

Nebraska Legislative Bills Introduced 2017 (105th Legislature)

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Bill No.	Bill Description	Status
LB 30 (Kolterman)	<p>Provide for a cash balance benefit plan for cities of the metropolitan and primary classes for certain police officers or firefighters</p> <p>Public Employer Impact: The bill provides that no city of the metropolitan class may provide retirement benefits for police officers or firefighters hired by a certain date unless the retirement benefits are provided pursuant to a cash balance benefit plan. The public employer would need to modify retirement benefit programs for police officer and firefighters hired after January 1 of a designated year</p>	<p>1/5/2017 Date of Introduction</p> <p>1/9/2017 Referred to Nebraska Retirement Systems Committee</p> <p>2/7/2017 Notice of Hearing</p> <p>3/3/2017 Nebraska Retirement Systems priority bill</p> <p>1/3/18 Title printed. Carryover bill.</p>
LB 37 (Harr)	<p>Adopt the Uniform Wage Garnishment Act</p> <p>Employer Impact: The bill requires additional recordkeeping and reporting obligations for employers through the garnishment process. The bill also streamlines the garnishment process and codifies the priority of garnishment, obligations for creditors, debtors and garnishees and requires employers to follow specific steps in the garnishment process.</p>	<p>1/5/2017 Date of Introduction</p> <p>1/9/2017 Referred to the Judiciary Committee</p> <p>1/20/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>

<p>LB 124 (Baker)</p>	<p>Increase the probationary period of community college Staff</p> <p>Public Employer Impact: Any contract of employment entered into on or after July 1, 2017 between the teaching staff and a board, which applies to the first three years of employment for members, shall provide that the probationary period is the first three years of the employment. Any such contract may be terminated during the probationary period without cause.</p>	<p>1/6/2017 Date of Introduction</p> <p>1/10/2017 Referred to Education Committee</p> <p>1/24/2017 Notice of Hearing</p> <p>2/27/2017 Placed on General File</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 136 (Ebke)</p>	<p>Change Provisions relating to garnishment proceedings.</p> <p>Employer Impact: The bill amends section 25-1029 and 25-1056 of the Revised Statutes of Nebraska. The bill permits employers who are holding nonexempt earnings pursuant to an order of garnishment to release the funds if no order to pay the judgment creditor has been received by the employer within sixty (60) days following the judgment creditor's receipt of the employer's answer.</p>	<p>1/9/2017 Date of Introduction</p> <p>1/10/2017 Referred to Judiciary Committee</p> <p>1/20/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 147 (Hansen)</p>	<p>Change workers' compensation provisions relating to waiting time, termination of compensation, and attorney's fees.</p> <p>Employer Impact: This bill would eliminate the 50% increase in worker's compensation benefits for "waiting time" if the cause of the waiting time is due to a reasonable investigation by the employer into whether the benefits are owed to the employee, the results of the investigation were the actual basis for the employer, or his worker's compensation insurer, to deny, delay payment or terminate benefits, and the employer conveyed the reason for the denial, delay in payments, or termination of benefits to the employee at the same time as the denial, delay or termination.</p> <p>In addition, the bill provides that attorney's fees will not be awarded to an employee who is successful in compensation court on a claim for an employer's refusal to pay compensation benefits, if the employer conducted a reasonable investigation into whether the benefits are owed to the employee, the results of the investigation were the actual basis for the employer, or his worker's compensation insurer, to deny, delay payment or terminate benefits, and the employer conveyed the reason for the denial, delay in payments, or termination of benefits to the employee at the same time as the denial, delay or termination.</p>	<p>1/9/2017 Date of Introduction</p> <p>1/10/2017 Referred to Business and Labor Committee</p> <p>3/6/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>

