

BILL ANALYSIS

Senate Research Center
81R3636 PB-F

H.B. 762
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Workforce Commission (TWC) is responsible for administering Chapter 61 (Payment of Wages), Labor Code, which relates to the payment of wages by employers. TWC's duties under this chapter include the investigation of wage claims made by employees or former employees for wages that have not been paid. Currently, Chapter 61 allows wage claims to be filed by mail or in person. TWC expends staff resources rejecting claims received by fax, and the claimant must then refile the claim in one of the two allowable methods.

Facsimile transmission is a commonly accepted and reliable method of communication that will provide greater convenience for claimants and administrative efficiencies for TWC.

H.B. 762 allows the filing of these claims by fax and gives TWC rulemaking authority to permit other methods.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 (Section 61.051, Labor Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 61.051(b) and (d), Labor Code, as follows:

(b) Requires that a wage claim be filed in a manner, rather than in writing, and on a form prescribed by the Texas Workforce Commission (TWC) and be verified by the employee.

(d) Authorizes the employee to file the wage claim by faxing the claim to a fax number designated by TWC or by any other means adopted by TWC by rule. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.