

July 14, 2026

To Whom It May Concern:

Please find the attached 61 regulation review forms as required by Neb. Rev. Stat. § 84-904 (Supp. 2025), hereby submitted by the Nebraska Department of Labor.

1. Regulation Review form for Title 218, Chapter 01 - Electronic Documents.
2. Regulation Review form for Title 219, Chapter 01 - Definitions.
3. Regulation Review form for Title 219, Chapter 02 - Claims For Benefits.
4. Regulation Review form for Title 219, Chapter 04 - Claimant's Availability / Work Search Requirements.
5. Regulation Review form for Title 219, Chapter 05 - Benefits To Interstate Claimants.
6. Regulation Review form for Title 219, Chapter 06 - Benefits For Combined Wage Claims.
7. Regulation Review form for Title 219, Chapter 07 - Deduction For Retirement Pension.
8. Regulation Review form for Title 219, Chapter 08 - Leave of Absence.
9. Regulation Review form for Title 219, Chapter 09 - Lost or Forged Benefit Checks.
10. Regulation Review form for Title 219, Chapter 10 - Withholding Current or Future Benefits for Recoupment of Non-Willful Benefit Overpayments.
11. Regulation Review form for Title 219, Chapter 11 - Recoupment of Willful Overpayments by Withholding Future Benefits.
12. Regulation Review form for Title 219, Chapter 12 - Recovery of Benefit Overpayments for Another State.
13. Regulation Review form for Title 219, Chapter 13 - Processing Uncollectible Benefit Overpayments.
14. Regulation Review form for Title 219, Chapter 14 - Voluntary Leave Due to Health Reasons.
15. Regulation Review form for Title 219, Chapter 15 - Monetary and Non-Monetary Redeterminations.
16. Regulation Review form for Title 219, Chapter 16 - Intercept of Income Tax Refunds to Set-Off Debts Due the Nebraska Department of Labor.
17. Regulation Review form for Title 219, Chapter 17 - Profiling.
18. Regulation Review form for Title 219, Chapter 18 - Levy for Unpaid Overpayments.
19. Regulation Review form for Title 219, Chapter 19 - Short-Time Compensation Program.
20. Regulation Review form for Title 219, Chapter 20 - Extended Benefits.
21. Regulation Review form for Title 219, Chapter 21 - Investigations under Neb. Rev. Stat. §48-663.01 to §48-665.0.
22. Regulation Review form for Title 220, Chapter 01 - Filing of Quarterly Tax & Wage Reports & Payment of Combined Tax.
23. Regulation Review form for Title 220, Chapter 02 - Cash Value of Certain Remunerations.
24. Regulation Review form for Title 220, Chapter 06 - Voluntary Transfer of Experience Account.
25. Regulation Review form for Title 220, Chapter 07 - Mandatory Transfers of Experience Accounts.
26. Regulation Review form for Title 220, Chapter 08 - Interest.
27. Regulation Review form for Title 220, Chapter 09 - Refunds of Overpaid Combined Tax.
28. Regulation Review form for Title 220, Chapter 11 - Review and Redetermination of Combined Tax Rates of Employers.
29. Regulation Review form for Title 220, Chapter 12 - Determination of Liability.
30. Regulation Review form for Title 220, Chapter 13 - Certification as to Combined Tax Status of Contractors Employed on Public Contracts.
31. Regulation Review form for Title 220, Chapter 14 - Penalty Waiver Conditions.
32. Regulation Review form for Title 220, Chapter 16 - Limited Liability Companies & Limited Liability Partnerships.
33. Regulation Review form for Title 221, Chapter 01 - Record Keeping Requirements.
34. Regulation Review form for Title 221, Chapter 02 - Wage Reporting System.
35. Regulation Review form for Title 221, Chapter 03 - Notice to Employer of Claim Filed and Request for Wage and Separation

Katie Thurber, Commissioner

Department of Labor

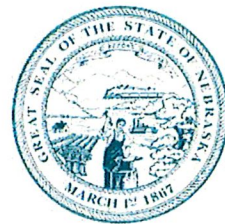
550 S. 16th Street

P.O. Box 94600

Lincoln, Nebraska 68509

Administrative Office 402-471-9000

dol.nebraska.gov



Information.

