

Department of Labor Minimum Wage Minimum Wage in Nebraska

NEBRASKA

Labor Laws

Effective Date	Minimum Hourly Wage Rate
January 1, 2016	\$9.00
January 1, 2023	\$10.50
January 1, 2024	\$12.00
January 1, 2025	\$13.50
January 1, 2026	\$15.00

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 wellbeing;
- **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.

NEBRASKA

Good Life. Great Connections. **DEPARTMENT OF LABOR**

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

REV. 11/22/2022

PHONE 402-471-2239

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

To file a claim for unemployment benefits, go to NEworks.nebraska.gov.

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 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.

- period.

Department of Labor

Unemployment Insurance: Advisement of Benefit Rights

TITLE 219 — DEPARTMENT OF LABOR: CHAPTER 2 — CLAIMS FOR BENEFITS

001. This chapter is adopted pursuant to Neb. Rev. Stat. §§48-626, 48-627, 48-629, and 48-607.

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

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 disgualification 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 disgualification in effect on the applicable date of the most recently filed initial, transitional or additional claim.

REV. 11/22/2022

NOTICE TO Job Applicants, Employe **Employment Agencies, Landlords,**

DISCRIMINA **★** EMPLOYM

 \star HOUSING \star PUBLIC AC **IS PROHIBITED B**

Jnlawful Employment Practices

It is illegal for an employer to discriminate against you because of your Race Disability, Religion and/or Age (40-years-old and over). Discrimination m Discipline and Termination, Compensation and Benefits, Training, Other Terms of Equal Opportunity Commission is authorized to investigate allegations of di Pay Act of Nebraska, both of which covers employers with 15 or more emplo which covers employers with 20 or more employees. Labor Organizations, El covered by the law.

Authority: Sections 48-1001 through 48-1009; Sections 48-1101 through 48-

Public Accommodations and Housing Discrimination

The Nebraska Fair Housing Act prohibits *unlawful housing practices* which in Origin, Sex, Disability and Familial Status in Purchases, Sales, Rentals, Loan of Agents or Employees in obedience to the law, blockbusting and other such Authority: Sections 20-301 through 20-344, R.R.S. Nebraska, 1943.

he Nebraska Civil Rights Act of 1969—*Public Accommodation* prohibits disc or Ancestry in Services, Privileges, Facilities, Advantages and Accommodations 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

he Laws enforced by the Nebraska Equal Opportunity Commission prohibit in any form of retaliation because you have filed a charge of discrimination, in any investigation or hearing conducted by the Commission. In addition, the engage in any retaliation because a person has opposed any illegal practice State of Nebraska or the United States.

- COMPLAINTS: The Nebraska EOC will investigate every complaint in an is reasonable cause to believe that the law was violated, the Nebraska
- resolve a charge by conference, mediation, conciliation, arbitration or p EMPLOYERS, EMPLOYMENT AGENCIES, UNIONS, LANDLORDS, LENDERS on the Nebraska EOC for information on procedures, advice on policy educational programming.

For Information or Assistance, PI Main Office **Branch Off EQUAL OPPORTUNITY COMMISSION PANHANDLE OFFICE COMPLEX 301 CENTENNIAL MALL SOUTH, 5TH FLOOR** 4500 AVENUE 'I' P.O. Box 94934 P.O. Box 1500 LINCOLN, NEBRASKA 68509-4934 SCOTTSBLUFF, NEBRASKA 69363-1500 TELEPHONE (402) 471-2024 TELEPHONE (308) 632-1340 1-800-642-6112 1-800-830-8633

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 REV. 06/2007 Anywhere In The State Of Nebraska: At No Cost To The Person Making The Complaint

Department of Labo NOTICE

HOURS OF EMPLOYMENT FOR CHILDREN UNDER SIXTEEN YEARS OF AGE

n conformity with the provisions of section 48-310, compiled statutes of Nebraska, notice is hereby given that the number of hours which employees under the age of sixteen years employed in this room are required to work each day, the hours of commencing and stopping work and the time allowed for meals are as follows:

Name of Employee	Hours Required Each Day	Time Commencing	Time Of Stopping	Time Allowed For Meals

orm developed by Nebraska Workforce Development, Department of Labor, Safety and Labor Standards – 5404 Cedar St, 3rd Floor, Omaha, NE, 68106, (402) 595-3095. ORM NO. 110

TWO wa	ys to verify poster compliance!
	Scan with phone camera:
	Go to: JJKeller.com/LLPverify Enter this code: 62862-012023

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Commission	
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ay occur in such areas or Conditions of Employ scrimination under th oyees; and the Nebras	Acy, National Origin, Marital Status, as <i>Hiring, Promotions, Transfers, Lay-offs,</i> <i>yment,</i> or <i>Sexual Harassment</i> . The Nebraska e Fair Employment Practices Act and the Equal ka Age Discrimination in Employment Act, Apprenticeship and Training Programs are all
-1125; Sections 48-121	9 through 1227, R.R.S. Nebraska, 1943.
	because of Race, Color, Religion, National Itation, Inquiry, Listings, Discharge, or Demotion
	f Race, Color, Religion, Sex, National Origin , d <i>Businesses</i> offering the same. Private
opposed a practice m he Fair Employment P	d, or others subject to the laws from engaging ade illegal by these laws, or acted as a witness ractices Act makes it illegal for an employer to t any action that is illegal under the laws of the
EOC will hold a concili	hout cost to you and without publicity. If there ation conference. In case of failure to settle or earing or litigation may occur.
	S, PROPRIETORS, PUBLIC, ETC: You may call adding lists, films, speakers service, and aid in
ease Write, Call, or (Come to:
fice	Branch Office

1313 FARNAM ON-THE-MALL Омана, Nebraska 68102-1836 TELEPHONE (402) 595-2028 1-800-382-7820

www.neoc.ne.gov

Employer or Employer's Agent

late your labor law posters contact J. J. Keller & Associates, Inc. JJKeller.com/laborlaw 800-327-6868



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