

# Labor Law Compliance Center

## NEBRASKA

Labor Law Compliance Center  
[posters@laborlawcc.com](mailto:posters@laborlawcc.com)  
[www.laborlawcc.com](http://www.laborlawcc.com)  
(800) 801-0597

# Nebraska Labor Law Posters

English

| Posting Name & ID                   | Posting Requirements                | Published Date |
|-------------------------------------|-------------------------------------|----------------|
| Discrimination<br>NE01              | All employers                       | 06/07          |
| OSH / Workers' Compensation<br>NE02 | Recommended                         | -              |
| Minimum Wage<br>NE03                | All employers                       | 11/22          |
| Unemployment Insurance<br>NE04      | All employers                       | 11/22          |
| Youth Employment Hours<br>NE05      | Employers of minors under age of 16 | -              |





# STATE OF NEBRASKA

## EQUAL OPPORTUNITY COMMISSION



**NOTICE TO** Job Applicants, Employees, Employers, Labor Unions,  
Employment Agencies, Landlords, Tenants, Proprietors, Public:

## DISCRIMINATION IN

# ★ EMPLOYMENT ★ ★ HOUSING ★ PUBLIC ACCOMMODATIONS ★ IS PROHIBITED BY STATE LAW

### Unlawful Employment Practices

It is illegal for an employer to discriminate against you because of your **Race, Color, Sex, Pregnancy, National Origin, Marital Status, Disability, Religion** and/or **Age (40-years-old and over)**. Discrimination may occur in such areas as *Hiring, Promotions, Transfers, Lay-offs, Discipline and Termination, Compensation and Benefits, Training, Other Terms or Conditions of Employment, or Sexual Harassment*. The Nebraska Equal Opportunity Commission is authorized to investigate allegations of discrimination under the Fair Employment Practices Act and the Equal Pay Act of Nebraska, both of which covers employers with 15 or more employees; and the Nebraska Age Discrimination in Employment Act, which covers employers with 20 or more employees. Labor Organizations, Employment Agencies, Apprenticeship and Training Programs are all covered by the law.

Authority: Sections 48-1001 through 48-1009; Sections 48-1101 through 48-1125; Sections 48-1219 through 1227, R.R.S. Nebraska, 1943.

### Public Accommodations and Housing Discrimination

The Nebraska Fair Housing Act prohibits *unlawful housing practices* which includes discrimination because of **Race, Color, Religion, National Origin, Sex, Disability and Familial Status** in *Purchases, Sales, Rentals, Loans, Publishing, Representation, Inquiry, Listings, Discharge, or Demotion of Agents or Employees* in obedience to the law, blockbusting and other such actions.

Authority: Sections 20-301 through 20-344, R.R.S. Nebraska, 1943.

The Nebraska Civil Rights Act of 1969—*Public Accommodation* prohibits discrimination because of **Race, Color, Religion, Sex, National Origin, or Ancestry** in *Services, Privileges, Facilities, Advantages and Accommodations by all Public Places and Businesses* offering the same. Private establishments, etc. must meet the exceptions as set out in the law.

Authority: Sections 20-132 through 20-143, R.R.S. Nebraska, 1943.

### Protection From Retaliation

The Laws enforced by the Nebraska Equal Opportunity Commission prohibit an employer, landlord, or others subject to the laws from engaging in any form of retaliation because you have filed a charge of discrimination, opposed a practice made illegal by these laws, or acted as a witness in any investigation or hearing conducted by the Commission. In addition, the Fair Employment Practices Act makes it illegal for an employer to engage in any retaliation because a person has opposed any illegal practice or refused to carry out any action that is illegal under the laws of the State of Nebraska or the United States.

- **COMPLAINTS:** The Nebraska EOC will investigate every complaint in an impartial manner, without cost to you and without publicity. If there is reasonable cause to believe that the law was violated, the Nebraska EOC will hold a conciliation conference. In case of failure to settle or resolve a charge by conference, mediation, conciliation, arbitration or persuasion, a public hearing or litigation may occur.
- **EMPLOYERS, EMPLOYMENT AGENCIES, UNIONS, LANDLORDS, LENDERS, REAL ESTATE OFFICES, PROPRIETORS, PUBLIC, ETC:** You may call on the Nebraska EOC for information on procedures, advice on policy problems, literature, reading lists, films, speakers service, and aid in educational programming.

