

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Program Services Division: Youth Employment and Work Title: Youth Employment and Work ACA: 4-JCF-1B-05, 3E-01, 5H-01, 5H-02, 5H-03, 5H-04, 5I-04 Statutes: Hum. Res. Code Chapter 246 , Gov't Code Chapter 497	Effective Date: 12/1/16 Page: 1 of 2 Replaces: GAP.380.9161, 10/15/14
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RULE

(a) **Purpose.**

This rule provides opportunities for compensated and uncompensated work to allow youth in residential facilities to experience the responsibilities and rewards of constructive work.

(b) **Applicability.**

This rule applies to residential facilities operated by the Texas Juvenile Justice Department (TJJD).

(c) **General Provisions.**

- (1) Youth are not permitted to perform any work prohibited by state or federal regulations or statutes pertaining to child labor.
- (2) Repetitive, purposeless, and degrading make-work is prohibited.
- (3) Training and work programs use the advice and assistance of labor, business, and industrial organizations where applicable.
- (4) Due to the short length of stay and the intent of the program, orientation and assessment units do not provide for any youth work programs other than routine housekeeping chores.
- (5) TJJD does not discriminate against youth on the basis of race, color, national origin, sex, religion, disability, or genetic information in providing opportunities for uncompensated and compensated work.

(d) **Uncompensated Work.**

- (1) Youth may be required to do the following kinds of work without compensation:
 - (A) assignments that are part of an agency educational curriculum (i.e., vocational training);
 - (B) tasks performed as community service; and/or
 - (C) routine housekeeping chores that are shared by all youth in the facility, including basic facility maintenance.
- (2) Youth may volunteer to participate in work and training opportunities without compensation as part of an individualized skills development program. The work and training opportunities may include, but are not limited to, tasks incidental to facility operations and assignments related to developing job skills or obtaining industry certifications. Youth who participate in a skills development program and demonstrate sustained improvement may be eligible for incentives, which may include minimal monetary awards.
- (3) A youth may volunteer to perform work without compensation as restitution for damage he/she has caused.

(e) Compensated Work.

- (1) Each facility maintains and implements written procedures for operating compensated work programs that provide youth with training and employment experience.
- (2) Youth who meet established criteria may be paid for performing tasks incidental to facility operations if such employment is part of the youth's reentry plan. These work assignments must be applied for and are governed by standardized job descriptions and guidelines.
- (3) TJJJ may operate a Prison Industry Enhancement Certification Program (PIECP) in accordance with [Texas Human Resources Code Chapter 246](#) and [Texas Government Code Chapter 497](#). Youth who participate in a PIECP are paid no less than the federal minimum wage.
- (4) Certain youth may qualify for off-campus employment. Such youth must be paid in accordance with federal wage laws.

See [EDU.37.01](#) for implementation procedures.