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Nebraska
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Children of
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Nebraska Association
of Trial Attorneys

Nebraska Farmers
Union

Omaha Together One
Community

Schlegel Center for
Service and Justice
at Creighton
University

Solidarity with
Packing Plant
Workers

UFCW Local 293

United Support &
Memorial Workplace
Fatalities

Unity in Action
(South Sioux City)

LB272: Reasonable Waiting Periods for Workers' Compensation



POSITIVE IMPACT

The purpose of workers' compensation is to support Nebraskans injured on the job to be able to recover and get back to work, which ensures a healthy workforce and economy.

But Nebraska has some of the longest waiting periods in the nation before people injured on the job can access workers' compensation support. Many are deterred by the long wait periods and pressured to prematurely return to work because they need to pay the bills and put food on the table – risking further or permanent injury and shifting costs to families, communities, and taxpayers.

This bill would ensure injured Nebraskans can reasonably access workers' comp support for recovery. The bill is particularly important for immigrant Nebraskans who are disproportionately impacted by on-the-job injuries and unsafe working conditions.

CURRENT LAW

There are two waiting periods for workers' compensation wage support. Nebraskans must wait 7 days before receiving wage support after a workplace injury, putting people in difficult financial situations as they're trying to heal. That week of missed pay is "retroactively" reimbursed only if the injury lasts longer than 6 weeks.

THE SOLUTION

This bill follows the practice used in most states – including Iowa, Missouri, Colorado, and Wyoming – by reducing the initial waiting period from 7 days to 3 days and the retroactive waiting period from 6 weeks to 2 weeks.

HOW WE COMPARE

Many states - including Nebraska's neighbors - provide **initial** benefits for injured workers after 3 days (versus Nebraska's 7-day wait).

For **retroactive** benefits, the national average is 15 days. Where most states have a 14-day waiting period, some have no retroactive waiting period at all. Nebraska has the longest retroactive waiting period of any other state at 42 days.

WAITING PERIODS