### For Information or Assistance, Please Write, Call, or Come to:

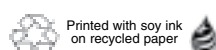
Main Office  
Equal Opportunity Commission  
301 Centennial Mall South, 5th Floor  
P.O. Box 94934  
Lincoln, Nebraska 68509-4934  
Telephone (402) 471-2024  
1-800-642-6112

Branch Office  
Panhandle Office Complex  
4500 Avenue 'I'  
P.O. Box 1500  
Scottsbluff, Nebraska 69363-1500  
Telephone (308) 632-1340  
1-800-830-8633

Branch Office  
1313 Farnam on-the-Mall  
Omaha, Nebraska 68102-1836  
Telephone (402) 595-2028  
1-800-382-7820  
  
www.neoc.ne.gov

- **THIS NOTICE MUST BE POSTED** in conspicuous, well lighted places—*e.g.*, hiring offices, employee bulletin boards, employment agency waiting rooms, union hall—which are frequented by employees, job seekers, or applicants for union membership. Firms and organizations that have more than one such office, plant or posting place, should request extra copies of this notice. For information on exceptions write to Nebraska EOC. This document satisfies the requirements for posting pursuant to the laws administered by the NEOC.

**This Commission Investigates Unlawful Discrimination Complaints Filed  
Anywhere In The State Of Nebraska: At No Cost To The Person Making The Complaint**



NE01E



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POST 6/07



# JOB SAFETY AND HEALTH

Nebraska's Workers' Compensation Reform (LB757), passed September 9, 1993, created the Workplace Safety Consultation Program which became law under sections 48-443 thru 48-449 and provides job safety and health protection for public and private employees. The law applies to all public and private employers who are subject to The Nebraska Workers' Compensation Act. Safety and Health provisions of the law include the following:

## Safety Committees

On or before January 1, 1994, every private and public employer in Nebraska subject to worker's compensation who has one or more employees shall establish at least one safety committee. There shall be an equal number of committee members representing the employer and employees. The employer shall retain full authority to manage the worksite(s). Committee members shall meet at least once during each three months of operation. Employers of ten or less employees that had no injuries or illnesses normally reported, or claims filed, during the immediately preceding twelve months need only meet once during the following twelve months. Employers shall compensate employee members of the committee at their regular hourly wage plus benefits while employees are attending committee meetings. Committees shall maintain written minutes of all meetings for at least three years. Committees are not, and shall not serve as, a bargaining unit. There is no authority to act as such or deal with collective bargaining issues. The safety committee is limited to assisting the employer by making recommendations regarding methods of addressing safety and health hazards at each work site. Recommendations to the employer shall be advisory only and not deal with issues subject to collective bargaining.

## Written Injury Prevention Program

Employers in Nebraska shall establish an effective written Injury Prevention Program which shall address all work sites and all classes of workers. The program shall approach each category of workplace hazard with the intention of totally preventing workplace injuries and illnesses. The program shall include training regarding details of the safety program and hazards associated with the work. The employer shall communicate to all employees, including non-English speaking employees, the employer's safety rules, policies, and procedures. A copy of any employer-implemented safety program shall be accessible to all employees and made available to the Department of Labor upon request.

## Penalties

Employer refusal of entry to a Department of Labor Workplace Safety Consultant and/or failure to establish a safety committee, when required, are considered violations. Civil Penalties of not more than \$1,000 for each violation may be assessed against employers. Each day of continued violation shall constitute a separate violation. An employer who refuses to eliminate workplace hazards in compliance with an inspection shall be referred to the Federal Occupational Safety and Health Administration (OSHA) or the Mine Safety and Health Administration (MSHA) for enforcement. If a public employer refuses to correct a serious hazard, a copy of the report will be forwarded to the most responsible authority for review and action, as appropriate.

## Discrimination

Employees shall not be discharged or discriminated against by the employer for making any oral or written complaint to the safety committee or any government agency having regulatory responsibility for occupational safety and health. If an employee was discharged or discriminated against, the employee must file a complaint with the Nebraska Department of Labor within fifteen days of the alleged occurrence. The Department shall investigate such complaints and if substantiated, the employer shall be required to reinstate the employee and pay any lost wages and benefits caused by the employer's actions.

## Consultation Services

Consultation services are available at an employer's request to determine if they are complying with the standards issued by the Federal Occupational Safety and Health Administration (OSHA) or Mine Safety and Health Administration (MSHA). This service is provided to public and private employers by knowledgeable and experienced employees of the Nebraska Department of Labor, Office of Safety and Labor Standards, who are trained in the federal standards and in the recognition of safety and health hazards.

