

Chapter 817.CHILD LABOR

Section 817.6

The following rule(s) will be effective November 6, 2000.

Chapter 817. CHILD LABOR

Subchapter A. GENERAL PROVISIONS

40 TAC §817.6

The Texas Workforce Commission adopts new §817.6, relating to Child Labor Law appeals of preliminary determination orders to the Special Hearings Department, without changes to the proposed text as published in the July 21, 2000, issue of the Texas Register (25 TexReg 6965). The text will not be republished.

The purpose of the new rule is to provide notice of and a cross-reference to rules relating to the appeals processes in Child Labor Law hearings. The Child Labor Law hearings conducted by the Special Hearings Department are subject to the Unemployment Insurance Rules, found at Title 40 Texas Administrative Code (TAC), Chapter 815. The use of the Unemployment Insurance appeal process is required by Texas Labor Code §51.033(g). The cross-reference in the Child Labor Rules is added to provide clarification to the public regarding the statutorily required appeals processes.

Background: Texas Labor Code Chapter 51, Employment of Children (Child Labor Law), provides for the implementation of rules and laws relating to the employment of children. The Child Labor Law ensures that a child is not employed in an occupation or manner that is detrimental to the child's safety, health, or well-being. More specifically, the Child Labor Law sets forth provisions including, but not limited to, the following:

- minimum age;
- performers in motion pictures or theatrical, radio, or television productions;
- hours of employment;
- hardship exemptions;
- hazardous occupations;
- operation of motor vehicle for certain commercial purposes;
- inspections and collection of information relating to the employment of children;
- civil and criminal penalties for failure to comply with the Child Labor Law;
- offenses and penalties for the initial investigation process; and
- the appeals processes regarding offenses and penalties assessed.

No comments were received on the proposed rule.

The new rule is adopted under Texas Labor Code §§51.023, 301.061 and 302.002, which provide the Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of the Texas Workforce Commission's services and activities.

The adopted rule affects the Texas Labor Code, Title 2.