

NOTICE TO EMPLOYEES CONCERNING ASSISTANCE AVAILABLE IN THE WORKERS' COMPENSATION SYSTEM FROM THE OFFICE OF INJURED EMPLOYEE COUNSEL

Have you been injured on the job? As an injured employee in Texas, you have the right to free assistance from the **Office of Injured Employee Counsel (OIEC)**. OIEC is the state agency that assists unrepresented injured employees with their claim in the workers' compensation system.

You can contact OIEC by calling its toll-free telephone number: **1-866-393-6432**.

More information about OIEC and its Ombudsman Program is available at the agency's website (www.oiec.texas.gov).

OMBUDSMAN PROGRAM

What Is An Ombudsman? An Ombudsman is an employee of OIEC who can assist you if you have a dispute with your employer's insurance carrier. An Ombudsman's assistance is free of charge. Each Ombudsman has completed a comprehensive training program designed specifically to assist you with your dispute.

An Ombudsman can help you identify and develop the disputed issues in your case and attempt to resolve them. If the issues cannot be resolved, the Ombudsman can help you request a dispute resolution proceeding at the Texas Department of Insurance, Division of Workers' Compensation.

Once a proceeding is scheduled an Ombudsman can:

- Help you prepare for the proceeding (Benefit Review Conference and/or Contested Case Hearing);
 - Attend the proceeding with you and communicate on your behalf; and
- Assist you with an appeal or a response to an insurance carrier's appeal, if necessary.



Reporting Workplace Violence

Employees can report instances of workplace violence or suspicious activity by contacting the Department of Public Safety (DPS) through the iWatchTexas Community Reporting System at www.iwatchtx.org, or by calling 844-643-2251. Employees have the right to make a report to DPS anonymously.

Reportando La Violencia en el Trabajo

Los empleados pueden denunciar casos de violencia en el trabajo o actividades sospechosas comunicándose con el Departamento de Seguridad Pública (DPS) a través del Sistema de Informes Comunitarios iWatchTexas en www.iwatchtx.org, o llamando al 844-643-2251. Los empleados tienen derecho a presentarle una queja al DPS de forma anónima.



**EQUAL EMPLOYMENT OPPORTUNITY IS ...
IGUALIDAD DE OPORTUNIDADES EN EL EMPLEO ES ...**

The Law in Texas

The law prohibits employers, employment agencies and labor unions from denying equal employment opportunities in

- **hiring**
- **promotion**
- **discharge**
- **pay**
- **fringe benefits**
- **membership**
- **training**
- **other aspects of employment**

because of race, color, national origin, religion, sex, age, or disability.

The Sex Protected Class includes Sexual Harassment, Gender Stereotyping, Pregnancy Discrimination, Gender Identity, and Sexual Orientation.

La Ley en Texas

La ley prohíbe a los empleadores, agencias de empleo y sindicatos de negar la igualdad de oportunidades de empleo en

- **ocupar**
- **ascensos**
- **desocupar**
- **pago**
- **beneficios**
- **membrecia**
- **entrenamiento**
- **otros aspectos del empleo**

por causa de raza, color, nacionalidad, religion, sexo, edad, o incapacidad.

La clase protegida por sexo incluye acoso sexual, estereotipos de género, discriminación por embarazo, identidad de género y orientación sexual.

If you believe you have been discriminated against, contact the Texas Workforce Commission, Civil Rights Division

Si usted cree que ha sido discriminado, comuníquese con la Comisión Laboral de Texas, División de Derechos Civiles

Website: www.twc.texas.gov/jobseekers/how-submit-employment-discrimination-complaint

Email: EEOintake@twc.texas.gov

101 E. 15th Street, RM. 154; Austin, TX 78778

(512) 463-2642

Toll Free (within Texas) 1-888-452-4778

TTY (512) 371-7473

ATTENTION EMPLOYEES

The Texas Payday Law, Title 2, Chapter 61, Texas Labor Code, requires Texas employers to pay their employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938 at least once per month. All other employees must be paid at least as often as semi-monthly and each pay period must consist as nearly as possible of an equal number of days.

Scheduled paydays: (You must indicate date or dates of the month for employees paid monthly or semi-monthly, and day of the week for employees paid weekly or at other times.)

MONTHLY _____
SEMI-MONTHLY _____
WEEKLY _____
OTHER _____

For more information write or contact the Texas Workforce Commission in Austin or contact your nearest TWC office. TWC offices are located in major cities throughout the state.