## Standards for Safety and Health Program Evaluation

The Nebraska Department of Labor is not an OSHA or MSHA enforcement authority. However, state law requires compliance with, and enforcement of, those standards. For that reason, OSHA and MSHA standards shall be considered in determining minimum acceptable standards.

## Notification of Death

Employers shall report any workplace deaths within 48 hours to the Department of Labor, Division of Safety and Labor Standards (402) 595-3185 or (1-800-627-3611). Private employers must also notify OSHA within 8 hours of any workplace deaths (1-800-642-8963).

## Posting Instructions

The Nebraska Department of Labor's Workplace Safety Consultation Program provides this poster as an avenue to inform both public and private employers and employees of their rights and obligations under the Nebraska Workers' Compensation Reform Law. This poster is available in Spanish. Display this poster conspicuously where notices to employees are customarily posted.

Your designated Safety and Health Representative for this worksite is: \_\_\_\_\_

## More information

A copy of the law, or additional information on the Workplace Safety Consultation Program, OSHA standards, MSHA standards, or other workplace safety information, may be obtained at our web site [www.NebraskaWorkforce.com](http://www.NebraskaWorkforce.com) or by writing/calling:

## NEBRASKA DEPARTMENT OF LABOR, SAFETY AND LABOR STANDARDS 1-800-627-3611

5404 Cedar Street, 3rd Floor  
Omaha, NE 68106-2365  
402-595-3185  
(Fax) 402-595-3200

301 Centennial Mall South, LL  
PO Box 95024  
Lincoln, NE 68509-5024  
402-471-2239  
(Fax) 402-471-5039

114 South Chestnut St.  
PO Box 190  
North Platte, NE 69103-0190  
308-535-8300  
(Fax) 308-535-8085

Landmark Center, Suite 338  
2727 W. 2nd Street  
Hastings, NE 68901-4663  
402-462-1898  
(Fax) 402-462-1896



Equal Opportunity Employer/Program Auxiliary aids and services are available upon request to individuals with disabilities.  
TDD: 800.833.7352 • Lincoln: 402.471.2786

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NE02E



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# Minimum Wage in Nebraska

| Effective Date  | Minimum Hourly Wage Rate |
|-----------------|--------------------------|
| January 1, 2016 | <b>\$9.00</b>            |
| January 1, 2023 | <b>\$10.50</b>           |
| January 1, 2024 | <b>\$12.00</b>           |
| January 1, 2025 | <b>\$13.50</b>           |
| January 1, 2026 | <b>\$15.00</b>           |

*Beginning January 1, 2027, the minimum wage will increase based on the cost-of-living increase as measured by the Consumer Price Index.*

Except as provided below, every employer of four or more persons at any one time shall pay its employees a minimum wage per hour as listed above.

- In the case of employees paid gratuities for services performed, the combined amount of hourly wage and gratuities given to the employee shall equal or exceed the current minimum wage. The hourly wage amount paid to the employee shall be at least \$2.13 per hour and the employer is responsible for making up the difference between the actual hourly wage and gratuities paid to the employee and the current minimum wage.
- Any employer employing student-learners as part of a bona fide vocational training program shall pay such student-learners' wages at a rate of at least 75% of the minimum wage rate.
- An employer may pay a new employee younger than 20 who is not a seasonal or migrant worker, a training wage of at least 75% of the federal minimum wage for 90 days from the date the new employee was hired, subject to the terms and conditions described in Neb. Rev. Stat. §48-1203.01.

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

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

Employee shall include any individual employed by any employer but shall not include:

- a. Any individual employed in agriculture;
  - b. Any individual employed as a baby-sitter in or about a private home;
  - c. Any individual employed in a bona fide executive, administrative, or professional capacity or as a superintendent or supervisor;
  - d. Any individual employed by the United States or by the state or any political subdivision thereof;
  - e. Any individual engaged in the activities of an educational, charitable, religious, or nonprofit organization when the employer-employee relationship does not in fact exist or when the services rendered to such organization are on a voluntary basis;
  - f. Apprentices and learners otherwise provided by law;
  - g. Veterans in training under supervision of the United States Department of Veterans Affairs;
  - h. A child in the employment of his or her parent or a parent in the employment of his or her child; or
  - i. Any person who, directly or indirectly, is receiving any form of federal, state, county, or local aid or welfare and who is physically or mentally disabled and employed in a program of rehabilitation, who shall receive a wage at a level consistent with his or her health, efficiency, and general well-being;
3. Occupational classification shall mean a classification established by the Dictionary of Occupational Titles prepared by the United States Department of Labor; and
  4. Wages shall mean all remuneration for personal services, including commissions and bonuses and the cash value of all remunerations in any medium other than cash.

