

SUBJECT: Revising restrictions on employment hours for children 14 to 16 years old

COMMITTEE: International Relations and Economic Development — committee substitute recommended

VOTE: 7 ayes — Anchia, Frullo, Blanco, Metcalf, Perez, Raney, Romero

0 nays

2 absent — Cain, Larson

WITNESSES: For — Rene Lara, Texas AFL-CIO; Patty Quinzi, American Federation of Teachers-Texas; (*Registered, but did not testify:* Kyle Ward, Texas PTA; Lisa Dawn-Fisher, Texas State Teachers Association; Vanessa MacDougal; Robert Norris)

Against — (*Registered, but did not testify:* Jim Baxa)

BACKGROUND: Labor Code sec. 51.013 makes it an offense for a person who employs a child who is 14 or 15 years old to work more than eight hours in one day or 48 hours in one week. If the child is enrolled in a school term, the employer commits an offense if the child works between the hours of 10 p.m. and 5 a.m. on a day that is followed by a school day, or between midnight and 5 a.m. on a day that is not followed by a school day. If the child's school is recessed for the summer, and the child is not enrolled in summer school, an employer commits an offense if the child works between the hours of midnight and 6 a.m. on any day.

Concerns have been expressed that children who work while attending school may not dedicate an adequate amount of time to their studies, which could impact their academic performance.

DIGEST: CSHB 1855 would revise the list of restrictions on employment of children who are 14 or 15 years old to include permitting such a child to work more than five days in one week.

The bill would amend restrictions on when such children could be permitted to work while enrolled in school. Employers could not permit such children to work between the hours of 7 p.m. and 6 a.m., rather than 10 p.m. and 5 a.m., on a day that was followed by a school day or between 11 p.m. and 6 a.m., rather than midnight and 5 a.m., on a day not followed by a school day or during the summer recess.

The bill would make it an offense for an employer to permit a child who was 16 years old to work more than 10 hours in one day, 54 hours in one week, or six days in one week. An employer also could not permit a child who was 16 years old to work between 11 p.m. and 6 a.m. if the next day was a school day.

The bill would exempt a person from Labor Code sec. 51.013 if the child was a member of the person's family or household and the person employed no more than 50 employees, including the child.

The bill would take effect September 1, 2019, and would apply to offenses committed on or after that date.