TEXAS WORKFORCE COMMISSION

Wage and Hour Department

101 East 15th Street, Rm 514

Austin, Texas 78778-0001

800-832-9243

TDD 800-735-2989 (Hearing Impaired)

TO EMPLOYERS: *The law requires that this notice or its equivalent be posted in conspicuous places at your business.*



NOTICE

The Texas Whistleblower Act protects public employees who make good faith reports of violations of law by their employer to an appropriate law enforcement authority. An employer may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who makes a report under the Act.



NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS

COVERAGE: [Name of employer] _____ has workers' compensation insurance coverage from [name of commercial insurance company] _____ in the event of work-related injury or occupational disease. This coverage is effective from [effective date of workers' compensation insurance policy] _____. Any injuries or occupational diseases which occur on or after that date will be handled by [name of commercial insurance company] _____. An employee or a person acting on the employee's behalf, must notify the employer of an injury or occupational disease not later than the 30th day after the date on which the injury occurs or the date the employee knew or should have known of an occupational disease, unless the Texas Department of Insurance, Division of Workers' Compensation (Division) determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information, in writing, when you are hired or whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

EMPLOYEE ASSISTANCE: The Division provides free information about how to file a workers' compensation claim. Division staff will answer any questions you may have about workers' compensation and process any requests for dispute resolution of a claim. You can obtain this assistance by contacting your local Division field office or by calling 1-800-252-7031. The Office of Injured Employee Counsel (OIEC) also provides free assistance to injured employees and will explain your rights and responsibilities under the Workers' Compensation Act. You can obtain OIEC's assistance by contacting an OIEC customer service representative in your local Division field office or by calling 1-866-EZE-OIEC (1-866-393-6432).

SAFETY VIOLATIONS HOTLINE: The Division has a 24 hour toll-free telephone number for reporting unsafe conditions in the workplace that may violate occupational health and safety laws. Employers are prohibited by law from suspending, terminating, or discriminating against any employee because he or she in good faith reports an alleged occupational health or safety violation. Contact the Division at 1-800-452-9595.



Are You Owed Wages?

YOU MAY BE ELIGIBLE TO FILE A WAGE CLAIM UNDER THE TEXAS PAYDAY LAW

Wages are:

- Payment owed to an employee by an employer for labor or services performed
- Calculated based on time, task, piece, commission, etc.
- Owed for vacation, severance, holiday, sick leave or parental leave only if provided for by a written agreement or policy.

Wages must be paid:

- At least once a month to Fair Labor Standards Act or FLSA-exempt employees
- At least twice a month to FLSA-non-exempt employees
- In full no later than the sixth day following an employee's discharge
- In full no later than the next regular payday for employees who leave for reasons other than discharge
- For bonus-or-commissions-based payments in the same timely manner, and as agreed upon by the employer and employee.

Wages may be withheld or diverted by the employer only if:

- Authorized to do so by a proper court, or
- Authorized to do so by state or federal law, or
- The employee gives written permission to do so for a lawful purpose.

Workers who believe wages are due them...

May file a wage claim using TWC's online system or by using a paper form that you print and mail or fax to TWC. Go to <https://twc.texas.gov/jobseekers/texas-payday-law> to file online, or get a paper wage claim form at a TWC Workforce office, download from our website, or call the numbers listed below to have the form mailed to you. Wage claims must be filed with the Texas Workforce Commission Labor Law Section not later than the 180th day after the wages were due for payment.

It's Your Pay. You're Protected.

Online: twc.texas.gov/jobseekers/texas-payday-law
Use the Quick Response (QR) code to go to the Online form.



Mail your PAYDAY CLAIM to:
Texas Workforce Commission
Wage and Hour department
101 East 15th Street, Room 514
Austin, Texas 78778 Call 800-832-9243



Fax to (512) 475-3025

Go to <https://twc.texas.gov/jobseekers/texas-payday-law> for more information.

Questions: 800-832-9243 or (512) 475-2670 (TDD 800-735-2989)



Department of the Treasury Internal Revenue Service

Notice 797

(Rev. November 2023)

Possible Federal Tax Refund Due to the Earned Income Credit (EIC)

What Is the EIC?

The EIC is a refundable tax credit for certain workers.

What Is the Purpose of This Notice?

Your employer sent you this notice to make you aware of an important federal tax benefit. Even if you had no income tax withheld from your wages during the year, you may be eligible for the EIC.

How Much Is the EIC?

For 2023, the EIC can be as much as \$3,995 if you have one qualifying child who has a valid SSN; \$6,604 if you have two qualifying children who have valid SSNs; \$7,430 if you have three or more qualifying children who have valid SSNs; and \$600 if you have no qualifying children who have a valid SSN.

