

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 380

Introduced by Conrad, 46.

Read first time January 12, 2023

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act;
- 2 to amend sections 48-1125 and 48-1126, Reissue Revised Statutes of
- 3 Nebraska; to prohibit discrimination for exercise of rights under
- 4 the Nebraska Workers' Compensation Act; to provide for jury trials;
- 5 to harmonize provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) It shall be an unlawful employment practice for a
2 covered entity to discriminate or retaliate against an individual because
3 such individual has reported a work-related injury, brought a claim, or
4 sought remedies under the Nebraska Workers' Compensation Act.

5 (2) The rights and remedies provided by the Nebraska Fair Employment
6 Practice Act are supplemental to those provided in the Nebraska Workers'
7 Compensation Act.

8 Sec. 2. In any civil action brought under the Nebraska Fair
9 Employment Practice Act, there shall be a right to a jury trial,
10 including in cases brought against state and governmental agencies.

11 Sec. 3. Section 48-1126, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 ~~48-1126~~ The state and governmental agencies created by the state may
14 be sued upon claims arising under the Nebraska Fair Employment Practice
15 Act in the same manner as provided by such law for suits against other
16 employers.

17 Sec. 4. Section 48-1125, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 48-1125 Sections 48-1101 to 48-1125 and sections 1 to 3 of this act
20 shall be known and may be cited as the Nebraska Fair Employment Practice
21 Act.

22 Sec. 5. Original sections 48-1125 and 48-1126, Reissue Revised
23 Statutes of Nebraska, are repealed.