

**ONE HUNDRED NINTH LEGISLATURE - SECOND SESSION - 2026**  
**COMMITTEE STATEMENT**  
**LB1089**

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**Hearing Date:** Monday February 09, 2026  
**Committee On:** Business and Labor  
**Introducer:** Hughes  
**One Liner:** Change enforcement provisions of the Nebraska Healthy Families and Workplaces Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 7 Senators Kauth, Hansen, Ibach, McKinney, Meyer, F., Raybould, Sorrentino  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Testimony:**

**Proponents:**

Senator Jana Hughes  
Jo Giles  
Mike Gage

**Representing:**

Opening Presenter  
Women's Fund of Omaha  
Nebraska State AFL-CIO

**Opponents:**

Ryan McIntosh

**Representing:**

National Federation of Independent Business,  
Nebraska Bankers Association, Nebraska Grocery  
Industry Association, Nebraska Chamber of  
Commerce and Industry, Lincoln Chamber of  
Commerce

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 1089 was introduced by Senators Hughes. It would amend Neb. Rev. Stat. § 48-3808 of the Nebraska Healthy Families and Workplaces Act ("Act").

LB 1089 restores the private right of action that was removed from the Act last session by the parts of LB 698 that were amended into LB 415. The new language is identical aside from the statute of limitations being changed from four years to one year after the accrual of the violation. Most importantly, employees are allowed to collect the costs of the action, including reasonable attorney's fees.



Section-by-Section Summary:

Section 1: Neb. Rev. Stat. § 48-3808 is amended to allow employees to sue their employers for violation of Nebraska Healthy Families and Workplaces Act in a proper court. Employees are able to recover the money owed to them and all costs of the lawsuit, to include attorney's fees. Any citations issued by the Department are admissible in court, unless they are being contested at the Department, and can only be admitted after that contest is resolved. A one-year statute of limitations is added.

Section 2: Repeals the original section being amended.

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**Explanation of amendments:**

AM 2610 amends portions of LB 1249 into LB 1089. AM 2610 removes three new categories of individuals from the definition of employee for the purposes of the Nebraska Healthy Families and Workplaces Act, making the Act not applicable to them:

- i) Individuals with a 10 percent or more ownership interest in a company;
- ii) Nonresidents of the Nebraska who work for a nonresident employer that work in Nebraska for less than 90 days a year
- iii) Private, denominational, or parochial elementary and secondary schools as well as any private postsecondary school

Additionally, AM 2610 allows employers to put caps on how much paid sick leave can be carried over year to year and how much paid sick leave an employee can use each year. A small business would not be required to allow an employee carryover more than forty hours of paid sick leave, or one year's worth of paid sick leave. Small businesses would also not be required to let an employee use more than forty hours of paid sick leave. Larger employers would not be required to allow an employee carryover more than fifty-six hours of paid sick leave, or one year's worth of paid sick leave. Larger employers would also not be required to let an employee use more than fifty-six hours of paid sick leave. In both situations, employers can choose to allow employees to accrue or use more sick leave but now they would be able to set limits.

Testifiers on LB1249:

Proponents:

Senator Tony Sorrentino , Opening Presenter

Ansley Fellers, Nebraska Grocery Industry Association

Ryan McIntosh, National Federation of independent Business, Nebraska Bankers Association

Tom Venzor, Nebraska Catholic Conference

Anne Ziola, Doane University and Council of Independent Nebraska Colleges

Hunter Traynor, Nebraska Chamber of Commerce & Industry, Greater Omaha Chamber, Lincoln Chamber of Commerce

Dexter Schrodt, Nebraska Independent Community Bankers Association

Jack Peetz, Nebraska Trucking Association

Opponents:

Ken Smith, Nebraska Appleseed

Neutral: None



Committee vote to attach LB1249:

Yes: 7 Kauth, Hansen, Ibach, McKinney, Meyer, F., Raybould, Sorrentino;

No: 0;

Absent: 0;

Present Not Voting: 0;

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Kathleen Kauth, Chairperson