36. Regulation Review form for Title 221, Chapter 05 - Notices to Employer of Benefit Charge.
37. Regulation Review form for Title 221, Chapter 06 - Employer Elections to Cover Multi-State Workers.
38. Regulation Review form for Title 221, Chapter 07 - Reporting of Labor Disputes.
39. Regulation Review form for Title 223, Chapter 01 - Rules for Administrative Tax Hearings.
40. Regulation Review form for Title 223, Chapter 02 - Regulations & Procedures Governing Declaratory Orders.
41. Regulation Review form for Title 223, Chapter 03 - Regulations Governing Petitioning For Rulemaking.
42. Regulation Review form for Title 223, Chapter 04 - Procedures for Negotiated Rulemaking.
43. Regulation Review form for Title 223, Chapter 05 - Rules of Practice and Procedure for Hearings on Contested Cases.
44. Regulation Review form for Title 224, Chapter 01 - Appeals Procedure.
45. Regulation Review form for Title 225, Chapter 01 - Approval Of Training Programs.
46. Regulation Review form for Title 226, Chapter 01 - Discontinuation Of Services To Employers.
47. Regulation Review form for Title 227, Chapter 04 - Licensing Requirements.
48. Regulation Review form for Title 227, Chapter 05 - Character, Competence And Reliability.
49. Regulation Review form for Title 227, Chapter 07 - Procedure For Obtaining a Duplicate License.
50. Regulation Review form for Title 227, Chapter 10 - Amount Of Bond Or Deposit To Be Filed.
51. Regulation Review form for Title 227, Chapter 12 - License Protests.
52. Regulation Review form for Title 227, Chapter 14 - Records.
53. Regulation Review form for Title 227, Chapter 15 - Records Availability.
54. Regulation Review form for Title 227, Chapter 17 - Enforcement Action Against The Bond Or Deposit.
55. Regulation Review form for Title 227, Chapter 19 - Denying, Suspending, Revoking Or Refusing to Renew License.
56. Regulation Review form for Title 227, Chapter 20 - Certificate Of Exemption.
57. Regulation Review form for Title 230, Chapter 02 - Wages; Subject To Garnishment.
58. Regulation Review form for Title 230, Chapter 03 - Regulations for the Professional Employer Organization Registration Act.
59. Regulation Review form for Title 230, Chapter 06 - Workplace Safety Consultation Program.
60. Regulation Review form for Title 230, Chapter 07 - Non-English Speaking Employees.
61. Regulation Review form for Title 230, Chapter 08 - Child Labor.

If you have any questions, do not hesitate to contact me at your convenience.

Sincerely,

Joel F. Green
GENERAL COUNSEL
Nebraska Department of Labor
Office of General Counsel
P.O. Box 94600
550 S. 16th Street
Lincoln, Nebraska 68509

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

218 NAC 1

Rule and Regulation Title & Description:

ELECTRONIC DOCUMENTS

Brief explanation of the reason for the Rule / Regulation:

To provide guidance on types of electronic documents accepted by the Department and define timely receipt of said documents.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☐ Yes ☒ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☒ Yes ☐ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

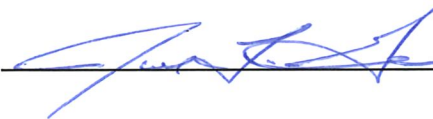
Provide citation(s):

Neb. Rev. Stat. § 48-607 provides that "[t]he commissioner shall adopt and promulgate rules and regulations necessary to carry out the employment Security Law[.]" This regulation is necessary to carry out the Employment Security Law.

Name of Agency Review Designee:

JOEL F. GREEN

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC 1

Rule and Regulation Title & Description:

DEFINITIONS

Brief explanation of the reason for the Rule / Regulation:

This regulation defines the terms used throughout the Titles 218 through 230 of the regulations of the Department of Labor.

This regulation is necessary to carry out the Employment Security Law because, as a practical matter, NDOL's daily work depends on having a definition of terms such as "week" and "willful benefit overpayment" that can be legally enforced.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. §§ 48-602 & 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation does not impose any restrictions.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. §§ 48-602 & 48-607

Name of Agency Review Designee:

JOEL F. GREEN

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 2

Rule and Regulation Title & Description:

CLAIMS FOR BENEFITS

Brief explanation of the reason for the Rule / Regulation:

This regulation sets for the manner of filing claims for unemployment insurance benefits. It is essential to the welfare of Nebraskans to have clear policies and procedures in place for the orderly administration of unemployment benefits.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-627; Neb. Rev. Stat. § 48-629

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

20 C.F.R. § 604.6

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is required to meet conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-627; Neb. Rev. Stat. § 48-629

20 C.F.R. § 604.6

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 4

Rule and Regulation Title & Description:

CLAIMANT'S AVAILABILITY / WORK SEARCH REQUIREMENTS

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-627 provides that the Commissioner may adopt and promulgate rules relating to availability and work search requirements.

This regulation, which defines those requirements, is necessary to carry out the Employment Security Law.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-627

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

20 CFR § 604.5, 42 U.S.C.A. 503

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is necessary to meet conformity requirements.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-627

20 CFR § 604.5, 42 U.S.C.A. 503

Name of Agency Review Designee: Joel E. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 5

Rule and Regulation Title & Description:

BENEFITS TO INTERSTATE CLAIMANTS

Brief explanation of the reason for the Rule / Regulation:

This regulation is necessary to carry out the Employment Security Law. The regulation acts as a necessary extension to Neb. Rev. Stat. §§ 48-668 through 48-668.02.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

20 C.F.R. § 604.6 requires that "[a] State's UC [unemployment compensation] law must conform with, and the administration of its law must substantially comply with, the requirements of this regulation[.]" 20 C.F.R. § 616.3 provides, in part, that "[e]ach State agency will cooperate with every other State agency by implementing such rules, regulations, and procedures as may be prescribed for the operation of this arrangement."

