

Client Update
February 25, 2022



LB 906 LIMITING EMPLOYER VACCINE MANDATES PASSES NEBRASKA LEGISLATURE

On February 25, the Unicameral passed LB 906 on a 37-5 vote. The Bill takes effect immediately. The new law provides that if a Nebraska employer requires a Covid-19 vaccine for employees and/or applicants, it must allow for exemptions based either on a health care practitioner's recommendation or the individual's sincerely-held religious belief, practice, or observance.

The Bill applies to entities with one or more employees, including state agencies and other political subdivisions. The Bill does not apply to the federal government, any corporation wholly owned by the federal government, Indian tribes, and bona fide private membership clubs, other than labor organizations, that are exempt from federal taxation. The Bill requires the Nebraska Department of Health and Human Services to create and publish a form on its website to be filled out by employees seeking a medical or religious exemption.

Under LB906, an employer may require exempt unvaccinated employees to wear personal protective equipment, i.e., masks and/or submit to COVID-19 testing. Unlike the withdrawn OSHA vaccine mandate, however, the testing is done at the employer's expense. Medicare-certified and Medicaid-certified providers or suppliers and federal contractors may require additional processes, documentation, or accommodations as necessary to comply with federal law and Centers for Medicare and Medicaid Services regulations.

Contact Us

Reach out to Fraser Stryker's Labor and Employment Law attorneys for more information:

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