

LB 415: Nebraska Healthy Families & Workplaces Act Amendments



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On June 4, 2025, Governor Pillen approved LB 415, which amended the Nebraska Healthy Families and Workplaces Act (NE HFWA). These amendments provide practical clarifications with regard to the law's implementation and also

make substantive changes to which employers and employees are affected by the law.

Key Amendments:

- The definition of “employ” has been clarified to explicitly refer to an employment relationship, excluding independent contractors.
- The following workers are now expressly excluded from paid sick leave eligibility:
 - o Individual owner-operators
 - o Independent contractors
 - o Individuals in “agricultural employment of a seasonal or other temporary nature” (excluding year-round agricultural workers)
 - o Individuals under 16 years of age

As with the original initiative language, individuals who work in Nebraska for fewer than 80 hours in a calendar year and those subject to the federal Railroad Unemployment Insurance Act remain excluded from the NE HFWA.

- Employers with 10 or fewer employees are exempt from providing paid sick leave.
- Employees begin accruing paid sick time only “after eighty hours of consecutive employment”. This clarifies accrual requirements for employees who may not initially be expected to work 80 hours in Nebraska (but later do) and clarifies eligibility verification for employers with new employees.
- Paid sick time provided between January 1, 2025, and October 1, 2025, counts towards fulfilling an employer’s obligation in 2025.
- Employers with existing paid leave policies that meet or exceed NE HFWA requirements are not required to allow accrual or carryover beyond their policy.

- Confirms that employers are not required to pay for unused sick leave upon an employee’s separation.
- The private right of action has been removed, meaning employees cannot sue independently for non-compliance. Citations can only be issued by the Nebraska Commissioner of Labor.
- The four-year statute of limitations has been removed, with no new time limit specified.
- Additional guidance is provided for calculating paid sick leave for employees exempt from overtime due to Department of Transportation regulation (e.g., motor carrier employees) and for workers paid on commission, piece-rate, mileage, or fee-for-service.

Action Items for Employers:

Review employment policies and practices for compliance with the new requirements, especially with the law taking effect on October 1, 2025.

- Provide written notice to all employees by September 15, or upon hiring (whichever is later), detailing specific aspects of the NE HFWA as set forth in the statute.
- Post the official poster from the Nebraska Department of Labor (available at: <https://dol.nebraska.gov/webdocs/Resources/Items/Poster%20Paid%20Sick%20Time.pdf>).
- Adapt payroll procedures to include required information on each paycheck regarding paid sick leave available, used, and paid out.
- Seek legal guidance if necessary for proper implementation.

More Education Opportunities:

Please join us for our next Wednesdays with Woods Aitken program, “Update on Paid Sick Leave and Medical Marijuana Ballot Initiatives – What Employers Need to Know,” at noon on August 20, 2025. This presentation will include updates based on information put forth by the Nebraska Department of Labor, including the newly released FAQs. Learn more and register at [Wednesdays with Woods Aitken](#).