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation is necessary to meet conformity requirements.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

20 C.F.R. § 604.6; 20 C.F.R. § 616.3

Name of Agency Review Designee:

JOEL E. GREEN

Signature of Agency Review Designee:

[Signature]

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

219 NAC Chapter 6

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 6

Rule and Regulation Title & Description:

BENEFITS FOR COMBINED WAGE CLAIMS

Brief explanation of the reason for the Rule / Regulation:

To govern the Department in its administrative cooperation with other states adopting a similar requirement for the payment of benefits to

combined wage claimants. The regulation acts as a necessary extension to Neb. Rev. Stat. §§ 48-668 through 48-668.02 and addresses the unemployment

claims of individuals who have wages from covered employment in more than one state.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

20 C.F.R. § 604.6; 20 C.F.R. § 616.3

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation is necessary to meet conformity requirements.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

20 C.F.R. § 604.6; 20 C.F.R. § 616.3

Name of Agency Review Designee: Joel F Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 7

Rule and Regulation Title & Description:

DEDUCTION FOR RETIREMENT PENSION

Brief explanation of the reason for the Rule / Regulation:

This regulation is related to Neb. Rev. Stat. § 48-628.02 and clarifies how certain disqualifying remuneration will be applied to an unemployment claim.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

26 USC 3304

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation is necessary for conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

26 USC 3304

Name of Agency Review Designee: Joel E. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 8

Rule and Regulation Title & Description:

LEAVE OF ABSENCE

Brief explanation of the reason for the Rule / Regulation:

This regulation outlines how NDOL will address claims for benefits by individuals who are on, or have been separated after, a leave of absence.

Neb. Rev. Stat. § 48-628.08 provides that an individual is ineligible for UI benefits for any week the individual is on a leave of absence. The statute

does not define "leave of absence," nor does it address situations such as National Guard service or instances in which an employment relationship

ends after a leave of absence.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☒ Yes ☐ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 9

Rule and Regulation Title & Description:

LOST OR FORGED BENEFIT CHECKS

Brief explanation of the reason for the Rule / Regulation:

This regulation provides guidance on allegations by a claimant of a lost, stolen, or forged Unemployment Insurance Benefits Check.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☒ Yes ☐ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 10

Rule and Regulation Title & Description:

WITHHOLDING CURRENT OR FUTURE BENEFITS FOR RECOUPMENT OF NON-WILLFUL BENEFIT OVERPAYMENTS

Brief explanation of the reason for the Rule / Regulation:

This regulation addresses the manner in which the Department of Labor will withhold benefits to recoup non-willful overpayments.

Neb. Rev. Stat. § 48-607 provides that "[t]he commissioner shall adopt and promulgate rules and regulations necessary to carry out the Employment

Security Law[.]" Neb. Rev. Stat. § 48-665 provides for offset against future benefits as a method of recovering overpaid benefits. This regulation is

necessary to carry out the Employment Security Law because it provides the procedural details related to benefit recoupment.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

42 USC 503(g)(1)

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is required to meet conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

42 USC 503(g)(1)

Name of Agency Review Designee: Joe F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 11

Rule and Regulation Title & Description:

RECOUPMENT OF WILLFUL OVERPAYMENTS BY WITHHOLDING FUTURE BENEFITS

Brief explanation of the reason for the Rule / Regulation:

This regulation addresses the manner in which the Department of Labor will withhold benefits to recoup willful (i.e., fraudulent) overpayments.

Neb. Rev. Stat. § 48-607 provides that "[t]he commissioner shall adopt and promulgate rules and regulations necessary to carry out the Employment

Security Law[.]" This regulation is necessary to carry out the Employment Security Law. Neb. Rev. Stat. § 48-665 provides for offset against future

benefits as a method of recovering overpaid benefits. The regulation provides the procedural details related to benefit recoupment.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

42 USC 503(g)(1)

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is required to meet conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

42 USC 503(g)(1)

Name of Agency Review Designee: Joel F Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 12

Rule and Regulation Title & Description:

RECOVERY OF BENEFIT OVERPAYMENTS FOR ANOTHER STATE

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-665.01 provides for recovery of benefits overpaid by other states. The regulation provides the procedural details related to the manner in which the states communicate and coordinate such collection efforts.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

42 USC 503(g)(1)

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation is required for federal conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

42 USC 503(g)(1)

Name of Agency Review Designee: JOEL F. GREEN

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 13

Rule and Regulation Title & Description:

PROCESSING UNCOLLECTIBLE BENEFIT OVERPAYMENTS

Brief explanation of the reason for the Rule / Regulation:

This technical regulation permits the Commissioner of Labor to designate certain overpaid funds to an uncollectible debt account when collection is unlikely.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation does not impose any restrictions; it describes a procedure the Commissioner of Labor may perform "at his or her discretion".

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: JOEL F. GREEN

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 14

Rule and Regulation Title & Description:

VOLUNTARY LEAVE DUE TO HEALTH REASONS

Brief explanation of the reason for the Rule / Regulation:

This regulation addresses the kinds of evidence the Department of Labor is seeking in investigating unemployment insurance claims in which an

individual left work due to health issues.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation provides the least restrictive means necessary to obtain the evidence NDOL needs to process the claim.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 15

Rule and Regulation Title & Description:

MONETARY AND NON-MONETARY REDETERMINATIONS

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth definitions and procedures for redeterminations of NDOL decisions on various aspects of unemployment claims.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation imposes restrictions only on NDOL and its staff.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 16

Rule and Regulation Title & Description:

INTERCEPT OF INCOME TAX REFUNDS TO SET-OFF DEBTS DUE THE NEBRASKA DEPARTMENT OF LABOR

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth definitions and procedures for intercepting (Nebraska) income tax refunds to set-off debts owed to the Department of Labor.