<p>LB 165 (Brewer)</p>	<p>Require employer identification numbers and use of the federal immigration verification system</p> <p>Employer Impact: This bill is intended to prevent employers from knowingly employing unauthorized aliens. Beginning January 1, 2018, every employer paying wages subject to withholding must register with the Tax Commissioner and have an assigned state employer identification number. Additionally, every such employer will be required to register with and use the federal immigration verification system to determine the work eligibility status of new employees subject to tax withholding and physically performing services within Nebraska. Employers must determine the new employee's work eligibility status pursuant to federal law after the employee has accepted an offer of employment. The employer must file a sworn affidavit with the Tax Commissioner stating that the employer is in compliance with the law. Employees hired prior to the date of the employer's registration with the federal immigration verification system are exempt from the requirements. Proof of verifying the employment authorization of an employee with the federal immigration verification system creates a rebuttable presumption that the employer did not knowingly employ an unauthorized alien.</p>	<p>1/10/2017 Date of Introduction</p> <p>1/12/2017 Referred to Judiciary Committee</p> <p>2/22/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 169 (Wayne)</p>	<p>Exempt social security benefits and retirement income from income taxation</p> <p>Employer Impact: Employers should be aware that this bill would reduce federal adjusted gross income amounts received for the following: (1) benefits received under the Social Security Act; (2) the amount received as a retirement benefit under a retirement plan qualified under sections 401(a) or 403(a) of the Internal Revenue Code; (3) amounts received as military retirement benefit; (4) amounts received for other enumerated public employee retirement acts.</p>	<p>1/10/2017 Date of Introduction</p> <p>1/12/2017 Referred to Revenue Committee</p> <p>2/10/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 173 (Morfeld)</p>	<p>Prohibit discrimination based upon sexual orientation and gender identity</p> <p>Employer Impact: Change the Nebraska Fair Employment Practice Act to include sexual orientation and gender identity as protected characteristics. Employers would be prohibited from discriminating against employees on the basis of sexual orientation and gender identity with regard to hiring, firing, promotion, compensation, training, retention discipline, benefits, or any other aspect of personnel administration.</p>	<p>1/10/2017 Date of Introduction</p> <p>1/12/2017 Referred to Judiciary Committee</p> <p>2/22/2017 Notice of Hearing</p> <p>3/1/2017 Placed on General File</p> <p>3/9/2017 Bolz priority bill</p> <p>4/6/2017 Bolz AM958 filed; Bolz AM958 pending</p> <p>1/3/18 Title printed. Carryover bill.</p>

<p>LB 181 (Quick)</p>	<p>Provide for reimbursement to employees for certain medical examinations under the Nebraska Workers' Compensation Act</p> <p>Employer Impact: This law provides that if a physician selected by an employer or its workers' compensation insurer renders an opinion or findings regarding an employee's medical conditions or the relatedness of the medical condition to employment, the employer must reimburse the employee for the medical report or examination of a physician of the employee's choice if the employee disputes the employer physician's findings and submits the proper application to the Workers' Compensation Court and the employer.</p>	<p>1/10/2017 Date of Introduction</p> <p>1/12/2017 Referred to Business and Labor</p> <p>1/23/2017 Notice of Hearing</p> <p>2/9/2017 Placed on General File</p> <p>2/23/2017 Quick priority bill</p> <p>3/6/2017 Quick MO50 Unanimous consent to bracket until January 10, 2018 filed; Quick MO50 approved</p> <p>1/3/18 Title printed. Carryover bill.</p> <p>1/10/18 Passed over</p>
<p>LB 211 (Hansen)</p>	<p>Change the minimum wage for persons compensated by way of gratuities</p> <p>Employer Impact: Persons compensated by gratuities such as waiters, waitresses, bellhops, porters, and similar employees must be paid the following minimum rate:</p> <ul style="list-style-type: none"> (1) \$2.13 per hour prior to August 1, 2017 (current rate); (2) 40% of the minimum wage rate in effect for wages paid after August 1, 2017; (3) 50% of the minimum wage rate in effect for wages paid after January 1, 2018. 	<p>1/10/2017 Date of Introduction</p> <p>1/12/2017 Referred to Business and Labor Committee</p> <p>2/27/2017 Notice of Hearing</p> <p>3/15/2017 Placed on General File</p> <p>1/3/18 Title printed. Carryover bill.</p> <p>1/23/18 Hansen AM 1604 filed.</p> <p>2/2/2018 Hansen AM 1604 pending</p>

