NEBRASKA ADMINISTRATIVE CODE

LAST ISSUE DATE: **August 29, 2001**

TITLE 138 **NEBRASKA FAIR EMPLOYMENT PRACTICE ACT**

Chapter 1 **Definitions.**

1.001. As used herein, the term "Act" shall mean the Nebraska Fair Employment Practice Act, Sections 48-1101 to 48-1126 as amended.

1.002. As used herein, the terms and phrases, "Disability," "Commission," "Employee," "Privileges," "Employer," "Employment Agency," "Labor Organization," "Person," "Marital Status," "because of sex or on the basis of sex," "harass because of sex," "unlawful under federal law or the laws of this state," "covered entity," "qualified individual with a disability," "reasonable accommodation," "drug," and "illegal use of drugs" and "individual who is pregnant, who has given birth, or who has a related medical condition" shall have the same meaning as set forth in Section 48-1102 of the Act, as amended.

1.003. As used herein, the term "Unlawful Employment Practice or Practices" shall mean the acts, conduct and matters defined as constituting an unlawful employment practice or practices by Sections 48-1104 through 48-1107 of the Act, as amended.

1.004. The term "Chair" shall mean the Chairperson of the Nebraska Equal Opportunity Commission and the term "Commissioner" shall mean any member, including the Vice Chair and the Chair of the Nebraska Equal Opportunity Commission. In the absence of the Chair, the Vice Chair shall have all of the duties, powers and authority conferred upon the Chair by the Act and by these Rules and Regulations. In the absence of the Chair and the Vice Chair, a majority of the Commission shall designate a member of the Commission to serve as the Chair.

1.005. The term "Hearing Officer" shall mean a Commissioner or an attorney duly licensed to practice law in the State of Nebraska and shall be appointed by the Commission, as hereinafter provided, to conduct a public hearing upon a complaint of an unlawful employment practice or practices.