

Texas labor laws are relevant regardless of whether an employee works on-site or remotely. Here's what you need to know about Texas labor laws for remote workers.

Texas remote employees are subject to the same labor laws as employees who work in person. However, remote workers should remember the unique circumstances of remote work can alter how Texas labor laws apply.

The Feature Topic is a cursory review. If you would like more information on this, or any other topic previously covered in my newsletter, which can be viewed on [The Legal Strategist](#) tab of my web site, please contact my office at 713.526.1883.

Scott Barrett

Texas has experienced the most number of tornadoes since 1950. On average, Texas experiences 120 tornadoes a year. A tornado can roar along as fast as 300 miles an hour. Kansas stands second on the list.

FEATURE TOPIC: TEXAS REMOTE WORKER LAWS

Pay and Overtime Laws for Remote Workers in Texas

Salaried remote and on-site workers are subject to Texas and federal pay and overtime laws. Salaried remote workers receive standard pay as if an employee performed work on-site, regardless of the recorded amount of hours online each day. The physical absence of remote workers from the office can complicate an employer's ability to compensate an hourly-paid remote employee. Employees paid hourly will receive payment according to the recorded number of hours spent online. Employers may benefit from an electronic system to track the number of hours a remote employee logs into work. Connecting the timekeeping system to the method for remote work can ease the process of determining how many hours an employee logged.

Business Expenses Laws for Remote Workers in Texas

The unique circumstances of remote work may cause remote workers to incur expenses often inconsequential to on-site workers. Costs incurred due to remote work may include:

- Workplace hardware (Phone, laptop, tablet, computer, monitor, etc.),
- Desk, chair, tools necessary to create an ergonomic workspace, etc.
- Job-related subscriptions and software (such as time log service),
- Internet connection, telephone call, text, and message data rates,
- Any other expense required to perform occupational responsibilities.

Employers should reimburse remote employees for any expenses reducing the rate of pay to below minimum wage. Texas does not possess any laws directly addressing remote work expenses, so remote employees have the right to treat personally incurred costs the same way as on-site workers. Remote work applicants should confirm company policy regarding business expenses to eliminate miscommunication and ensure the employer provides fair compensation.

Workers' Compensation Laws for Remote Workers in Texas

Workers' compensation applies equally to Texas remote and on-site workers. A remote worker who suffers an injury during employment hours or while performing work is entitled to medical expenses and lost wages identically to an on-site employee. An employee may have difficulty proving an injury occurred during remote activity, so an individual should note all hours and actions to substantiate any claim. Remote employees should understand Texas does not mandate employers to possess workers' comp coverage for employees. Consequently, the compensation may not apply if the employer does not offer the benefit.

Workplace Disabilities, Discrimination, and Harassment Laws for Remote Workers in Texas

Unfortunately, discrimination and harassment can occur at the workplace. Remote workers are vulnerable to harassment through phone calls, emails, texts, or other means of communication. Remote workers have the equal right of on-site employees to a workplace free of discrimination and harassment. A remote employee who experiences harassment or discrimination should file a complaint without fearing employer retaliation. Employers must provide reasonable accommodations for remote workers with disabilities to ensure any job-related responsibility is feasible. A remote worker who has a disability may file a complaint against an employer who fails to create a proper workplace environment.

If you would like more information on this or any other topic covered in *The Legal Strategist*, please contact [Scott Barrett](#) to set up a consultation.