<p>LB 248 (Harr)</p>	<p>Adopt the Youth Opportunities in Learning and Occupations Act</p> <p>Employer Impact: Beginning in fiscal year 2017-18, employers can apply for a grant under the Act to secure job training for young people (16-24 yr olds) in industries with a positive growth-to-replacement ratio (or that expect such a ratio in the next 12-24 months). Nonprofit corporations can apply for grants to provide soft-skills training, career counseling, and other programs for career readiness to young people. The Legislature intends to appropriate \$20M to the grant program for the first fiscal year.</p>	<p>1/11/2017 Date of Introduction</p> <p>1/13/2017 Referred to Business and Labor Committee</p> <p>1/23/2017 Notice of Hearing</p> <p>2/28/2017 Placed on General File with AM301; Business and Labor AM301 filed</p> <p>3/8/2017 Harr priority bill</p> <p>4/5/2017 Business & Labor AM301 pending; Harr AM936 filed; Harr AM936 pending</p> <p>4/10/2017 Harr AM936 lost</p> <p>5/10/2017 Holloran MO131 Bracket until June 2, 2017 filed</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 261 (Hansen)</p>	<p>Adopt the Nebraska WARN Act.</p> <p>Employer Impact: Any employer with 25 or more employees (including part time workers), who conduct a mass layoff, worksite closing, or transfer of operations must give 60 days prior notice to effected employees, union reps of effected employees, the Commission of Labor, the local workforce development board, and the mayor (if no mayor, then the county board).</p> <p>Mass layoff means employment loss at a single site for 25 or more employees (including part time workers) or 1/3 of the workforce at that site. Worksite closing means permanent or temporary closure that affects 25 or more employees (including p/t). Transfer of operations mean removal of all or substantially all operations to a different site 50 miles or more away, which affects 25 or more employees (including p/t).</p> <p>If the employment loss affects 250 or more employees, the employer must give 120 days' notice.</p> <p>Penalties payable to employees for violation include 1) double back pay for each calendar day of notice not given; 2) value of benefits for the entire notice period (including medical treatment costs that would have been covered by the employer's plan</p>	<p>1/11/2017 Date of Introduction</p> <p>1/13/2017 Referred to Business and Labor Committee</p> <p>2/13/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>

	<p>absent the employment loss); 3) attorneys' fees; and 4) unspecified economic damages.</p> <p>If the Attorney General, Commissioner of Labor, or affected city/village/county succeeds on a civil action against the employer for violating the Act, a lien attaches to the employer's business revenue, real property, and personal property.</p>	
LB 305 (Crawford)	<p>Adopt the Paid Family Medical Leave Insurance Act</p> <p>Employer Impact: Beginning April 1, 2020, a covered individual may take paid family medical leave for qualifying reasons as defined in the Bill. The employee may take up to 12 weeks depending upon the reason for leave.</p>	<p>1/12/2016 Date of Introduction</p> <p>1/17/2017 Referred to Business and Labor Committee</p> <p>2/6/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
LB 319 (Halloran)	<p>Provide for confidentiality of and access to certain injury reports under the Nebraska Workers' Compensation Act</p> <p>Employer Impact: Certain reports filed under workers' compensation are considered confidential and not open to the public for inspection or copying except as specifically provided for in the section to administer and enforce the workers' compensation act. An employee can elect to waive confidentiality for reports involving the employee. The Comp court will deny any request to inspect or copy a report unless an election to waive confidentiality has been made by the employee.</p>	<p>1/12/2017 Date of Introduction</p> <p>1/17/2017 Referred to Business and Labor Committee</p> <p>3/6/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
LB 354 (Kolowski)	<p>Adopt the Wage Disclosure Act</p> <p>Employer Impact: Employer is defined as an entity employing 4 or more individuals in the state at any one time. It does not include the State or any political subdivision of the State. It is unlawful for an employer to screen job applicants based on their current or prior wages including any requirement that a job applicant's current or prior wages satisfy minimum or maximum criteria. It is unlawful to request or require as a condition of being interviewed or as a condition of continuing to be considered for an offer of employment that a job applicant disclose his or her current or prior wages or seek information regarding a job applicant's current or prior wages from the current or former employer unless the job applicant provides written authorization to do so and the confirmation is done after the employer has made an offer of employment.</p>	<p>1/12/2017 Date of Introduction</p> <p>1/17/2017 Referred to Business and Labor Committee</p> <p>2/27/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>

