



Nebraska Pay Equity

Statute

- Sex Discrimination, Neb. Rev. Stat. Ann. § 48-1221 et seq.
- Nebraska Fair Employment Practice Act, Neb. Rev. St. § 48-1101 et seq. (specifically § 48-1104)

Classes protected

- Sex, race, color, religion, disability, marital status, national origin

Key language on pay discrimination

- “No employer shall discriminate between employees in the same establishment on the basis of sex, by paying wages to any employee in such establishment at a wage rate less than the rate at which the employer pays any employee of the opposite sex in such establishment for equal work on jobs which require equal skill, effort and responsibility under similar working conditions.”
- Unlawful employment practice to discriminate against any individual with respect to compensation because of the individual’s race, color, religion, sex, disability, marital status, or national origin

Exceptions for pay disparities (including affirmative defenses)

- Established seniority system
- Merit increase system
- System which measures earnings by quantity or quality of production or any factor other than sex

Anti-retaliation

- May not discharge or discriminate against an employee for exercising her rights under this law.

Other key provisions

- Applies to private employers with 2 or more employees for each working date in each of 20 or more calendar weeks in the current or preceding calendar year and applies to all public employers
- Cannot reduce wage rates of any employee to comply with this law

Pay Equity Team

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