

Texas Business Today

Joe Esparza
Commissioner Representing Employers

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Texas Employers,

The weather hasn't been the only thing heating up over the past month! The Texas labor market achieved five consecutive months of record high jobs with more than 37,000 added in April. I want to congratulate all the employers that are making incredible gains this year. Texas continues to attract new and expanding businesses across a wide range of industries and together with our 28 local workforce boards, TWC is taking a regional approach to support the occupations needed in your community.

To keep our momentum, we must intentionally tap into all of our talent pools when building our workforce. That includes veterans, people with disabilities, foster youth, and second chance citizens, who want to be positive contributors to our workforce.

We recently launched [Texas Employer Webinars: Best Practices for Recruitment and Retention](#). We talked with outstanding employers who exemplify what it means to run a people-first business that prioritizes and inspires a motivated workforce. Employers – and employees – share their personal journeys along with practical, functional information you can use to strengthen your hiring practices.

I encourage you to share these webinars with small business owners, HR staff, and hiring managers as they recruit talent for their growing business. Keeping an open mind can open doors to meaningful careers and economic prosperity for all.

Share the Webinars Today:

[Employer Guide to Hiring Veterans](#)



[Employer Guide to Hiring Individuals with Disabilities](#)



[Employer Guide to Hiring Former Foster Youth](#)



- Joe Esparza, Commissioner Representing Employers



A stylized, handwritten signature in black ink, consisting of a large 'J' and 'E' followed by a horizontal line.

Joe Esparza
Commissioner Representing Employers
Texas Workforce Commission

Texas Business Minute



[Click here to watch the video](#)

2025 Texas Conference for Employers



- **June 13:** Victoria - [Sign Up](#)
- **July 10-11:** Houston/Woodlands - [Sign Up](#)
- **August 8:** Abilene
- **August 22:** Round Rock
- **September 5:** Dallas

[More Info](#)

**Another Week of Available Work:
A Podcast with Commissioner Joe Esparza**



Norman Garza, Jr., Executive Director of the recently created Texas Space Commission, joins us to talk about the exciting space developments in Texas — and how your region can advocate for a piece of the pie! Learn more about business grants for space exploration, the integration of space, aeronautics, and aviation industries into the Texas economy, and how Texas is staking its claim in the cosmos.

[Click here to listen on Spotify](#)

In recognition of National Intern Day, I will be partnering with Dallas College and Workforce Solutions Greater Dallas to host an event for students and employers on July 31. The event provides networking opportunities and more information about the Texas Higher Education Coordinating Board's [TXWORKS program](#), which reimburses employers for a portion of their intern's hourly wages. The event is free to attend, and I encourage all employers and their interns in the greater Dallas area to participate. Register here: <https://bit.ly/txinternnetwork-dallas>.



These programs are critical pipelines to in-demand career pathways. When students complete an internship and gain hands-on work experience, they become immediately more competitive and valuable in the job market. I'm glad to welcome our office's summer interns and commend them on their initiative to apply for an internship. I hope you'll join me in creating internship opportunities this year. You can join the conversation in our LinkedIn group and post internships here:



From Playgrounds to Paychecks: Navigating Child Labor Laws

By: Jikku John

Legal Counsel to Commissioner Joe Esparza

As summer approaches, many young people eagerly seek summer jobs to earn money and gain experience. However, this desire for summer employment can create a tricky situation for employers, who must carefully navigate child labor laws.

Enacted for the purpose of protecting young workers, these laws ensure the safety and well-being of minors. Compliance protects employers from fines, legal repercussions, and the exploitation of young workers. This article provides a guide for employers when navigating the complexities surrounding Texas and Federal child labor laws.

Age Restrictions for Children

Children younger than the age of 18 are prohibited from performing hazardous duties, regardless of age. See: https://efte.twc.texas.gov/child_labor.html. Similarly, the law prohibits children under 14 from working, with a few exceptions. These exceptions include, but are not limited to, certain agricultural occupations, employment in the entertainment industry (with proper TWC authorization), newspaper delivery, and non-hazardous work performed by children directly employed by their parents. Finally, under Texas state law, sexually oriented businesses may not employ anyone under the age of 21. Similarly, no other business may allow an employee who is younger than 21 to enter or be on premises of a sexually oriented business.

