

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1089**

Introduced by Hughes, 24; Strommen, 47; Wordekemper, 15.

Read first time January 15, 2026

Committee:

- 1 A BILL FOR AN ACT relating to the Nebraska Healthy Families and
- 2 Workplaces Act; to amend section 48-3808, Revised Statutes
- 3 Supplement, 2025; to change enforcement provisions; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 48-3808, Revised Statutes Supplement, 2025, is  
2 amended to read:

3           48-3808 (1) The Commissioner of Labor shall issue a citation to an  
4 employer when an investigation reveals that the employer may have  
5 violated the Nebraska Healthy Families and Workplaces Act.

6           (2) When a citation is issued, the commissioner shall notify the  
7 employer of the proposed administrative penalty, if any, by certified  
8 mail, by any other manner of delivery by which the United States Postal  
9 Service can verify delivery, or by any method of service recognized under  
10 Chapter 25, article 5. The administrative penalty shall not be more than  
11 five hundred dollars in the case of a first violation and not more than  
12 five thousand dollars in the case of a second or subsequent violation.

13           (3) The employer has fifteen working days after the date of the  
14 citation or penalty to contest such citation or penalty. Notice of  
15 contest shall be sent to the commissioner who shall provide a hearing in  
16 accordance with the Administrative Procedure Act.

17           (4) Any employer who has an unpaid citation for a violation of the  
18 Nebraska Healthy Families and Workplaces Act shall be barred from  
19 contracting with the state or any political subdivision until such  
20 citation is paid. If a citation has been contested as described in  
21 subsection (3) of this section, it shall not be considered an unpaid  
22 citation under this subsection until after such contest has been  
23 resolved.

24           (5) Citations issued under this section and the names of employers  
25 who have been issued a citation shall be made available to the public  
26 upon request, except that this subsection shall not apply to any  
27 citations that are being contested as described in subsection (3) of this  
28 section.

29           (6) An employee having a claim for a violation of the Nebraska  
30 Healthy Families and Workplaces Act may institute suit for legal and  
31 equitable relief in the proper court. In any action brought to enforce

1 the Nebraska Healthy Families and Workplaces Act, the court shall have  
2 jurisdiction to grant such legal or equitable relief as the court deems  
3 appropriate to effectuate the purposes of the act. If an employee  
4 establishes a claim and secures judgment on the claim, such employee  
5 shall also be entitled to recover the full amount of the judgment and all  
6 costs of such suit, including reasonable attorney's fees.

7 (7) If an employee institutes suit against an employer under  
8 subsection (6) of this section, any citation that is issued against an  
9 employer under subsection (1) of this section and that relates directly  
10 to the facts in dispute shall be admitted into evidence unless  
11 specifically excluded by the court. If a citation has been contested as  
12 described in subsection (3) of this section, it shall not be admitted  
13 into evidence under this subsection until such contest has been resolved.

14 (8) A civil action brought under this section shall be commenced no  
15 later than one calendar year after the cause of action accrues.

16 **Sec. 2.** Original section 48-3808, Revised Statutes Supplement,  
17 2025, is repealed.