<p>LB 362 (Riepe)</p>	<p>Adopt the Health Savings Account Act and Provide an Income Tax Deduction</p> <p>Employer Impact: An “eligible individual” for any month during the taxable year will be permitted to take an income tax deduction for the taxable year. The bill elaborates on the tax deduction calculation and the maximum amount permitted.</p>	<p>1/13/2017 Date of Introduction</p> <p>1/17/2017 Referred to Revenue Committee</p> <p>3/22/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 372 (Crawford)</p>	<p>Provide protections for employees with family care responsibilities under the Nebraska Fair Employment Practice Act</p> <p>Employer Impact: The bill would include “family care responsibilities” as a protected basis under the NFEPA (similar to race, color, religion, national origin, etc.). Family care responsibility means “providing direct and ongoing care for a person’s spouse, child, parent, sibling, grandchild, or grandparent or a child or parent of such person’s spouse.” It would prohibit an employer from discriminating against an employee based on his/her family care responsibilities.</p>	<p>1/13/2017 Date of Introduction</p> <p>1/17/2017 Referred to Business and Labor Committee</p> <p>2/6/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 420 (McCollister)</p>	<p>Adopt the Fair Chance Hiring Act</p> <p>Employer Impact: An employer or employment agency could still ask job applicants to disclose, orally or in writing, information concerning their criminal record or history, including any inquiry on any employment application. However, if an employer or employment agency makes such an inquiry or requests disclosure regarding criminal history record information, the employer or employment agency would be required to afford the applicant an opportunity to explain the information and the circumstances regarding any convictions, including post-conviction rehabilitation.</p>	<p>1/13/2017 Date of Introduction</p> <p>1/17/2017 Referred to Business and Labor Committee</p> <p>3/13/2017 Notice of Hearing</p> <p>3/21/2017 Placed on General File with AM553; Business and Labor AM553 filed</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB433 (Ebke)</p>	<p>Require a criminal history record information check for employees who have direct access to federal tax information</p> <p>Employer Impact: (STATE AGENCIES) Any state agency that obtains federal tax information must require a criminal history record information check of any agency employee who has been identified by the agency as being authorized to have direct access to federal tax information. Such employee must submit a complete set of fingerprints to the Nebraska State Patrol which will submit a copy of the fingerprints to the Federal Bureau of Investigation for a national criminal history record information check.</p>	<p>1/17/2017 Date of Introduction</p> <p>1/19/2017 Referred to Government, Military and Veterans Affairs Committee</p> <p>3/3/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>

<p>LB 436 (Ebke)</p>	<p>Change the definition of employer to exclude franchisors for purposes of certain labor statutes</p> <p>Employer Impact: For purposes of various provisions of the Nebraska labor statutes, including the Nebraska Workers' Compensation Act, franchisors are excluded from the definition of "employer" of a franchisee or franchisee's employees. Franchisors who exercise a type or degree of control over the franchisee or franchisee's employees may still be considered an employer.</p>	<p>1/17/2017 Date of Introduction</p> <p>1/19/2017 Referred to Business and Labor Committee</p> <p>3/13/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 473 (Walz)</p>	<p>Require rest periods for employees</p> <p>Employer Impact: Any individual, partnership, limited liability company, association, joint stock company, trust, or corporation with six (6) or more employees must provide employees a fifteen (15) minute rest period for every four (4) hours worked. These rest periods are in addition to regularly-scheduled lunch periods. No reduction in compensation may be made for such rest periods. Employers violating the section will be guilty of a Class III misdemeanor.</p>	<p>1/17/2017 Date of Introduction</p> <p>1/19/2017 Referred to Business and Labor Committee</p> <p>3/13/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 501 (Brewer)</p>	<p>Change prohibition on locations where permitholder may carry a concealed weapon</p> <p>Employer Impact: The bill amends Section 69-2441 of the Concealed Handgun Permit Act to provide that a permitholder does not violate the section unless the employer in control of the property (a) posts a conspicuous notice that carrying a concealed handgun is prohibited in or on the place or premises; and (b) has made a request, directly or through an authorized representative or management personnel, that the permitholder remove the concealed handgun from the place or premises and the permitholder has defied the request.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Judiciary Committee</p> <p>3/8/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 502 (Brewer)</p>	<p>Adopt the Permitless Concealed Carry Act</p> <p>Employer Impact: Section 5(3) mirrors language in the Concealed Handgun Permit Act providing that a person does not violate the section unless the employer in control of the property (a) posts a conspicuous notice that carrying a concealed handgun is prohibited in or on the place or premises; and (b) has made a request, directly or through an authorized representative or management personnel, that the person remove the concealed handgun from the place or premises and the person has defied the request.</p> <p>The employer still has the right to prohibit employees or other persons from carrying concealed handguns in vehicles owned by the employer.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Judiciary Committee</p> <p>3/23/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>

