

## Chapter 51, Texas Labor Code FREQUENTLY ASKED QUESTIONS

**Q: Who is covered under Child Labor Laws?**

A: Any employee under 18 years of age. Once a minor turns 18 years old, they are considered an adult under labor laws.

**Q: What is the minimum age to work?**

A: The minimum age to begin working under normal circumstances is 14 years of age.

**Q: Do all minors have hour restrictions?**

A: No, there are only hour restrictions for minors 14- and 15-years of age.

**Q: How many hours can a 14- or 15-year-old minor work?**

A: There are two sets of hour restrictions for minors 14- and 15-years of age, state and federal.

State law states:

- 1) They can work no more than 8 hours in one day.
- 2) They can work no more than 48 hours in one week.
- 3) They cannot go to work before 5 a.m. in the morning or work after 10 p.m. on a day that is followed by a school day.
- 4) They cannot go to work before 5 a.m. in the morning or work past midnight on a day that is not followed by a school day.
- 5) They cannot go to work before 5 a.m. in the morning or work past midnight on any day during the time school is recessed for the summer, if the child is not enrolled in summer school.

Federal law states:

- 1) They can work no more than 8 hours on a non-school day or 40 hours in a non-school week.
- 2) They can work no more than 3 hours on a school day or 18 hours during a school week.
- 3) They can work only between 7 a.m. and 7 p.m. during the school year. However, between June 1 and Labor Day, they may work between the hours of 7 a.m. and 9 p.m.

Please note that all businesses are covered under state law but only those businesses covered by the Fair Labor Standards Act (FLSA) are covered by the Federal law. To determine whether the business is covered under the FLSA, please contact your local US Department of Labor, Wage and Hour Division or visit them on-line at [www.dol.gov/esa/whd](http://www.dol.gov/esa/whd). If in doubt, businesses should always follow the stricter guidelines.

**Q: Can minors cook and bake?**

A: Cooking and baking restrictions only apply to minors 14- and 15-years of age.

**Q: Are minors allowed to work as actors if they are under age?**

A: Yes, minors under the age of 14 may work as actors or performers in motion pictures, or in a theatrical, radio or television production. All minors under the age of 14 would need to obtain a Child Actor Authorization from the Texas Workforce Commission. An application for Child Actor Authorization can be obtained by contacting the Child Labor Law Unit at 1-800-832-9243, or your local Workforce Commission office, or on-line at: [www.twc.state.tx.us/ui/lablaw/lablaw.html](http://www.twc.state.tx.us/ui/lablaw/lablaw.html)

**Q: Can an employer employ their own children to work for their business if they are younger than 14?**

A: Yes, an employer may employ their own children at any age and work any hours, provided the business is owned or operated by the parent, the work is non-hazardous and they work under the direct supervision of the parent.

**Q: Can a minor sell or serve alcohol?**

A: The provisions for selling or serving alcohol are not regulated by the Texas child labor laws. For these requirements, please contact the Texas Alcoholic Beverages Commission at (512) 206-3333 or on-line at: [www.tabc.state.tx.us](http://www.tabc.state.tx.us)

**Q: Are minors treated the same as other employees for minimum wage, taxes, insurance, etc.?**

A: The legal age to begin employment is 14; therefore, minors legally able to work should be treated in the same manner as other employees for these purposes.

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IT SHOULD BE NOTED THAT THIS DOCUMENT IS NOT THE COMPLETE TEXT OF THE TEXAS CHILD LABOR LAW, NOR IS IT WRITTEN IN THE EXACT LANGUAGE OF THAT LAW. IT IS INTENDED AS AN INFORMAL EDUCATIONAL TOOL FOR THE BENEFIT OF EMPLOYERS IN TEXAS.

**SHOULD YOU HAVE QUESTIONS ABOUT THE CHILD LABOR LAW,  
PLEASE CONTACT TWC LABOR LAW SECTION AT:**

**1-800-832-WAGE (9243)/TDD 1-800-735-2989**

or

Visit our website: <http://www.twc.state.tx.us/ui/lablaw/lablaw.html>