1229 and 48-1230, Reissue Revised Statutes of Nebraska, 1943; to include political subdivisions in the Nebraska Wage Payment and Collection Act; to provide for the payment of wages upon separation of certain employees from a payroll; and to repeal the original sections.
Be it enacted by the people of the State of Nebraska,

Section 1. That section 48-1229, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-1229. As used in sections 48-1228 to 48-1232, unless the context otherwise requires:

(1) Employer shall mean any individual, partnership, association, joint-stock company, trust, corporation, political subdivision, or personal representative ~~the administrator or executor~~ of the estate of a deceased individual, or the receiver, trustee, or successor thereof, employing any person as an employee, except that employer shall not be construed to include the state;

(2) Employee shall mean any individual permitted to work by an employer; and

(3) Wages shall mean compensation for labor or services rendered by an employee, including fringe benefits, when previously agreed to and conditions stipulated have been met by the employee, whether the amount is determined on a time, task, fee, commission, or other basis.

Sec. 2. That section 48-1230, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

48-1230. Except as otherwise provided in this section, each employer shall pay all wages due its employees on regular days designated by the employer or agreed upon by the employer and employee. Thirty days' written notice shall be given to an employee before regular paydays are altered by an employer. An employer may deduct, withhold, or divert a portion of an employee's wages only when the employer is required to or may do so by state or federal law or by order of a

court of competent jurisdiction or the employer has written agreement with the employee to deduct, withhold, or divert. Whenever an employer, other than a political subdivision, separates an employee from the payroll, the unpaid wages shall become due on the next regular payday or within two weeks of the date of termination, whichever is sooner. Whenever a political subdivision separates an employee from the payroll, the unpaid wages shall become due within two weeks of the next regularly scheduled meeting of the governing body of the political subdivision if such employee is separated from the payroll at least one week prior to such meeting. When an employee of a political subdivision is separated from the payroll less than one week prior to the next regularly scheduled meeting of the governing body of the political subdivision, unpaid wages shall be due within two weeks of the following regularly scheduled meeting of the governing body of the political subdivision.

Sec. 3. That original sections 48-1229 and 48-1230, Reissue Revised Statutes of Nebraska, 1943, are repealed.