**For further information regarding the Nebraska Wage and Hour Act, contact the Nebraska Department of Labor**



# UNEMPLOYMENT INSURANCE: ADVISEMENT OF BENEFIT RIGHTS

## TITLE 219 - DEPARTMENT OF LABOR: CHAPTER 2 - CLAIMS FOR BENEFITS

To file a claim for unemployment benefits, go to [Neworks.nebraska.gov](https://www.nworks.nebraska.gov).

- 001.** This chapter is adopted pursuant to Neb. Rev. Stat. §§48-626, 48-627, 48-629, and 48-607.
- 002. A.** All claims shall be filed online through the Nebraska Department of Labor Claims Center's online web application available at [www.dol.nebraska.gov](http://www.dol.nebraska.gov) unless a special accommodation is required or no reasonable access to an office maintained by the Department of Labor is available. Conditions requiring a special accommodation shall include, but not be limited to, language barriers and physical and mental handicaps. If a special accommodation is required, claimants may file an application for benefits through the Nebraska Department of Labor Claims Center. The individual shall provide such information as required on the application. Each application shall be signed or attested to. An application may be signed by electronic signature or handwritten on a form prescribed by the Commissioner.
- B.** When filing a new initial claim, re-opening an existing claim, or filing a subsequent claim for unemployment benefits a claimant shall be required to register for work and create an active, online and searchable resume in the Nebraska Department of Labor's web application for Reemployment services in accordance with 219 NAC 4.
- C.** The initial application for benefits shall be effective Sunday of the week in which the applicant files an application with the Department. The Commissioner, for good cause, may establish a different effective date.
- D.** A week shall be deemed to be in, within, or during that benefit year which includes the greater part of such week.
- 003. A.** A separate claim for benefits shall be made for each week of unemployment by a method of claiming prescribed by the Commissioner.
- B.** An individual shall be ineligible for benefits for any week for which the individual fails to demonstrate that the individual engaged in an active and earnest search for work as required under 219 NAC 4.
- C.** An electronic media claim transaction shall be completed by the claimant and received by the Department by the Saturday following the most recent week ending date. The failure of a claimant to timely complete an electronic media transaction shall be the basis for a denial of that week's benefits unless good cause for the late transaction can be shown. Any intervening weeks until the week in which the transaction was completed and received by the Department shall also be denied, regardless of cause.
- D.** A claim for benefits shall be filed for waiting week credit even though benefits are not payable for that week.
- E.** A claim for benefits shall be filed for each week of eligibility during the time an applicant is awaiting the results of an appeal hearing if the applicant intends to claim benefits during that time period.
- 004.** The Department may direct a claimant to contact one of its offices to meet eligibility or other reporting requirements, or to provide other information as needed in the administration of Nebraska Employment Security Law. Unless good cause is shown, failure to contact the office as directed may result in the denial of benefits beginning with the week the claimant was scheduled to report and ending the Saturday prior to the week in which he/she reports to the Department.
- 005.** In the event that wage information cannot be obtained from an employer, the Department may request that such information be provided by the claimant. The claimant may be required to provide payroll check stubs, W-2's, or other reliable information corroborating the amount of wages stated by the claimant. A failure by the claimant to comply with such a request by the due date on the form shall cause the claim to be processed without the requested wages and may result in a denial of benefits until the week in which the information regarding requested wages is received by the Department.
- 006.** In the event of a major disaster declared by both the Governor of the State of Nebraska and the President, the Commissioner may permit backdating of the effective date of unemployment insurance claims to agree with the effective date of the federal disaster period.
- 007.** Each worker engaged in employment covered by the Nebraska Employment Security Law, including service covered by election of an employer, shall procure a federal social security account number and furnish that number to every employer for whom that worker performs covered employment.
- 008.** Weeks of disqualification assessed and reductions in benefits determined pursuant to the Nebraska Employment Security Law, Neb. Rev. Stat. §§48-601 to 48-683, shall be determined in accordance with the number of weeks of disqualification in effect on the applicable date of the most recently filed initial, transitional or additional claim.

**NEBRASKA**

Good Life. Great Connections.

DEPARTMENT OF LABOR

Updated: 11/22/2022



