

Fix Nebraska's Unemployment Insurance Gap with LB618!

ACLU of Nebraska

Asian Community
and Cultural Center

Centro Hispano
(Columbus)

Children of
Smithfield

Empowering Families
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Greater Omaha
Chamber

Heartland Workers
Center

Immigrant Legal
Center & Refugee
Empowerment Center

Lincoln Chamber of
Commerce

Nebraska AFL-CIO

Nebraska Appleseed

Nebraska Catholic
Conference

Nebraska Farmers
Union

Nebraska State
Chamber

Omaha Together One
Community

Schlegel Center for
Service and Justice
at Creighton
University

Solidarity With
Packing Plant
Workers

UFCW Local 293

United Support &
Memorial for
Workplace Fatalities

Unity in Action
(South Sioux City)



"So they told us that [our workplace] was going to be closed for a few weeks, maybe a few months... and then, like six weeks later, I got a letter saying...I cannot apply for unemployment."

A quirk in Nebraska law prevents some work-authorized immigrant Nebraskans from accessing the unemployment insurance they earned and their employer paid for, in the event they lose their job through no fault of their own. This quirk makes Nebraska's unemployment insurance program among the most restrictive in the United States.

LB 618 ensures that any person who is legally authorized to work in the United States and satisfies all other unemployment requirements can access their earned unemployment insurance. For example, the bill would ensure work-authorized DACA, TPS, and asylum applicant residents can access their earned unemployment insurance if they lose their job through no fault of their own and meet all other eligibility criteria.

In General Who Can Access Unemployment?

To qualify for unemployment insurance, all Nebraskans must show they lost their job through no fault of their own. This means a person cannot simply quit their job because they want unemployment. Additionally, they must be able and ready to work, actively searching for work, and meet the minimum previous earnings requirements (for amount and duration of previous work and earnings).

Why is Unemployment Earned Support?

Nebraskans can only access unemployment if they earn "insured wages." These wages are subject to a tax paid by the employer into the state's Unemployment Insurance Trust Fund. DACA, TPS, and other work-authorized residents earn wages that are taxed and contribute to the trust fund. Since current law already requires taxation of these wages, LB618 will not increase the tax burden on businesses.

Why Can't Some Work-Authorized Immigrant Nebraskans Access Unemployment?

Most states follow the longstanding federal guidance that eligibility for earned unemployment insurance hinges on whether a person is authorized to work in the United States. Nebraska state law unnecessarily uses the narrower term "qualified alien." "Qualified alien" is a federal term that excludes many work-authorized Nebraskans – whose wages contribute to the state's unemployment insurance trust fund – from accessing their earned insurance. LB618 aligns Nebraska with the practice followed throughout the country, by changing the eligibility requirement to work authorization.