<p>LB 503 (Brewer)</p>	<p>Prohibit certain provisions in collective bargaining agreements</p> <p>Public Employer Impact: the Act would prohibit a public employer from deducting dues, assessments, or other amounts from the wages of a public employee on behalf of a union, collective bargaining organization or other professional association.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Business and Labor Committee</p> <p>3/20/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 507 (Albrecht)</p>	<p>Eliminate the Farm Labor Contractors Act</p> <p>Employer Impact: The bill seeks to eliminate the Farm Labor Contractors Act in its entirety and remove references to the Act in other sections.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Business and Labor Committee</p> <p>2/27/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 532 (Kolterman)</p>	<p>Change provisions relating to military service credit for certain retirement plans as prescribed.</p> <p>Public Employer Impact: the bill changes the rules relating to funding of retirement plans for employees who perform military service.</p> <p>For military service rendered on or after January 1, 2018, any employee who is reemployed after service shall not be treated as having a break in service by reason of his military service for purposes of determining the non-forfeitability of the member's accrued benefits under the retirement plan. In addition, the employer will be liable for funding any benefits owed to the employee under the plan.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Nebraska Retirement Systems Committee</p> <p>2/13/2017 Notice of Hearing</p> <p>5/23/2017 Provisions/portions of LB532 amended into LB415 by AM923</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 548 (Lindstrom)</p>	<p>Provide for the consolidation of the Class V school employees' retirement system and the School Employees Retirement System of the State of Nebraska</p> <p>Public Employer Impact: the legislation seeks to combine two retirement systems. The bill states that, beginning July 1, 2020, all members of the Class V School Employees Retirement Act will be transferred to and become members of the School Employees Retirement System of the State of Nebraska. The bill provides for the rights of the participants of the Class V Plan and outlines how benefits will be paid in the future.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Nebraska Retirement Systems Committee</p> <p>2/23/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p> <p>1/11/18 Kolterman AM1506 filed</p>

		<p>1/24/18 Lindstrom AM1529 filed</p> <p>1/26/2018 Kolterman AM 1652 filed</p> <p>2/5/2018 Kolterman AM 1758 filed</p> <p>2/14/2018 Notice of Hearing on AM 1529 and AM1758</p> <p>2/7/2018 Nebraska Retirement Systems priority bill</p>
<p>LB 553 (Lowe)</p>	<p>Provide for a nonelection of coverage under the Nebraska Workers' Compensation Act</p> <p>Employer Impact: the bill amends Section 48-4,110 of the Nebraska Worker's Compensation Act to provide that any individual employer, partner, limited liability company member, or self-employed person who is actually engaged in the business on a substantially full-time basis and who does not elect to bring himself or herself within the provisions of the Nebraska Worker's Compensation Act shall file with the Nebraska Worker's Compensation Court a written nonelection of worker's compensation coverage. The nonelection is not enforceable if it is required as a condition of employment.</p> <p>The bill also provides instructions on how to terminate this election and requires the administrator of the compensation court to maintain a list of individuals who have filed a nonelection.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Business and Labor Committee</p> <p>2/27/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 557 (Harr)</p>	<p>Adopt the Great Opportunities Nebraska Act</p> <p>Employer Impact: The Act seeks to expand business and provide additional jobs for Nebraskans. The Act identifies certain target industries (i.e. assembly plants, data processing centers, and research facilities) and provides different levels of project tiers that a business can engage in. After the business satisfies a certain tier, it is afforded certain tax credits based on that tier. For example, engaging in a certain tier project will permit the employer to obtain a refund of sales and use tax and property taxes. The businesses are subject to an audit by the Tax Commissioner to ensure that the business did qualify for the incentives received.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Revenue Committee</p> <p>3/8/2017 Notice of Hearing</p> <p>1/3/18 Title printed. Carryover bill.</p>

