Texas labor law checklist 2026

Minimum wage	$7.25 an hour. The state rate matches the federal $7.25.
Tipped cash wage	$2.13
Next change	None scheduled
Overtime	The federal FLSA rule applies: overtime at 1.5 times the regular rate after 40 hours in a workweek. There is no daily overtime rule.
Exempt salary test	Federal $684 a week ($35,568 a year).
Meal breaks	No state meal break law for adult employees. Federal law doesn't require meal breaks either, but if you give one of 30 minutes or more and the employee is fully relieved of duty, it can be unpaid.
Rest breaks	No state rest break law for adults. Under federal law, short breaks of 5 to 20 minutes that you choose to give must be paid.
Final pay if fired	Within 6 calendar days of discharge.
Final pay if they quit	By the next regular payday.
Unused PTO	Not required by state law. Follow your written policy or contract, and apply it consistently.
Paid sick leave	No statewide paid sick leave law. Check city and county rules, and federal contractor rules (Executive Order 13706) if they apply.
Paid family leave	No state paid family leave program. The federal FMLA gives eligible employees of employers with 50 or more employees up to 12 weeks of unpaid, job-protected leave.
Pay transparency	No statewide pay transparency law requiring pay ranges in job postings.
New hire reporting	Report each new hire within 20 days of the hire date, the federal deadline.
State income tax	No state income tax on wages.
State agency	Texas Workforce Commission: https://www.twc.texas.gov

What trips up Texas employers

- [ ] Terminated employees must be paid within 6 calendar days.
- [ ] Nonexempt employees must be paid at least twice a month; exempt employees at least monthly.
- [ ] Texas cities, including Austin, Dallas, and San Antonio, can't enforce local paid sick leave or minimum wage rules.
- [ ] Check the minimum wage on January 1 and July 1, and update payroll and posters.
- [ ] Confirm final pay timing before every termination meeting.

All 50 states and DC, comparison tables, and a free CSV: hrtally.com/state-labor-laws

Compare HR and payroll software for multi-state employers at www.hrtally.com