It also contains provisions related to the due process rights of individuals against whom NDOL is pursuing this remedy.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 77-27,209

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☒ Yes ☐ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 77-27,209

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 17

Rule and Regulation Title & Description:

PROFILING

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth procedures to identify workers most likely to benefit from reemployment services and is necessary to carry out the Employment

Security Law because Neb. Rev. Stat. § 48-627(5) assumes the existence of "a profiling system established by rule and regulation[.]"

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607 ; Neb. Rev. Stat. § 48-627(5)

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

26 USC 503(a)(10) and 26 USC 503(j)

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation imposes restrictions only on NDOL and its staff. This regulation is required to meet conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

26 USC 503(a)(10) and 26 USC 503(j)

Neb. Rev. Stat. § 48-607 ; Neb. Rev. Stat. § 48-627(5)

Name of Agency Review Designee: JOEL F GREEN

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 18

Rule and Regulation Title & Description:

LEVY FOR UNPAID OVERPAYMENTS

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth the Nebraska Department of Labor's procedure for situations in which an entity fails to respond to a levy issued to collect overpaid unemployment benefits pursuant to Neb. Rev. Stat. § 48-663.01, as well as rules for appeals to the issuance of such levy.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☒ Yes ☐ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee:

JOEL F. GREEN

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 19

Rule and Regulation Title & Description:

SHORT-TIME COMPENSATION PROGRAM

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth definitions, policies, and procedures for the Short-Time Compensation Program established by Neb. Rev. Stat. §§ 48-673

through 48-683.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

26 U.S. Code § 3306

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is required to meet conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

26 USC 3306

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 20

Rule and Regulation Title & Description:

EXTENDED BENEFITS

Brief explanation of the reason for the Rule / Regulation:

This regulation defines what counts as a sufficient weekly effort to look for work in order to receive extended unemployment benefits.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

26 U.S. Code § 3304(a)(11)

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is required to meet conformity. Furthermore, any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. §48-628.15

26 U.S. Code § 3304

Name of Agency Review Designee:

JOEL F GREEN

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

219 NAC Chapter 21

Rule and Regulation Title & Description:

INVESTIGATIONS UNDER NEB. REV. STAT. §48-663.01 TO §48-665.01

Brief explanation of the reason for the Rule / Regulation:

This regulations sets a basic rule for how the Department of Labor notifies claimants and gives them a chance to respond during investigations

under NEB. REV. STAT. §§48-663.01to §48-665.01

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. §48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. §48-607

Name of Agency Review Designee: Joel F Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 1

Rule and Regulation Title & Description:

FILING OF QUARTERLY TAX AND WAGE REPORTS AND PAYMENT OF COMBINED TAX

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth policies and procedures for the collection of the combined tax imposed by Neb. Rev. Stat. 48-648.

Quarterly wage reports are federally required part of the UI system under 42 U.S.C.A. § 1320b-7.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

42 U.S.C.A. § 1320b-7.

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is necessary for conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

42 U.S.C.A. § 1320b-7

Name of Agency Review Designee:

JOEL F GREEN

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 2

Rule and Regulation Title & Description:

CASH VALUE OF CERTAIN REMUNERATIONS

Brief explanation of the reason for the Rule / Regulation:

This regulation explains the manner in which the Commissioner of Labor will address the cash value of non-cash remuneration for purposes of computing the combined tax imposed by Neb. Rev. Stat. § 48-648. This regulation was promulgated due to the statutory requirement that the Commissioner prescribe rules and regulations for this purpose.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-602(35)

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation only imposes restrictions on NDOL.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-602(35)

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 6

Rule and Regulation Title & Description:

VOLUNTARY TRANSFER OF EXPERIENCE ACCOUNT

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-654 and § 48-654.01 provide for transfer of previous experience ratings to employers who acquire the business of others. The regulation is necessary to carry out the Employment Security Law by creating uniform policies and procedures related to such transfers.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation does not impose any restrictions.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 7

Rule and Regulation Title & Description:

MANDATORY TRANSFERS OF EXPERIENCE ACCOUNTS

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-654.01 requires the transfer of experience accounts under certain circumstances. The regulation is necessary to carry out the Employment Security Law by creating uniform policies and procedures related to such transfers.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. §48-607, §48-654

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. §48-607, §48-654

Name of Agency Review Designee: JOEL F. GREEN

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 8

Rule and Regulation Title & Description:

INTEREST

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-648 creates the combined tax that funds Nebraska's unemployment compensation program. Neb. Rev. Stat. § 48-655 prescribes that interest shall accrue at a set rate (1.5%) upon delinquent payments. The regulation is necessary to carry out the Employment Security Law by creating uniform policies and procedures related to the accrual of interest and the application of payments.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation imposes no restrictions except upon NDOL.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 9

Rule and Regulation Title & Description:

REFUNDS OF OVERPAID COMBINED TAX

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth policies for the adjustment of combined taxes due and refund of overpaid combined taxes.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. §48-607 and §48-660

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

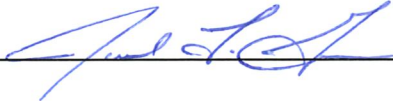
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. §48-607 and §48-660

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 11

Rule and Regulation Title & Description:

REVIEW AND REDETERMINATION OF COMBINED TAX RATES OF EMPLOYERS

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth policies, procedures, and timelines to be applied when an employer seeks to appeal a combined tax rate determination

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-650.