<p>LB 622 (Wishart)</p>	<p>Adopt the Medical Cannabis Act</p> <p>Employer Impact: The Act allows for medical marijuana use by qualified individuals. The Act does not permit employees to vaporize medical cannabis in a place of employment.</p>	<p>1/18/2017 Date of Introduction</p> <p>1/20/2017 Referred to Judiciary Committee</p> <p>3/15/2017 Notice of Hearing</p> <p>2/28/2017 Wishart priority bill</p> <p>3/13/2017 Wishart AM496 filed</p> <p>3/20/2017 Placed on General File with AM697; Judiciary AM697 filed</p> <p>4/19/2017 Judiciary AM697 pending</p> <p>1/3/18 Title printed. Carryover bill.</p>
<p>LB 712 (Albrecht)</p>	<p>Require drug testing for certain applicants and recipients of unemployment benefits</p> <p>Employer Impact: The Act seeks to revise provisions relating to disqualification for unemployment benefits and authorize drug testing of individuals applying for or receiving unemployment benefits. With this revision, individuals are considered to have refused to accept suitable work if he or she fails a pre-employment drug screening. Benefits are unavailable for the week in which he or she fails the drug test or refuses a drug test. Individuals can be tested if terminated from employment for unlawful use of a controlled substance.</p>	<p>1/03/2018 Date of Introduction</p> <p>1/08/2018 Referred to Business and Labor Committee</p> <p>1/22/2018 Notice of Hearing</p>
<p>LB 726 (Wayne)</p>	<p>Bill to Require insurance coverage for in vitro fertilization procedures</p> <p>Employer Impact: This bill would require any individual or group sickness and accident insurance policy and any self-funded employee benefit plan that provides for pregnancy-related procedures to provide coverage on an expense incurred, service, or prepaid basis for outpatient expenses that arise from in vitro fertilization procedures. Benefits for vitro fertilization procedures under this bill must be provided to the same extent as benefits provided for other pregnancy-related procedures under the policy, certificate, contract, or plan.</p>	<p>1/03/2018 Date of Introduction</p> <p>1/08/2018 Referred to Banking, Commerce and Insurance Committee</p> <p>2/5/2018 Notice of Hearing</p>
<p>LB 742 (Lindstrom)</p>	<p>Amend the Franchise Practices Act</p> <p>Employer Impact: The bill amends section 87-404 of the Franchise Practices Act to change provisions relating to an arbitrator or a court's ability to reform the terms of a noncompete agreement, to the extent necessary to make it enforceable. The court or arbitrator will then enforce the noncompete agreement against the franchisee, the guarantor, or any person with a direct</p>	<p>1/3/2018 Date of Introduction</p> <p>1/8/2018 Referred to Banking, Commerce, and Insurance Committee</p>

	<p>or indirect beneficial interest in the franchise in accordance with the reformed terms of the noncompete agreement. Specifically, the amendment now applies to noncompete agreements entered into by a franchisor headquartered in Nebraska, unless otherwise agreed to by the franchisor and franchisee.</p> <p>The original section 87-404 is repealed.</p>	<p>1/23/18 Notice of Hearing</p>
<p>LB 784 (Vargas)</p>	<p>Amend the Employee Classification Act</p> <p>Employer Impact: The bill amends sections 48-2907 and 48-2911 of the Employee Classification Act to prevent any contractor who has unpaid fines for a violation of the Employee Classification Act from contracting with the state or any political subdivision until such fines are paid.</p> <p>The amendment also requires any contractor who performs construction or delivery services to submit an affidavit, among other things, that it is not barred from contracting with the state or any political subdivision pursuant to 48-2907 or 48-2912.</p>	<p>1/3/2018 Date of Introduction</p> <p>1/8/2018 Referred to Business and Labor Committee</p> <p>1/22/2018 Notice of Hearing</p>
<p>LB 843 (Pansing Brooks)</p>	<p>Prohibit employers from forbidding employee wage disclosure</p> <p>Employer Impact: The bill amends the Nebraska Wage Payment and Collection Act to include new provisions which prohibit employers from 1) requiring nondisclosure of an employee's wages as a condition of employment; 2) requiring an employee to sign a waiver or agreement not to disclose wages; 3) taking any adverse action if an employee discloses their own wages or discloses the wages of another employee (if that second employee voluntarily disclosed their wages to the first employee); 4) interfere with employee's efforts to disclose their wages (including by coercion, intimidation, threats); and 5) discharging an employee who enquires about, discusses or discloses comparative compensation information for the purposes of determining whether there is equal pay. Employer is not required to disclose wages if employee inquires. Employees are not permitted to disclose others' wages to a competitor. Handbook policy required.</p>	<p>1/4/2018 Date of Introduction</p> <p>1/8/2018 Referred to Business and Labor Committee</p> <p>2/12/2018 Notice of Hearing</p>
<p>LB 844 (Crawford)</p>	<p>Adopt the Healthy and Safe Families and Workplaces Act</p> <p>Employer Impact: The Act provides employees with paid sick and safe time in order to recover from any illness, injury, seek counseling, or attend court hearings. The Act applies to the need for time off by the employee to care for him or herself and also for the care of a family member.</p> <p>Employees earn one hour of sick and safe time for every thirty hours worked and are entitled to use this time beginning on the sixtieth calendar day following their first day of employment. The hours can be carried over to a subsequent year, but are not paid out at termination of employment.</p> <p>Employers with paid leave policies, as long as they meet the accrual requirements for sick and safe time under the Act, are not required to provide additional sick and safe time. However, employers are required to provide notice at the time of hire that employees are entitled to sick and safe time.</p>	<p>1/4/2018 Date of Introduction</p> <p>1/8/2018 Referred to Business and Labor Committee</p> <p>2/12/2018 Notice of Hearing</p>

