

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.