



One Hundred First Legislature - Second Session - 2010
Introducer's Statement of Intent
LB 829

Chairperson: Steve Lathrop
Committee: Business and Labor
Date of Hearing: February 8, 2010

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Under current law, agricultural operations that employ fewer than 10 unrelated, full-time employees are exempt from providing workers' compensation coverage so long as they provide notice to their employees that they are exempt from the Act.

Section 48-106 (7) requires every employer exempted who does not elect to provide workers' compensation insurance to give all unrelated employees at the time of hiring or at any time before 30 days prior to the time of injury, the following notice which must be signed by the unrelated employee and retained by the employer: "In this employment you will not be covered by the Nebraska Workers' Compensation Act and you will not be compensated under the Act if you are injured on the job or suffer an occupational disease. You should plan accordingly." Failure to provide the notice required by this subsection subjects an employer to liability under and inclusion in the Act for all unrelated employees on the basis of failure to give such notice.

LB 829 would clarify that an employer will be subject to liability under and inclusion in the Nebraska Workers' Compensation Act only with regard to the unrelated employee or employees to whom the required notice is not provided, rather than as to all unrelated employees.

Principal Introducer: _____
Senator Kent Rogert