	<p>If the use of paid sick and safe time exceeds more than three consecutive working days, an employer may require reasonable documentation that the sick and safe time has been used for the purpose described in the Act. However, the employee may choose the type of applicable documentation and the employer shall not require more than one type of reasonable documentation for the same incident. All documentation will be kept confidential.</p> <p>Employers shall not retaliate or discriminate against an employee because the employee has exercised rights protected under the Act. The Act creates a private cause of action against employers who are believed to have violated its provisions. There is no requirement that an employee file an administrative complaint prior to proceeding to court.</p>	
LB 858 (Hansen)	<p>Provide annual adjustments for total disability income benefits under the Nebraska Workers' Compensation Act</p> <p>Employer Impact: The Bill amends section 48-121 of the Nebraska Workers' Compensation Act with a provision adjusting any total disability award income benefit received each year in proportion to the annual increase, if any, in the state average weekly wage for partial disability as determined under section 48-121(2).</p>	<p>1/05/2018 Date of Introduction</p> <p>1/08/2018 Referred to Business and Labor Committee</p> <p>1/22/2018 Notice of Hearing</p>
LB 916 (Hansen)	<p>Prohibit Retaliation Under the Nebraska Wage Payment Collection Act and the Wage and Hour Act</p> <p>Employer Impact: The bill prohibits employers from retaliating or discriminating against an employee or applicant because the employee or applicant (1) files a complaint under the Nebraska Wage and Hour Act, or (2) testifies, assist, or participates in an investigation, proceeding, or action concerning a violation of the Act.</p>	<p>1/9/2018 Date of Introduction</p> <p>1/10/2018 Referred to Business and Labor Committee</p> <p>2/12/2018 Notice of Hearing</p>
LB 928 (McDonnell)	<p>Amend the Nebraska Workers' Compensation Act</p> <p>Employer Impact: The bill amends section 48-122 to provide that, upon the death of an employee ... reasonable expenses of burial shall not exceed fourteen times the state average weekly wage determined pursuant to section 48-121.02 for the year of death.</p> <p>In addition, subsection (10) is added to provide that if there is no spouse, child or other dependent entitled to benefits under this section, twenty-five thousand dollars will be paid to the estate of the deceased.</p>	<p>1/9/2018 Date of Introduction</p> <p>1/10/18 Referred to Business and Labor Committee</p> <p>2/5/2018 Notice of Hearing</p>
LB 952 (Albrecht)	<p>Amend the Nebraska Workers' Compensation Act</p> <p>Employer Impact: The bill amends section 48-177 to provide that a dismissal under this subsection shall be without prejudice to a future action unless the dismissal is by a plaintiff who has previously dismissed an action against the same defendant.</p>	<p>1/10/2018 Date of Introduction</p> <p>1/11/18 Referred to Business and Labor Committee</p> <p>2/5/2018 Notice of Hearing</p>