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

42 U.S.C. 503

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is necessary for conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-650.

Name of Agency Review Designee:

Joel F Green

Signature of Agency Review Designee:

Joel F Green

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 12

Rule and Regulation Title & Description:

DETERMINATION OF LIABILITY

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth policies, procedures, and timelines to be applied in determining whether employers are liable for payment of the combined tax.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-650

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

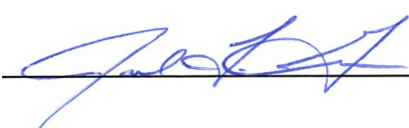
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-650

Name of Agency Review Designee: Joel F Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 13

Rule and Regulation Title & Description:

CERTIFICATION AS TO COMBINED TAX STATUS OF CONTRACTORS EMPLOYED ON PUBLIC CONTRACTS

Brief explanation of the reason for the Rule / Regulation:

This regulation describes the procedure the Commissioner of Labor will follow in certifying whether specific taxes and interest have been paid.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation does not impose any restrictions except upon NDOL.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 14

Rule and Regulation Title & Description:

PENALTY WAIVER CONDITIONS

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-656 provides for a penalty for employers who fail to timely file combined tax reports, but states that "the commissioner may waive the penalty in accordance with rules and regulations adopted and promulgated by the commissioner." The regulation is necessary to carry out the Employment Security Law by creating transparent and uniform policies for waiver or enforcement of the penalties. This regulation is required by Neb. Rev. stat. § 48-656(3).

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. §48-607 and §48-657

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation does not impose any restrictions except upon NDOL.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. §48-607 and §48-656

Name of Agency Review Designee:

JOEL F. GREEN

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

220 NAC Chapter 16

Rule and Regulation Title & Description:

LIMITED LIABILITY COMPANIES AND LIMITED LIABILITY PARTNERSHIPS

Brief explanation of the reason for the Rule / Regulation:

This regulation is intended to distinguish between wages paid and distributions of profits made to a member of an LLC or partner of an LLP.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation does not impose restrictions; it specifies types of income that are exempt from taxation under the Employment Security Law.

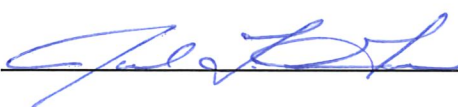
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

221 NAC Chapter 1

Rule and Regulation Title & Description:

RECORD KEEPING REQUIREMENTS

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-612 provides that each employer shall keep true and accurate work records containing such information that the Commissioner may prescribe, and that the commissioner may require from any such employer any sworn or un-sworn reports necessary for the effective administration of such law. The regulation, which clarifies what information employers must record, is necessary to carry out the Employment Security Law.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

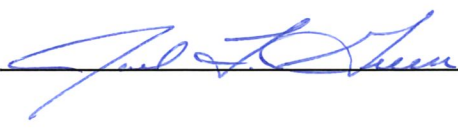
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

221 NAC Chapter 2

Rule and Regulation Title & Description:

WAGE REPORTING SYSTEM

Brief explanation of the reason for the Rule / Regulation:

Quarterly wage reports are federally required part of the UI system under 42 U.S.C.A. § 1320b-7.

Neb. Rev. Stat. § 48-648.01 provides, in part, that "[t]he Commissioner of Labor may require by rule and regulation that each employer subject to the

Employment Security Law shall submit to the commissioner quarterly wage reports on such forms and in such manner as the commissioner may

prescribe." The regulation, which clarifies what information employers must report, is necessary to carry out the Employment Security Law.

Quarterly wage reports are federally required part of the UI system under 42 U.S.C. § 1320b-7.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

42 U.S.C.A. § 1320b-7.

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is required for conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

42 U.S.C. § 1320b-7.

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

221 NAC Chapter 3

Rule and Regulation Title & Description:

NOTICE TO EMPLOYER OF CLAIM FILED AND REQUEST FOR WAGE AND SEPARATION INFORMATION

Brief explanation of the reason for the Rule / Regulation:

To advise of the Department's obligation to provide notice of claim filed and guidance on the requirements of the employer to provide wage and separation information. Neb. Rev. Stat. § 48-607 contemplates that the commissioner will set this process by rule and regulation.

Neb. Rev. Stat. §§ 48-629 through 48-632 outline the procedures NDOL must follow in determining the validity of a claim, a process which requires information to be provided by the claimants previous and current (if any) employers. The regulation, which clarifies which employers are to be provided

with notice of a new claim filed, sets forth procedures for providing notice and requesting information, and sets forth other necessary procedures, is necessary to carry out the Employment Security Law.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-632

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

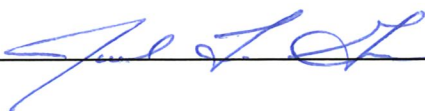
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607; Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

221 NAC Chapter 5

Rule and Regulation Title & Description:

NOTICES TO EMPLOYER OF BENEFIT CHARGE

Brief explanation of the reason for the Rule / Regulation:

This regulation establishes that the Nebraska Department of Labor will provide quarterly reports of benefits charged against employers' experience accounts, and specifies information to be included in those reports.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-651

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation does not impose any restrictions.

