

Employee FAQs

NOTE: As the COVID-19 public health situation changes and evolves, new laws and regulations are being continually issued. This information may not include the most recent information. For up-to-date issuances, check out The Nebraska Department of Labor's website at <https://www.dol.nebraska.gov/> and the U.S. Department of Labor's website at <https://www.dol.gov/>. The information provided is for informational purposes only, and not to be relied upon by you for your unique circumstances. You should always consult with an attorney regarding the laws and your rights.

1. My employer closed my workplace temporarily because of the coronavirus and is forcing employees to take unpaid leave. What can I do?

You may file a claim for Unemployment Insurance benefits with the Nebraska Department of Labor (NDOL). To get benefits you only need to meet certain minimum requirements, including having sufficient past earnings and an immigration status that allows you to work.

For more information about Unemployment Insurance benefits, including eligibility requirements and how to file a claim, please visit <https://www.dol.nebraska.gov/UIBenefits> or call 402-458-2500 (English).

2. Because of coronavirus, my employer made assumptions about me or treated me differently than coworkers because I am Asian or from another country. What can I do?

An employer who treats you worse than other workers because of your race, national origin, or ethnic background is violating the law. This includes employer actions that single you out because of negative stereotypes. [See Information about Discrimination.](#)

3. Can my employer ask me if I have a health condition (like a compromised immune system) that would be affected by coronavirus?

No. Your answer to that question is likely to disclose a disability. Therefore, the employer's question may be against the law.

4. If I have coronavirus, what can my employer tell others about my condition?

Your employer is required to keep all medical information about you private and confidential, unless otherwise required by the law.

5. I have coronavirus and am not currently able to work because of my illness. What can I do to receive income while I'm not working?

If you have sick leave, you are entitled to use sick leave if you are missing work because of illness. Your employer should provide you with pay for the accrued sick days you have.

If your job does not provide sick leave, you may file a claim for Unemployment Insurance benefits with the Nebraska Department of Labor (NDOL). To get benefits you only need to meet certain minimum requirements, including having sufficient past earnings and an immigration status that allows you to work.

For more information about Unemployment Insurance benefits, including eligibility requirements and how to file a claim, please visit <https://www.dol.nebraska.gov/UIBenefits> or call 402-458-2500 (English).

At this time there is no Nebraska law that requires private sector employers to provide employees sick leave, paid or unpaid, although many employers do grant it as a popular employee benefit.

The Families First Coronavirus Response Act, a federal law, was recently enacted. The law requires certain employers to provide sick leave and other paid time off under certain circumstances. The law will go into effect on April 2, 2020. [Find a summary of the law related to employees in the Families First document.](#)

6. Can I lose my job if I miss work because I'm sick with coronavirus or need to care for a family member who is sick?

Your employer cannot retaliate against you for using paid sick days.

In addition, you may be entitled to job-protected time off from work for up to 12 weeks under the Family Medical Leave Act (FMLA). You likely qualify for this leave if all of the following statements apply to you:

- You work for an employer with at least 50 employees within 75 miles of your worksite;
- You have worked there for at least a year, and
- You worked at least 1250 hours in the year before you take time off

The Families First Coronavirus Response Act, a federal law, was recently enacted that makes amendments to FMLA, including providing paid time off for up to 12 weeks under certain circumstances related to COVID-19. The law will go into effect on April 2, 2020. [Find a summary of the law related to employees in the Families First document.](#)