

CHAPTER 800. GENERAL ADMINISTRATION

ADOPTED RULES TO BE PUBLISHED IN THE *TEXAS REGISTER*. THIS DOCUMENT WILL HAVE NO SUBSTANTIVE CHANGES BUT IS SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE OFFICE OF SECRETARY OF STATE.

ON **DECEMBER 19, 2023**, THE TEXAS WORKFORCE COMMISSION ADOPTED THE RULES BELOW WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS REGISTER*.

Publication Date of the Adoption in the *Texas Register*: **January 5, 2024**

The Rules are Effective: **January 8, 2024**

The Texas Workforce Commission (TWC) adopts the following new subchapter to Chapter 800, relating to General Administration:

Subchapter N. Reporting Workplace Violence, §800.600

New Subchapter N Reporting Workplace Violence, §800.600, is adopted *without changes* to the proposal, as published in the October 20, 2023, issue of the *Texas Register* (48 TexReg 6201), and, therefore, the adopted rule text will not be published.

PART I. PURPOSE, BACKGROUND, AND AUTHORITY

The purpose of the Chapter 800 rule change is to establish rules as required by House Bill (HB) 915, 88th Texas Legislature, Regular Session (2023), which added Chapter 104A to the Texas Labor Code. HB 915 requires employers to post a notice to employees providing contact information so that employees can anonymously report their concerns regarding workplace violence or suspicious activities to the Texas Department of Public Safety.

PART II. EXPLANATION OF INDIVIDUAL PROVISIONS

SUBCHAPTER N. REPORTING WORKPLACE VIOLENCE

The Commission adopts new Subchapter N as follows:

New Subchapter N, regarding reporting workplace violence, provides rules regarding the form and content of a reporting workplace violence poster as required by HB 915 and Texas Labor Code Chapter 104A.

§800.600. Reporting Workplace Violence

New §800.600 prescribes the form and content of a reporting workplace violence poster as required by HB 915 and Texas Labor Code Chapter 104A.

TWC hereby certifies that the final rule has been reviewed by legal counsel and found to be within TWC's legal authority to adopt.

PART III. PUBLIC COMMENTS

The public comment period closed on November 20, 2023. No comments were received.

PART IV. STATUTORY AUTHORITY

The rule is adopted under Texas Labor Code §104A.003, as enacted by House Bill 915, 88th Texas Legislature, Regular Session (2023), which provides TWC authority to prescribe the form and content of the notice required under Texas Labor Code Chapter 104A.

The adopted rule affects Title 3, Texas Labor Code, particularly Chapter 104A.

CHAPTER 800. GENERAL ADMINISTRATION

SUBCHAPTER N. REPORTING WORKPLACE VIOLENCE

§800.600. Reporting Workplace Violence.

- (a) The purpose of this subchapter is to prescribe the form and content of the reporting workplace violence poster as required by House Bill 915, 88th Texas Legislature, Regular Session (2023), and Texas Labor Code Chapter 104A.
- (b) Definitions:
 - (1) In this section, "Employee" and "Employer" shall have the meanings established under Texas Labor Code §104A.001.
 - (2) "Notice" means a notice to employees of the contact information for reporting instances of workplace violence or suspicious activity to the Texas Department of Public Safety.
- (c) Each employer shall post the notice described in subsection (b) of this section:
 - (1) in a conspicuous place in the employer's place of business;
 - (2) in sufficient locations to be convenient to all employees; and
 - (3) in English and Spanish, as appropriate.
- (d) A notice under this subchapter complies with Texas Labor Code, Chapter 104A, if, at a minimum, the following is conveyed:

Reporting Workplace Violence

Employees can report instances of workplace violence or suspicious activity by contacting the Department of Public Safety (DPS) through the iWatchTexas Community Reporting System at www.iwatchtx.org, or by calling 844-643-2251. Employees have the right to make a report to DPS anonymously.

Reportando La Violencia en el Trabajo

Los empleados pueden denunciar casos de violencia en el trabajo o actividades sospechosas comunicándose con el Departamento de Seguridad Pública (DPS) a través del Sistema de Informes Comunitarios iWatchTexas en www.iwatchtx.org, o llamando al 844-643-2251. Los empleados tienen derecho a presentarle una queja al DPS de forma anónima.

- (e) The Agency will make an electronic copy of the Reporting Workplace Violence poster available on the Agency's website, which will be free of charge and allow employers to print a copy of the poster.