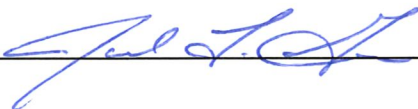
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607 and § 48-651

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

221 NAC Chapter 6

Rule and Regulation Title & Description:

EMPLOYER ELECTIONS TO COVER MULTI-STATE WORKERS

Brief explanation of the reason for the Rule / Regulation:

This regulation establishes policies and procedures for employers with workers who perform services in multiple states.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

20 C.F.R. § 604.6 requires that "[a] State's UC [unemployment compensation] law must conform with, and the administration of its law must substantially comply with, the requirements of this regulation[.]" 20 C.F.R. § 616.3 provides, in part, that "[e]ach State agency will cooperate with every other State agency by implementing such rules, regulations, and procedures as may be prescribed for the operation of this arrangement."

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is necessary for conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

20 C.F.R. § 604.6; 20 C.F.R. § 616.3

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

221 NAC Chapter 7

Rule and Regulation Title & Description:

REPORTING OF LABOR DISPUTES

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-628.09 provides that an individual shall be disqualified for benefits for any week, due to a stoppage of work existing

because of a labor dispute. This regulation enables NDOL to obtain information from employers necessary to determining whether this

provision of law applies.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Nebraska Appeal Tribunal

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

223 NAC Chapter 1

Rule and Regulation Title & Description:

RULES FOR ADMINISTRATIVE TAX HEARINGS

Brief explanation of the reason for the Rule / Regulation:

This regulation provides rules for administrative hearings in any appeal arising under Neb. Rev. Stat. §§ 48-648 to 48-661.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

42 U.S.C. § 503

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is necessary for conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

42 U.S.C. § 503

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

223 NAC Chapter 2

Rule and Regulation Title & Description:

REGULATIONS AND PROCEDURES GOVERNING DECLARATORY ORDERS

Brief explanation of the reason for the Rule / Regulation:

This regulation provides rules for declaratory orders.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 84-912.01

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation adopts the Attorney General's model rules.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 84-912.01

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

223 NAC Chapter 3

Rule and Regulation Title & Description:

DEPARTMENT OF LABOR

Brief explanation of the reason for the Rule / Regulation:

This regulation provides rules for NDOL in responding to petitions from the public for administrative rulemaking.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 84-907.08

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation adopts the Attorney General's model rules.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 84-907.08

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

223 NAC Chapter 4

Rule and Regulation Title & Description:

PROCEDURES FOR NEGOTIATED RULEMAKING

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 84-919.01 et. seq. (the Negotiated Rulemaking Act) provides for negotiated rulemaking at Neb. Rev. Stat. § 84.922 states that it is the intent of the Legislature that state agencies use the negotiated rulemaking process prior to the commencement of the formal rulemaking process of the Administrative Procedure Act. This regulation sets forth standardized procedures for negotiated rulemaking. This regulation is necessary to achieve the legislatures intent in enacting the Negotiated Rulemaking Act.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 84-919.01

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation adopts the Attorney General's model rules.

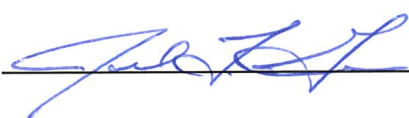
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 84-919.01

Name of Agency Review Designee: JOEL F. GREEN

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

223 NAC Chapter 5

Rule and Regulation Title & Description:

RULES OF PRACTICE AND PROCEDURE FOR HEARINGS ON CONTESTED CASES

Brief explanation of the reason for the Rule / Regulation:

NDOL has three sets of regulations related to administrative appeals and hearings procedure; the procedures vary depending upon the type of case being appealed. 223 NAC 1 sets forth procedures relating to hearings on combined tax rates; 224 NAC 1 sets forth procedures relating to unemployment benefit hearings, and this regulation sets forth procedures for all other hearings. It is essential to the welfare of Nebraskans to have clearly delineated policies and procedures in place to allow for fair, impartial appeals to the decisions of government agencies.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. 84-909.01

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation adopts the Attorney General's model rules.

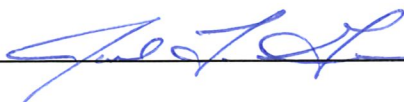
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. 84-909.01

Name of Agency Review Designee: Joel F Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Nebraska Appeal Tribunal

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

224 NAC Chapter 1

Rule and Regulation Title & Description:

APPEALS PROCEDURE

Brief explanation of the reason for the Rule / Regulation:

224 NAC 1 sets forth procedures relating to unemployment benefit hearings.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. §§ 48-607, 48-634, and 48-635

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

42 U.S.C. § 503

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☒ Yes ☐ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is required for conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. §§ 48-607, 48-634, and 48-635

42 U.S.C. 503

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Unemployment Insurance

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

225 NAC Chapter 1

Rule and Regulation Title & Description:

APPROVAL OF TRAINING PROGRAMS

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth the standards and procedures to be used by the Department in approving training programs under which a claimant may receive unemployment benefits while attending vocational training.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to control the costs of the program through clear procedures and eligibility requirements.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-607

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:

[Signature]

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Office of Employment and Training

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

226 NAC 1

Rule and Regulation Title & Description:

DISCONTINUATION OF SERVICES TO EMPLOYERS

Brief explanation of the reason for the Rule / Regulation:

20 CFR 658.501(a) provides that state workforce agencies must initiate procedures for discontinuation of services to employers under certain circumstances. This regulation, which adopts the process to do so as outlined by the CFR, is necessary to carry out the Employment Security Law.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48.607

Federal Statute/Mandate — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

20 CFR Part 658 Subparts E and F, including specifically 20 CFR §§ 658.411, 658.417, and 658.501(a)

Would changes require federal review/approval?

