



CHILD LABOR LAWS

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



For further information about Texas' child labor laws, call:

1-800-832-9243

(in Texas only)

TDD 1-800-735-2989

*This poster provides some guidelines to the Texas child labor laws, but it is not complete. Chapter 51, Texas Labor Code, governs the employment of children under Texas state law. **MINIMUM AGE FOR EMPLOYMENT IS 14**; however, state and federal laws provide for certain exceptions. Please call TWC's Tax and Labor Law department for a complete copy of the law or for answers to 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, consult your local listings for the nearest office of the U.S. Department of Labor, Wage and Hour Division.*

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

Prohibited occupations are the same for both federal and state law. The minimum age applies even when the minor is employed by the parent or a person standing in place of the parent. The hazardous occupations designated by an asterisk (*) have provisions for employment of persons below the age of eighteen (18), provided applicable apprentice or student-learner certification has been obtained. Persons desiring specific information about these exceptions should contact the nearest office of the United States Department of Labor.

Occupations declared particularly hazardous or detrimental to the health or well-being of all children 14 through 17 years of age include occupations:

- (1) in or about plants or establishments which manufacture or store explosives or articles containing explosive components other than retail establishments.
- (2) involving the driving of motor vehicles and outside helpers
 - A. on any public road or highway,
 - B. in or about any place where logging or sawmill operations are in progress, or
 - C. in excavations.
- (3) connected with coal mining.
- (4) including logging operations and sawmill occupations.
- (5) *operating or assisting to operate power-driven woodworking machines.
- (6) involving exposure to radioactive substances and to ionizing radiations.
- (7) operating or assist to operate power-driven hoisting apparatus such as elevators, cranes, derricks, hoists, high-lift trucks.
- (8) *operating or assisting to operate power-driven metal forming, punching, and shearing machines.
- (9) in connection with mining, other than coal.
- (10) *operating or assisting to operate power-driven meat processing machines, and occupations including slaughtering, meat packing, processing, or rendering with the exception of the killing and processing of poultry, rabbits, or small game in areas separated from the killing floor.
- (11) operating or assisting to operate power-driven bakery machines.
- (12) *Occupations involved in the operation of power-driven paper-products machines, scrap paper balers and paper box compactors.
(Under certain conditions, loading a baler or compactor is NOT considered a hazardous occupation under state or federal law.)
- (13) manufacturing brick, tile, and kindred products.
- (14) *operating or assisting to operate power-driven circular saws, band saws and guillotine shears, with the exception of machines equipped with full automatic feed and ejection.
- (15) wrecking, demolition, and ship-breaking operations.
- (16) *occupations in roofing operations and on or about a roof.
- (17) *connected with excavation operations.

PENALTIES:

State of Texas — An offense under Chapter 51, 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 attorney general may seek injunctive relief in district court 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 \$50,000 per violation and/or criminal prosecution and fines.