Work Time Restrictions

Employees aged 14 or 15 may not work during school hours. Under federal law, 14- and 15-year-olds cannot work more than 3 hours during a school day, or more than 18 hours during a school week. For a non-school week, 14- and 15-year-olds are prohibited from working more than 8 hours during a non-school day, or more than 40 total hours during the non-school week. Federal law further prohibits children from working between the hours of 7:00 p.m. and 7:00 a.m. during the school year, with the exception that 14- and 15-year-olds may work between 7:00 a.m. and 9:00 p.m. during the summer months (June 1 through Labor Day). Finally, overtime is strictly prohibited for 14- and 15-year-olds.

In contrast, 16- and 17-year-olds have no limitations on hours of work and are entitled to overtime pay if they work more than 40 hours in a seven-day workweek. However, employers should ensure work schedules do not conflict with school obligations.

Pay Issues

It's always good to have all employees, including employees younger than 18, sign clear wage agreements. For those younger than 20, a special sub-minimum wage, or so-called "training wage," of \$4.25 can be paid during the first 90 days of employment. Thereafter, the minimum wage of \$7.25 per hour would apply. Other sub-minimum wages (generally, 85% of the current minimum wage) may be permissible under special circumstances for children who are in DOL-approved student employment or apprenticeship programs.



See: <https://www.dol.gov/agencies/whd/fact-sheets/32-minimum-wage-youth>.

Consent

Section 521.051 (a-1) of the Business & Commerce Code provides that employers need a parent's or guardian's permission to obtain personal identifying information from minor applicants and employees. Thus, it would be valuable for the employer to have a section on the job application, or a separate signed permission statement from a parent or guardian, regarding collection of personal information from a minor employee.

Training

If the business employs minors, specialized harassment training for management is strongly recommended. Complaints from employees younger than 18 must be addressed with the highest urgency. Implementing zero-tolerance policies concerning improper conduct towards, or contact with, minor employees is crucial. Certain offenses (assault, improper photography, or recording, etc.) may need to be reported to law enforcement for appropriate action.

See: https://efte.twc.texas.gov/child_labor.html.

Penalties

Under Texas law, civil penalties for child labor law violations can result in as much as \$10,000 per violation, while criminal penalties can involve class A or class B misdemeanors.

Under Federal law, civil penalties can range up to \$11,000 per violation (\$50,000 for death or serious injury to a minor employee, or \$100,000 for repeated or willful violations of that type). Similarly, criminal penalties can range up to \$10,000 per violation, and or possible imprisonment. Injunctive relief, and prohibition on the sale or transfer of any goods

produced by the employer in violation of child labor laws (at the time of, or within 30 days after), are likewise possible.

Appeals

Similar to an unemployment claim or a wage claim, a party with an adverse child labor law determination order from the Texas Workforce Commission is afforded an appeal process, wherein the affected party can request a hearing before an impartial child labor appeal tribunal, and thereafter, if warranted, appeal to the three-member commission.

See: <https://www.twc.texas.gov/programs/appeals/texas-child-labor-law-appeals>.

Conclusion

For questions about this issue, or any other employment-related matters, employers can call our employer hotline at 1-800-832-9394 or email us at: employerinfo@twc.texas.gov.

TEXAS EMPLOYER HOTLINE

1-800-832-9394

Hiring Issues · Medical Leave-Related Laws · Personnel Policies and Handbooks · Independent Contractors and Unemployment Tax Issues · The Unemployment Claims and Appeals Process · Texas and Federal Wage and Hour Laws



Employer Hotline Hours: M-F, 8am-5pm
Information provided by employment law attorneys in the Office of the Commissioner Representing Employers at the Texas Workforce Commission

Texas Business Today is provided to employers free of charge

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Connect with the Office of the Commissioner Representing Employers

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