How Do You Claim the EIC?

To claim the EIC, you must:

1. Be eligible for the EIC, and
2. File a 2023 tax return (including Schedule EIC if you have a qualifying child).

To figure out if you are eligible, see Pub. 596 or visit [IRS.gov/EITC](https://www.irs.gov/EITC).

If eligible, you can claim the EIC to get a refund even if you had no tax withheld from your pay or owe no tax. For example, if you had no tax withheld in 2023 and owe no tax but are eligible for a credit of \$800, you must file a 2023 income tax return to get the \$800 refund.

Most people qualify for free tax preparation. If you earned less than \$79,000, you can file for free online at [IRS.gov/FreeFile](https://www.irs.gov/FreeFile). In addition, IRS-certified volunteers can prepare your return for free in person if you earned less than \$64,000 or are age 60 or older. To find locations, visit [IRS.gov/VITA](https://www.irs.gov/VITA) or call 800-906-9887.

More Information

Refer to instructions for the tax return you are filing, Pub. 596, or [IRS.gov/EITC](https://www.irs.gov/EITC) for details on the EIC. You can download IRS forms and publications at [IRS.gov/Forms](https://www.irs.gov/Forms), and you can get printed copies mailed to you by going to [IRS.gov/OrderForms](https://www.irs.gov/OrderForms) or by calling 800-829-3676.



CHILD LABOR LAWS
Texas Workforce Commission
Wage and Hour Department, Child Labor Enforcement
U.S. Department of Labor
Wage and Hour Division



For further information about Texas' child labor laws, call:
800-832-9243 (TDD 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 Wage and Hour Department concerning 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 office of the U.S. Department of Labor, Wage and Hour Division or call 866-487-9243

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

Prohibited occupations are the same for both federal and state law. 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 other than retail 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.

(Under certain conditions, driving a motor vehicle for a commercial purpose is NOT considered a hazardous occupation under state or federal law,
- (3) connected with coal mining,
- (4) in logging and sawmill occupations and occupations involving firefighting and timber tracts,
- (5) *in operating or assisting to operate power-driven woodworking machines,
- (6) involving exposure to radioactive substances and to ionizing radiations,
- (7) in operating or assist to operate power-driven hoisting apparatus such as elevators, cranes, derricks, hoists, high-lift trucks,
- (8) * in operating or assisting to operate power-driven metal forming, punching, and shearing machines,
- (9) in connection with mining, other than coal,
- (10) * in operating or assisting to operate power-driven meat processing machines, and occupations including slaughtering, meat packing, processing, or rendering,
- (11) in operating or assisting to operate power-driven bakery machines.
- (12) * involved in the operation of power-driven paper-products machines, balers and compactors,
- (13) in manufacturing brick, tile, and kindred products,
- (14) * in operating or assisting to operate power-driven circular saws, bandsaws and guillotine shears, abrasive cutting discs, reciprocating saws, chain saws and wood-chippers,
- (15) in wrecking, demolition, and ship-breaking operations,
- (16) * in roofing operations and on or about a roof, and
- (17) * in connection with excavation operations.

Additional prohibited occupations that apply under state law:

- (1) Occupations involved in sales and solicitation by a child under 18 years of age. Consult 51.0145 Texas Labor Code for exceptions and requirements.
- (2) Occupations in sexually oriented businesses by a child under 21 years of age.

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 \$11,000 per violation and/or criminal prosecution and fines.

Additional prohibited occupations that apply only to 14- and 15-year-old children:

Occupations declared particularly hazardous or detrimental to the health or well-being of 14- and 15-year-old children include:

- (1) mining, manufacturing, or processing occupations, including duties in workrooms or places where goods are manufactured, mined, or otherwise processed,
- (2) operating or assisting in operating power-driven machinery or hoisting apparatus other than typical office machines,
- (3) work as a ride attendant or ride operator at an amusement park or a "dispatcher" at the top of elevated water slides,
- (4) driving a motor vehicle or helping a driver,
- (5) occupations involved in transporting persons or property by rail, highway, air, water, pipeline, or other means,
- (6) youth peddling, sign waving, or door-to-door sales,
- (7) poultry catching or cooping,
- (8) lifeguarding at a natural environment such as a lake, river, ocean beach, quarry, pond (youth must be at least 15 years of age and properly certified to be a lifeguard at a traditional swimming pool or water amusement park),
- (9) public messenger jobs,
- (10) communications and public utilities jobs,
- (11) construction including demolition and repair, work performed in or about boiler or engine rooms or in connection with the maintenance or repair of the establishment, machines, or equipment,
- (12) outside window washing that involves working from window sills, and all work requiring the use of ladders, scaffolds or their substitutes,
- (13) cooking, except with gas or electric grills that do not involve cooking over an open flame and with deep fat fryers that utilize devices that automatically lower and raise the baskets from the hot grease or oil,
- (14) baking and all activities involved in baking,
- (15) occupations which involve operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers and cutters, and bakery-type mixers,
- (16) freezers or meat coolers work, except minors may occasionally enter a freezer for a short period of time to retrieve items,
- (17) meat processing and work in areas where meat is processed,
- (18) loading and unloading goods to and from trucks, railroad cars or conveyors, and
- (19) all occupations in warehouses and storage except office and clerical work.

