



CHILD LABOR LAWS

Texas Workforce Commission
Wage and Hour Department, Child Labor Enforcement
U.S. Department of Labor
Wage and Hour Division

For further information about Texas' child labor laws, call 800-432-6242 (TDD) 800-735-2989.

This poster provides some guidelines to the Texas child labor laws, but it is not complete. Chapter 15, Texas Labor Code, governs the employment of children under Texas state law. Workday AGE FOR EMPLOYMENT (S. 14) however, state and federal laws provide for certain exceptions. Please call TWC's Wage and Hour Department concerning questions about labor law. The Fair Labor Standards Act (FLSA) governs federal laws and guidelines pertaining to child labor. For information concerning federal child labor laws, contact your local office of the U.S. Department of Labor, Wage and Hour Division or call 866-487-4323.

The following are prohibited occupations for 14- through 17-year-old children:

- Prohibited occupations are the same for both federal and state law. The hazardous occupations described by an asterisk (*) have provisions for employment of persons below the age of eighteen (18), provided applicable application or child labor waiver certification has been obtained. Persons desiring specific information about these exceptions should contact the nearest office of the United States Department of Labor.
- Occupations deemed particularly hazardous or detrimental to the health or well-being of all children 14 through 17 years of age include occupations:
 - in or about plants or establishments other than retail establishments which manufacture or store explosives or articles containing explosives, components other than retail establishments,
 - involving the driving of motor vehicles, other than bicycles,
 - on any public road or highway,
 - in or about any place where logging or proslog operations are in progress, or
 - in mines.
- Under certain conditions, driving a motor vehicle which is a commercial purpose is NOT considered a hazardous occupation under state or federal law.
- connected with coal mining,
- in logging and general occupations and occupations involving firefighting and timber tracts,
- "in operating or assisting to operate power-driven woodworking machines,
- involving operations to radioactive substances and to brining radiations,
- "in operating or assisting to operate power-driven hoisting apparatus such as elevators, cranes, derricks, hoists, high-9R trucks,
- "in operating or assisting to operate power-driven metal forming, punching, and shearing machines,
- in connection with mining, other than coal,
- "in operating or assisting to operate power-driven metal processing machines, and occupations including slaughtering, meat packing, processing, or canning,
- "in operating or assisting to operate power-driven bakery machines,
- "involving in the operation of power-driven paper products machines, rollers and compactors,
- in manufacturing brick, tile, and related products,
- "in operating or assisting to operate power-driven saws, band saws and gable saws, always cutting and resawing saws, chain saws and wood-chippers,
- in smelting, smelting, and ship-lifting operations,
- "in roofing operations, as on or about a roof, and,
- "in connection with recreation operations.

Additional prohibited occupations that apply under state law:

- Occupations involved in sales and solicitation by a child under 18 years of age. Contact 512-145 Texas Labor Code for occupations and qualifications.
- Occupations in sexually oriented businesses by a child under 21 years of age.

Penalties:

State of Texas — An offense under Chapter 61, Texas Labor Code, is a Class B misdemeanor, except for the offense of employing a child under 14 to sell or solicit, which is a Class A misdemeanor. If the Commission determines that a person who employs a child has violated this Act, or a rule adopted under this Act, the Commission may assess an administrative penalty against that person in an amount not to exceed \$10,000 for each violation. The amount of the penalty may be assessed in addition to any civil penalty against an employer who repeatedly violates the requirements established by this Act relating to the employment of children.

Federal — The FLSA prescribes a maximum administrative penalty of \$1,000 per violation and/or criminal prosecution and fines.

101 E. 15th Street • Austin, Texas 78770-0001 • (512) 463-2222 Relay Texas: 800-735-2989 (TDD) 800-735-2988 (Voice) www.texasworkforce.com
Equal Opportunity Employer / Services

NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

COVERAGE:
[Name of employer] _____ has workers' compensation insurance coverage from [name of commercial insurance company] _____

in the event of work-related injury or occupational disease. This coverage is effective from _____

[effective date of workers' compensation insurance policy] _____

Any injuries or occupational diseases which occur on or after that date will be handled by [name of commercial insurance company] _____

An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Texas Department of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

SAFETY VIOLATIONS HOTLINE: The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employees are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.

TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION (01/17)

NOTICE TO EMPLOYEES CONCERNING ASSISTANCE AVAILABLE IN THE WORKERS' COMPENSATION SYSTEM FROM THE OFFICE OF INJURED EMPLOYEE COUNSEL

Have you been injured on the job? As an injured employee in Texas, you have the right to free assistance from the **Office of Injured Employee Counsel (OIEC)**. OIEC is the state agency that assists unrepresented injured employees with their claim in the workers' compensation system.

You can contact OIEC by calling its toll-free telephone number: **1-866-393-6432**

More information about OIEC and its Ombudsman Program is available at the agency's website (www.oiec.texas.gov).

OMBUDSMAN PROGRAM

What is an Ombudsman? An Ombudsman is an employee of OIEC who can assist you if you have a dispute with your employer's insurance carrier. An Ombudsman's assistance is free of charge. Each Ombudsman has completed a comprehensive training program designed specifically to assist you with your dispute.

An Ombudsman can help you identify and develop the disputed issues in your case and attempt to resolve them. If the issues cannot be resolved, the Ombudsman can help you request a dispute resolution proceeding at the Texas Department of Insurance, Division of Workers' Compensation.

