

SUBJECT: Restricting the hours employed children may work

COMMITTEE: Economic Development — committee substitute recommended

VOTE: 7 ayes — Jim Solis, Deshotel, Homer, Keffer, Luna, McClendon, Yarbrough
1 nay — Seaman
1 absent — Van de Putte

WITNESSES: For — Theldon Branch
Against — None

BACKGROUND: The Labor Code regulates child labor. Under the code, an employer commits a crime if the employer permits a 14- or 15-year old employee to work more than eight hours in one day or 48 hours in one week. A 14- or 15-year old employee also is prohibited from working between 10 p.m. and 5 a.m. on a day followed by a school day or between midnight and 5 a.m. on a day that is not followed by a school day. Current law does not apply to employees older than 15.

Under Labor Code, sec. 51.013, a child may receive an exemption from these restrictions if the Texas Workforce Commission (TWC) determines on the child's application that a hardship exists for that child.

DIGEST: CSHB 895 would amend the Labor Code to apply to employees 16 and 17 years old and would increase penalties for employers who violate the code.

A person would commit an offense by permitting an employee who was 16 or 17 years of age and enrolled in school to work between midnight and 5 a.m. on a day followed by a school day. A person also would commit an offense by permitting an employee under 18 and enrolled in school to work more than 40 hours in one week during days followed by a school day.

CSHB 895 would take effect September 1, 1999.

**SUPPORTERS
SAY:**

CSHB 895 would help protect Texas school children who work. Fast-food restaurants mostly employ teenagers who are still in school. Fast-food corporations are putting pressure on franchise owners to stay open later to compete with other restaurants. This practice endangers teens who are required to work until midnight or later, even on school nights.

Teens who work such long hours do not have time to study, and their grades suffer. CSHB 895 would prohibit employers from making children under 18 work past midnight. This would ensure that children who work are safe and that they can concentrate on school.

CSHB 895 would not prevent teenagers from having part-time jobs. It simply would limit the hours they could work to ensure a balance between work and school. Current law allows a child to apply to TWC for a hardship exemption from these requirements.

**OPPONENTS
SAY:**

Teenagers benefit from having jobs in addition to school. Jobs enable them to develop skills they need to compete in today's economy.

CSHB 895 would restrict the hours that children could work, lowering their potential income opportunities. Many children need to work because they come from disadvantaged areas. The bill would restrict those children more than children from middle- and upper-income families.

NOTES:

The original bill would have prohibited a 16- or 17-year old from working between 11 p.m. and midnight on a day followed by a school day.