Work times for 14- and 15-year-old children:

State Law — A person commits an offense if that person permits a child 14 or 15 years of age who is employed by that person to work:

- (1) more than 8 hours in one day or more than 48 hours in one week,
- (2) between the hours of 10 p.m. and 5 a.m. on a day that is followed by a school day or between the hours of midnight and 5 a.m. on a day that is not followed by a school day if the child is enrolled in school, or
- (3) between the hours of midnight and 5 a.m. on any day during the time school is recessed for the summer if the child is not enrolled in summer school.

Federal Law — The FLSA further regulates hours of employment. 14 and 15 year old children may not work:

- (1) during school hours,
- (2) more than eight hours on a non-school day or 40 hours during a non-school week,
- (3) more than three hours on a school day or 18 hours during a school week, and
- (4) between 7 p.m. and 7 a.m. during the school year, or between 9 p.m. and 7 a.m. from June 1 and Labor Day.

Child Actors- state law

Child actor definition - a child under the age of 14 who is to be employed as an actor or other performer

Child actor extra definition - a child under the age of 14 who is employed as an extra without any speaking, singing, or dancing roles, usually in the background of the performance

Every person applying for child actor authorization must submit an application for authorization on a form provided by the Texas Workforce Commission.

Special authorization for child actors to be employed as extras is granted without the need for filing an application if the employer meets the Texas Workforce Commission's requirements. Contact 1-800-832-9243 for instruction.

COVERED EMPLOYER

Texas Workers' Compensation Rule 110.101(e)(1) requires employers who are covered by workers' compensation through a commercial insurance company to advise their employees that they do have workers' compensation insurance coverage and to advise their employees of the Texas Department of Insurance, Division of Workers' Compensation's toll free number to obtain additional information about their workers' compensation rights.

Notices in English, Spanish and any other language common to the employer's employee population must be posted and:

1. Prominently displayed in the employer's personnel office, if any;
2. Located about the workplace in such a way that each employee is likely to see the notice on a regular basis;
3. Printed with a title in at least 26 point bold type, subject in at least 18 point bold type, and text in at least 16 point normal type; and
4. Contain the exact words as prescribed in Rule 110.101(e)(1).

The notice on the reverse side meets the above requirements. Failure to post or to provide notice as required in the rule is a violation of the Act and Division rules. The violator may be subject to administrative penalties.

Do Not Post This Side



Texas Workforce Commission

ATTENTION EMPLOYEES

Your employer reports your wages to the Texas Workforce Commission. If you become unemployed or your work hours are reduced, you may be eligible for unemployment benefit payments. File online at www.twc.texas.gov or call 1-800-939-6631. Additional assistance may be available at your local Workforce Solutions Office; please visit the directory at: www.twc.texas.gov/directory-workforce-solutions-offices-services.

Unemployment Insurance (UI) benefits are available to workers who are unemployed and who meet the requirements of state UI eligibility laws.

To file, you will need to provide your full legal name and your social security number or your authorization to work.

The Texas Payday Law, Title II, Chapter 61, Texas Labor Code, requires Texas employers to pay their employees who are exempt from the overtime pay provisions of the Fair Labor Standards Act of 1938 at least once per month. All other employees must be paid at least twice a month and each pay period must consist as nearly as possible of an equal number of days.

Scheduled paydays: (You must indicate date or dates of the month for employees paid monthly or semi-monthly, and day of the week for employees paid weekly or at other times.)

MONTHLY: _____ SEMI-MONTHLY: _____ WEEKLY: _____ OTHER: **Biweekly, every other Friday**

TO EMPLOYERS: Texas Labor Code section 208.001(b) and 40 T.A.C. 815.1(14)(A) & (B) require that this notice, or its equivalent, be displayed in a location reasonably calculated to be encountered by all employees, and that an employer provide such information, individually, to an employee upon separation from employment.

To report suspected fraud, waste or abuse of the program call 800-252-3642.