



WORKER RIGHTS · TEXAS

Your Rights as a Worker in Texas

What every hospitality worker should know, in plain language.
No legal jargon.

This guide is general information about Texas employment law as of October 2026. It is not legal advice, and not a substitute for talking to a licensed attorney about your situation.

General information only — not legal advice.

As of October 2026 · Prepared by JYNX Recruiting · jynxrecruiting.com

You Can Be Fired for Almost Any Reason, but Not an Illegal One

- Texas is an “at-will” state. Your employer can let you go for a good reason, a bad reason, or no reason at all. But they cannot fire you for:
 - Your race, color, religion, national origin, age (40 or older), sex, or disability — Texas law covers employers with 15 or more employees, and sexual harassment protections apply at workplaces of any size
 - Filing a workers’ comp claim
 - Complaining about unpaid wages or unsafe working conditions
 - Refusing to commit an illegal act
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If you were fired for one of these reasons, consider talking to an employment lawyer.

Your Paycheck Is Protected

Texas has a Payday Law, and it has teeth:

- Minimum wage: \$7.25/hour — Texas uses the federal rate. Overtime: 1.5x your rate for hours past 40 in a week (there is no daily overtime in Texas).
- Paydays: Most workers must be paid at least twice a month; salaried exempt workers at least once a month.
- Final paycheck: If you’re fired, you must be paid everything you’re owed by the 6th day after your last day. If you quit, you’re paid by the next regular payday.

- **Deductions:** Your employer generally cannot dock your pay for register shortages, breakage, or uniforms unless you gave written authorization — or a court, a law, or a government agency ordered it.
 - **Pay statements:** Every payday you're entitled to a written earnings statement showing your hours, your rate, and every deduction.
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If your pay is short, late, or missing, you can file a wage claim with the Texas Workforce Commission — but don't sit on it: the deadline is 180 days from when the pay was due.

If You Earn Tips

- Your employer can pay a cash wage of \$2.13/hour, but your tips must bring you to \$7.25/hour. If they don't, your employer owes you the difference — and they have to tell you in advance that they're using your tips as a credit toward the minimum wage.
- Your tips are yours. Managers and supervisors can never keep any part of them.
- Tip pooling is allowed only among workers who customarily receive tips.

Vacation and PTO

- Texas does not require employers to offer vacation, sick leave, or holidays.
- Whether your accrued vacation is paid out when you leave depends entirely on your employer's written policy. If the policy promises a payout, the Texas Workforce Commission will enforce it. If the policy says unused time is forfeited ("use it or lose it"), that's generally legal here — which is why the written policy matters. Get it, and keep a copy.

Breaks

- Texas does not require meal or rest breaks — for adults or for minors. That's the law, not rudeness: if your employer gives you a break, it's their policy. One federal rule does apply: a short break (20 minutes or less) must be paid, and a meal break is only unpaid if you're fully relieved of duty.

If You're Under 18

- You generally must be 14 or older to work, and 14-15-year-olds have strict limits on hours and how late they can work.
- You must be 18 to serve, prepare, or handle alcoholic beverages.

Non-Compete Agreements

- Texas does enforce non-competes — if they're tied to a legitimate business interest (like trade secrets or confidential information) and reasonable in time, territory, and scope. If a court finds one too broad, it usually rewrites it rather than throwing it out. Do not assume yours is unenforceable — talk to an employment lawyer before you act on it.

What Texas Does NOT Require

- No state paid sick leave law — and Texas law blocks cities from passing their own.
- No pay transparency law: employers don't have to post salary ranges, and no law gives you the right to see your personnel file.
- No severance, holiday pay, or weekend premium — overtime is based on hours past 40 in a week, not the calendar.
- Texas is a right-to-work state: you can't be required to join a union or pay union fees as a condition of employment.

If Your Rights Were Violated

- Wage issues (unpaid wages, illegal deductions, missing overtime, late final pay): Texas Workforce Commission — file your wage claim within 180 days.
- Discrimination: Texas Workforce Commission, Civil Rights Division, or the U.S. Equal Employment Opportunity Commission (EEOC).
- Unsafe working conditions: Federal OSHA (Texas has no state safety plan for private employers).

Deadlines apply to many claims, so don't wait. And when in doubt, consider talking to an employment lawyer — many offer free consultations.