Once a proceeding is scheduled an Ombudsman can:

- Help you prepare for the proceeding (Benefit Review Conference and/or Contested Case Hearing);
- Attend the proceeding with you and communicate on your behalf; and
- Assist you with an appeal or a request to an insurance carrier's appeal, if necessary.

Form 28 TRC (07/03/00) - September 2022

TEXAS

Texas Minimum Wage Law

This page gives information about employer and employee rights, duties, and remedies under the Texas Minimum Wage Act. The Texas Minimum Wage Act:

- Sets a minimum wage for non-exempt employees.
- Requires certain employers give their employees a written average statement that contains information about this law.
- Includes Texas Workforce Commission (TWC) as the agency who provides information about state minimum wage requirements.
- Contains provisions concerning agricultural piece rate workers.
- Exempts a variety of employers from its coverage.
- Provides that remedies for its violation.

Current Minimum Wage
Texas adopts the federal minimum wage rate. The federal minimum wage is \$7.25 per hour (Effective July 24, 2009).

Exemptions
The primary exemption from the Texas Minimum Wage Act is for any person covered by the federal Fair Labor Standards Act (FLSA). Other specific exemptions include:

- Employment of, or by religious, educational, charitable, or nonprofit organizations.
- Professions, occupations, or public officials.
- Domestic.
- Certain youths and students.
- Hotels.
- Family members.
- Amusement and recreational establishments.
- Non-agricultural employer not liable for state unemployment contributions.
- Dairying and production of livestock.
- Salaried employees.

Agricultural Piece Rates
The Commission of Agriculture decides the multi agricultural workers are paid for picking or harvesting plants and crops. The "piece rate" are based on how much an average worker can do in a certain amount of time. The goal is to make sure all least minimum wage by average workers while allowing workers who fastest rates to earn more.

Law
Texas Minimum Wage Act, Chapter 62 of the Texas Labor Code.

Contact Us
TWC's Wage and Hour Dept.
525-23-2623
512-475-2670

EQUAL EMPLOYMENT OPPORTUNITY IS...

The Law in Texas

The law prohibits employers, employment agencies and labor unions from denying equal employment opportunity on the basis of:

- hiring
- promotion
- discharge
- pay
- fringe benefits
- membership
- training
- other aspects of employment

because of race, color, national origin, religion, sex, age, or disability.
The law also includes Sexual Harassment, Gender Discrimination, Pregnancy Discrimination, Gender Identity, and Sexual Orientation.

If you believe you have been discriminated against, contact the Texas Workforce Commission, Civil Rights Division. It is called one way to file a job discrimination complaint with the Comisión Laboral de Texas, División de Derechos Civiles. Website: www.twc.texas.gov/jobdiscrimination submit employment-discrimination-complaint Email: CRD@twc.texas.gov
101 East 15th Street, 1447 Austin, TX 78778
(512) 492-2642 • Toll Free (within Texas) • 1-866-452-4778 • TTY (512) 321-7473

Equal Opportunity Employer / Program • Igualdad de Oportunidades de Empleo / Programa

ATTENTION EMPLOYEES

The Texas Payroll Law, Title 2, Chapter 61, Texas Labor Code, requires Texas employers to pay their employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938 at least once per month. All other employees must be paid at least as often as semi-monthly and each pay period must consist as nearly as possible of an equal number of days.

Scheduled paydays: You must indicate date or dates of the month for employees paid monthly or semi-monthly, and day of the week for employees paid weekly or at other times.)

MONTHLY _____

SEMI-MONTHLY _____

WEEKLY _____

OTHER _____

For more information write or contact the Texas Workforce Commission in Austin or contact your nearest TWC office. TWC offices are located in major cities throughout the state.

TEXAS WORKFORCE COMMISSION
Wage and Hour Department
101 East 15th Street, Room 814
Austin, Texas 78778-0001
800-832-9243
TDD 800-735-2989 (Hearing Impaired)

TO EMPLOYERS:
This law requires that this notice or this state equivalent be posted in conspicuous places at your business. (08/20)

Reporting Workplace Violence

Employees can report instances of workplace violence or suspicious activity by contacting the Department of Public Safety (DPS) through the Workforce Community Reporting System at www.wcrs.org or by calling 844-643-2251. Employees have the right to make a report to DPS anonymously.

Reportando La Violencia en el Trabajo

Los empleados pueden denunciar casos de violencia en el trabajo o actividades sospechosas comunicando con el Departamento de Seguridad Pública (DPS) a través del Sistema de Reporte Comunitario de Fuerzas de Trabajo en www.wcrs.org, o llamando al 844-643-2251. Los empleados tienen derecho a presentarlo una denuncia al DPS de forma anónima.

Notice to Employers / Employers

Your state law requires you to post this notice in conspicuous places at your business. If you have any questions concerning this mandatory posting, contact your local unemployment office.

Employers: Contact your local unemployment office for your rights concerning unemployment benefits as an employer.

This Posting is for Informational Purposes Only

UNEMPLOYMENT INSURANCE

Notice to Employers/Employees

Your state law requires you to post this notice in conspicuous places at your business. If you have any questions concerning this mandatory posting, contact your local unemployment office.

Employers: Contact your local unemployment office for your rights concerning unemployment benefits as an employer.

This Posting is for Informational Purposes Only