☒ Yes ☐ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation is required for conformity.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☒ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48.607

20 CFR Part 658 Subparts E and F, including specifically 20 CFR §§ 658.411, 658.417, and 658.501(a)

Name of Agency Review Designee: Joel F Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 4

Rule and Regulation Title & Description:

LICENSING REQUIREMENTS

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth the definitions used by the Department in administering and enforcing the Farm Labor Contractors Act (Neb. Rev. Stat.

§§ 48-1701 through 48-1714).

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1706 and 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation defines terms used in Nebraska statutes. It does not impose any restrictions.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1706 and 48-1708

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 5

Rule and Regulation Title & Description:

CHARACTER, COMPETENCE AND RELIABILITY

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-1704 lists categories of individuals and organizations that may be issued licenses. Neb. Rev. Stat. § 48-1710 provides that NDOL "shall conduct an investigation of each applicant's character, competence, and reliability and other matters relating to the applicant's operations as a farm labor contractor." This regulation clarifies the factors NDOL will consider in performing its statutory duty to investigate those matters. This regulation is necessary for the administration and enforcement of the Farm Labor Contractors Act.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation does not impose any restrictions beyond those contained in the statute.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1708

Name of Agency Review Designee: _____

Joel F. Green

Signature of Agency Review Designee: _____

Joel F. Green

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 7

Rule and Regulation Title & Description:

PROCEDURE FOR OBTAINING A DUPLICATE LICENSE

Brief explanation of the reason for the Rule / Regulation:

The regulation explains how a licensed Farm Labor Contractor obtains a duplicate license.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

The regulation does not impose any restrictions.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1708

Name of Agency Review Designee:

JOEL F. GREEN

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 10

Rule and Regulation Title & Description:

AMOUNT OF BOND OR DEPOSIT TO BE FILED

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth the amount of the bond and procedures for returning it when it is no longer needed.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to oversee the program through clear procedures.

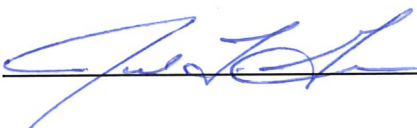
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1708

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 12

Rule and Regulation Title & Description:

LICENSE PROTESTS

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. § 48-1710 provides, in part, that "Any person may protest the issuance of a license to any applicant at any time by filing with the department a written statement detailing such persons reasons for protesting." This regulation sets forth the manner in which protests are filed and explains which hearing rules are applicable to hearings that arise from the protests.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to oversee the program through clear procedures.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1708

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:

[Signature]

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 14

Rule and Regulation Title & Description:

RECORDS

Brief explanation of the reason for the Rule / Regulation:

This regulation requires farm labor contractors to keep certain records for three years for purposes of ensuring compliance with the requirements of the

Farm Labor Contractors Act and the Nebraska Administrative Code.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to oversee the program through clear procedures.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1708

Name of Agency Review Designee: Terrell F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 15

Rule and Regulation Title & Description:

RECORDS AVAILABILITY

Brief explanation of the reason for the Rule / Regulation:

This regulation requires the contractors to provide the records specified in 227 NAC 14 to NDOL if requested, and also authorizes NDOL to subpoena other records as necessary to ensure compliance with the Act.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to oversee the program through clear procedures.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1708

Name of Agency Review Designee: JOEL F. GREEN

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 17

Rule and Regulation Title & Description:

ENFORCEMENT ACTION AGAINST THE BOND OR DEPOSIT

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth the procedures to be used by workers seeking to recover wages from a bond or deposit.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to oversee the program through clear procedures.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1708

Name of Agency Review Designee:

Jon F. Green

Signature of Agency Review Designee:

[Signature]

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 19

Rule and Regulation Title & Description:

DENYING, SUSPENDING, REVOKING OR REFUSING TO RENEW LICENSE

Brief explanation of the reason for the Rule / Regulation:

This regulation sets forth certain circumstances in which, because of bad conduct by licensees, NDOL will seek to deny, suspend, revoke, or refuse to renew licenses.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1708

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to oversee the program through clear procedures.

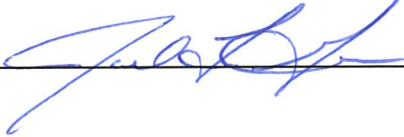
5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1708

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

227 NAC Chapter 20

Rule and Regulation Title & Description:

CERTIFICATE OF EXEMPTION

Brief explanation of the reason for the Rule / Regulation:

This regulation was promulgated to effectuate a statutory provision that has been removed from the statute.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-1703(7)

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☐ Yes ☒ No

2. Do the costs of the rule or regulation outweigh the benefits?

☒ Yes ☐ No

If yes, provide explanation:

This regulation was promulgated due to a state statutory requirement, but the statute has since been amended to remove the provisions this regulation was designed to effectuate.