<p>LB 953 (Albrecht)</p>	<p>Amend the Nebraska Workers' Compensation Act</p> <p>Employer Impact: The bill amends section 48-139 to provide that the compensation court may, on its own motion or on a motion by one of the parties, hold a hearing on a claimant's application for the payment of a lump-sum settlement.</p> <p>The bill also adds subsections (ii) and (iii) which provide information relating to the effect of medical, surgical or hospital services that are not paid by the employer and the consequences of the employee being entitled to Medicare at the time of a lump-sum settlement. Under both of these situations, it is assumed that the lump-sum settlement is in conformity with the compensation schedule and is in the best interests of the employees or his or her dependents.</p>	<p>1/10/2018 Date of Introduction</p> <p>1/11/18 Referred to Business and Labor Committee</p> <p>2/5/2018 Notice of Hearing</p>
<p>LB 957 (Lowe)</p>	<p>Amend the Nebraska Workers' Compensation Act</p> <p>Employer Impact: The bill amends section 48-125 to add subsection (2) which permits, upon the agreement of the parties, that payment may be made by direct deposit, prepaid card, or other similar electronic payment system. The new subsection permits an employer, workers' compensation insurer, or risk management pool to request that the employee choose among one of these types of payments. If the employee, or other person entitled to payment, fails to choose a method of payment, the employer is entitled to choose which payment method to use.</p>	<p>1/10/2018 Date of Introduction</p> <p>1/11/18 Referred to Business and Labor Committee</p> <p>2/5/2018 Notice of Hearing</p>
<p>LB 1014 (Pansing Brooks)</p>	<p>Name the Discriminatory Wage Practices Act, change provisions relating to wage discrimination on the basis of sex, and provide protections for employees relating to wage disclosure</p> <p>Employer Impact: The bill creates a new act called the "Discriminatory Wage Practices Act," which adds to existing provisions prohibiting discriminatory practices in wage payment based on sex. Additions include providing for an employer pay practices model, affirmative defenses, and enforcement by the Attorney General or Nebraska Equal Opportunity Commission, penalties for falsifying or failing to keep records and retaliation against employees for reporting wage discrimination, and protections for employees' rights to disclose their wages. Employers should note the new definitions, requirements, and affirmative defenses in this bill.</p>	<p>1/16/2018 Date of Introduction</p> <p>1/18/2018 Referred to Business and Labor Committee</p> <p>2/12/2018 Notice of Hearing</p>
<p>LB 1015 (Briese)</p>	<p>Allow withholding from public of reports of injury under the Nebraska Workers' Compensation Act that reveal an employee's identity</p> <p>Employer Impact: This amends the provisions of the law regarding public records to include work injury reports (including workers' compensation reports) in the list of records which can be withheld from the public unless publicly disclosed in an open court, open administrative proceeding or open meeting, or disclosed by a public entity pursuant to its duties. This bill will not have immediate impact on employers, however, it will be important to</p>	<p>1/16/2018 Date of Introduction</p> <p>1/18/2018 Referred to Government, Military and Veterans Affairs Committee</p> <p>2/14/2018 Notice of Hearing</p>

<p>LB 1134 (Vargas)</p>	<p>Adopt the Nebraska WARN Act.</p> <p>Employer Impact: Any employer with 25 or more employees (excluding part time workers), who conduct a business closing, a mass layoff, or a reduction in hours of more than fifty percent for a six-month period must give 60 days prior notice to effected employees or their representatives and the Department of Labor.</p> <p>Mass layoff means a reduction in employment force that results in an employment loss at a single site of employment during any 60-day period of 25 or more employees, other than part-time employees. Part-time employee means an employee who is employed for an average of fewer than twenty hours per week or an employee, including a full-time employee, who has been employed for fewer than six of the twelve months preceding the date on which notice is required by the act.</p> <p>Penalties payable to employees for violation include 1) back pay for each calendar day of notice not given; 2) benefits under an employee benefit plan, including the cost of medical expenses incurred during the employment loss which would have been covered under an employee benefit plan if the employment loss had not occurred; and 3) attorneys' fees. Other penalties include a civil penalty of not more than \$250 per day, but such penalty shall not apply if, within three weeks from the date the employer orders the layoff, the employer pays each aggrieved employee the penalties owed.</p>	<p>1/18/2018 Date of Introduction</p> <p>1/22/18 Referred to Business and Labor Committee</p> <p>2/26/2018 Notice of Hearing</p>
<p>LB 1129 (Kuehn)</p>	<p>Prohibit State Employees from Certain Political Activities</p> <p>Employer Impact: The Bill amends section 49-1401 of the Nebraska Political Accountability and Disclosure Act with provisions prohibiting state employees from holding office in a political club or party and from using government resources of any kind while on state time or in an official capacity to do any of the following: campaign for or against a candidate; make a campaign speech; collect campaign contributions; sell tickets to a political fundraising function; develop or distribute campaign materials or communications; organize or manage a political rally or meeting; circulate petitions for a candidate or a ballot initiative; work to register voters for one party only; use any digital medium to communicate about party politics, a candidate for office, or a ballot initiative unless required in the performance of his or her official duties; or wear political buttons. Violations of this provision are investigated and prosecuted by the Attorney General, any state employee convicted of violating the provision shall be removed from employment.</p>	<p>1/18/2018 Date of Introduction</p> <p>1/22/18 Referred to Government, Military and Veterans Affairs Committee</p>