

Texas Business Today

Joe Esparza
Commissioner Representing Employers

November 2024

Texas Employers,

Welcome to the November issue of *Texas Business Today*!

I am proud to kick off the month by participating in the 13th annual Hiring Red, White & You! job fairs, which connect employers with veterans, transitioning military members, and military spouses. From San Angelo to Corpus Christi to Wichita Falls, I'm visiting communities across the state to encourage employers to expand their veteran workforce and find ways to transfer military service into civilian occupations. Our veterans bring employers value through the extensive training, leadership, and a unique work ethic gained in service to our country.

Over the past 12 years, Hiring Red, White & You! has connected 24,000 employers with 137,000 job seekers, including 47,000 veterans, and resulted in more than 3,400 same-day hires.

For information about locations, dates, and how to participate, visit [Hiring Red, White & You! - Texas Workforce Commission](#). I hope to see you there.



A stylized, handwritten signature of Joe Esparza in black ink.

Joe Esparza
Commissioner Representing Employers
Texas Workforce Commission

Texas Business Minute



[Click here to watch the video](#)



Handful of Holiday Tips

By: Elsa Ramos

Legal Counsel to Commissioner Joe Esparza

The holiday season is upon us. While fun and festive, this is also the time for employers to encounter some unique workplace issues. Below is a handful of questions that often arise during this time of year.

1. Paid Holidays – No federal or Texas law requires employers to provide any paid holidays to employees. Paying employees for holidays is a matter of policy for each employer, which means that employers are free to make all decisions about this issue. Learn more: https://efte.twc.texas.gov/holiday_policies.html

2. Requests for time off – There is no general law that requires employers to grant employee requests for time off. Granting or denying these requests is usually a matter of employer policy. However, depending on the reason for the request, certain legal protections may apply. Around the holidays, religious considerations are common. For employers with at least 15 employees, the law requires that they reasonably accommodate an employee's religious beliefs or practices, unless doing so would cause an undue hardship to the business. Learn more: [Religious Discrimination | U.S. Equal Employment Opportunity Commission](#)

3. Seasonal employees – Some employers find themselves busier during the holiday months and hire temporary or seasonal workers to handle the extra workload. Employers should note that these seasonal employees, if they are performing the work of regular employees, are generally treated the same as regular employees for purposes of [new hire paperwork](#) and tax liability requirements. This means that in Texas, employers must satisfy all the usual new hire requirements and report wages to the Texas Workforce Commission and the Internal Revenue Service.

4. Weather-related absences – Winter weather can be severe across Texas and may result in employees missing work because of it. An employer's requirements regarding paying employees for these weather-related absences depend on the type of employee. For those paid hourly, employers are required to pay only for those hours worked. For salaried exempt employees, employers may deduct a full day's absence from the employee's pay if an employee **chooses** not to come in to work because of inclement weather on a day when the employer is open for



business. Deductions from salaried exempt employees' salaries are tricky, so a careful review of [this topic](#) is important.

5. Business closures – During this time of year, temporary business closures are common for a couple of reasons: 1) involuntarily due to a severe weather event or 2) voluntarily because the employer chooses to close its doors for a few days in observance of a holiday. Are employers responsible for paying their employees during this time? Again, the answer depends on the type of employee. Employers are required to pay their hourly employees only for time worked. If employees are not working because the business is closed, there is no requirement to pay for the days in question. As for salaried exempt employees who have worked any part of the week containing the closure dates, employers are required to pay them for the full week, including the days not worked. If a salaried exempt employee misses an entire workweek for any reason, the salary may be docked a week's worth of pay. As noted above, before making any deductions from salaried exempt employees' salaries, a review of [this topic](#) is recommended.

For questions about these, or other employee-related topics, do not hesitate to call 1-800-832-9394, option 4, or email employerinfo@twc.texas.gov.

TEXAS EMPLOYER HOTLINE

1-800-832-9394

Hiring Issues · Medical Leave-Related Laws · Personnel Policies and Handbooks · Independent Contractors and Unemployment Tax Issues · The Unemployment Claims and Appeals Process · Texas and Federal Wage and Hour Laws



Employer Hotline Hours: M-F, 8am-5pm
Information provided by employment law attorneys in the Office of the Commissioner Representing Employers at the Texas Workforce Commission

Texas Business Today is provided to employers free of charge

Texas Business Today is a monthly update devoted to a variety of topics of interest to Texas employers. The views and analyses presented herein do not necessarily

represent the policies or the endorsement of the Texas Workforce Commission. Articles containing legal analyses or opinions are intended only as a discussion and overview of the topics presented. Such articles are not intended to be comprehensive legal analyses of every aspect of the topics discussed. Due to the general nature of the discussions provided, this information may not apply in each and every fact situation and should not be acted upon without specific legal advice based on the facts in a particular case.

**Connect with the Office of the Commissioner Representing
Employers**

Email: employerinfo@twc.texas.gov
Mail: Commissioner Representing Employers
101 E. 15th St., Rm 630
Austin, TX 78778