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☒ Yes ☐ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-1703

Name of Agency Review Designee:

JOEL F. GREEN

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

230 NAC Chapter 2

Rule and Regulation Title & Description:

WAGES; SUBJECT TO GARNISHMENT

Brief explanation of the reason for the Rule / Regulation:

The regulation defines the maximum amount of disposable earnings that may be subject to garnishments for pay periods other than weekly.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 25-1558(7) - requires the Commissioner of Labor to set amounts of garnishments of earnings for pay periods other than a week.

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation only imposes restrictions on NDOL.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 25-1558(7) - requires the Commissioner of Labor to set amounts of garnishments of earnings for pay periods other than a week.

Name of Agency Review Designee: Joel F. Green

Signature of Agency Review Designee: 

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

230 NAC Chapter 3

Rule and Regulation Title & Description:

REGULATIONS FOR THE PROFESSIONAL EMPLOYER ORGANIZATION REGISTRATION ACT

Brief explanation of the reason for the Rule / Regulation:

The regulation adds definitions and changes the fee for a Professional Employer Organization and permits the acceptance of electronic filings.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-2704(10) & 48-2711(4) - requires the Department of Labor to create regulations regarding
electronic filings and allows the Department of Labor to adopt regulations necessary to enforce portions of the
Professional Employer Organization Act.

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to oversee the program through clear procedures.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-2704(10) & 48-2711(4) - requires the Department of Labor to create regulations regarding

electronic filings and allows the Department of Labor to adopt regulations necessary to enforce portions of the

Professional Employer Organization Act.

Name of Agency Review Designee:

JOEL F. GREEN

Signature of Agency Review Designee:

[Signature]

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

230 NAC Chapter 6

Rule and Regulation Title & Description:

WORKPLACE SAFETY CONSULTATION PROGRAM

Brief explanation of the reason for the Rule / Regulation:

Neb. Rev. Stat. 48-445 has been repealed by the Legislature and such repeal is effective as of 7/18/2026. The Department is working on amending the regulation to comply with Neb. Rev. Stat. 48-443, which requires the Department to draft a regulation for the selection of safety committee members for public employers not subject to a collective bargaining agreement.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-445 is now repealed as of 7/18/26.

Neb. Rev. Stat. § 48-443

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☐ Yes ☒ No

2. Do the costs of the rule or regulation outweigh the benefits?

☒ Yes ☐ No

If yes, provide explanation:

Neb. Rev. Stat. § 48-445 is now repealed as of 7/18/26; however, Neb. Rev. Stat. § 48-443 remains in effect. As a result, this regulation is under review and will be amended to reflect statutory intent.

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☒ Yes ☐ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

See above, but due to statutory changes (Laws 2026, LB397), the regulation will need to be significantly amended.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-445 is now repealed.

Neb. Rev. Stat § 48-443.

Name of Agency Review Designee:

Joe F. Green

Signature of Agency Review Designee:

[Signature]

Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

230 NAC Chapter 7

Rule and Regulation Title & Description:

NON-ENGLISH SPEAKING EMPLOYEES

Brief explanation of the reason for the Rule / Regulation:

The regulation defines the terms "actively recruit" and "affirmative act", as well as defines the purpose of the act.

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-2214 - requires the commissioner to adopt and promulgate rules and regulations necessary to carry out the Non-English-Speaking Workers Protection Act.

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

Any less restrictive alternative would limit NDOL's ability to oversee the program through clear procedures.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-2214

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:



Regulation Review Form

(Pursuant to Neb. Rev. Stat. § 84-904)

Agency Name:

Department of Labor

Responsible Division or Board (if applicable):

Labor Standards

Citation of Rule / Regulation (i.e., 22 NAC Chapter 3):

230 NAC Chapter 8

Rule and Regulation Title & Description:

CHILD LABOR

Brief explanation of the reason for the Rule / Regulation:

Identifies schedule of fees for special permits issued for youth employment

Statutory Authority

Nebraska Statute — Requires/Authorizes Regulation?

☒ Yes ☐ No

If yes, provide citation(s):

Neb. Rev. Stat. § 48-310 – Requires the Commissioner of Labor to establish a fee for each permit issued.

Neb. Rev. Stat. §48-310.01 - Authorizes the commissioner of Labor to establish a fee for each performing arts permit issued.

Federal Statute/Mandate — Requires/Authorizes Regulation?

☐ Yes ☒ No

If yes, provide citation(s):

Would changes require federal review/approval?

☐ Yes ☒ No

Review Questions (Statutory Criteria)

1. Is the rule or regulation essential to the health, safety, or welfare of the public?

☒ Yes ☐ No

2. Do the costs of the rule or regulation outweigh the benefits?

☐ Yes ☒ No

If yes, provide explanation:

3. Does the agency have a process in place to measure the effectiveness of the rule or regulation?

☐ Yes ☒ No

4. Has a less restrictive alternative been considered?

☐ Yes ☒ No

If NO, provide explanation as to why a less restrictive alternative was not considered:

This regulation imposes no restrictions.

5. Was the rule or regulation promulgated as a result of:

☒ State Statutory Requirements ☐ Federal Statute/Mandate ☐ Court Decision

Provide citation(s):

Neb. Rev. Stat. § 48-310

Name of Agency Review Designee:

Joel F. Green

Signature of Agency Review Designee:

[Signature]