

## **BILL ANALYSIS**

Senate Research Center

S.B. 1316  
By: Gallegos  
State Affairs  
3/30/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Currently, the Texas Workers' Compensation Commission (TWCC) is required to provide educational materials to employers and insurance carriers regarding occupational health and safety. Even without statutory authority or requirement, TWCC has provided some materials for employees.

As proposed, S.B. 1316 requires TWCC to provide basic educational materials to employees. TWCC is allowed to determine the content of the educational materials however, this bill stipulates that TWCC provide information on the right of an employee to report hazardous working conditions, instructions on how to report hazardous conditions, and the rights an employee has against retaliation by the employer.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Workers' Compensation Commission in SECTION 3 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends the heading to Subchapter F, Chapter 411, Labor Code, to read as follows:

#### **SUBCHAPTER F. EMPLOYEE REPORTS OF SAFETY VIOLATIONS; EDUCATION MATERIALS**

SECTION 2. Amends Subchapter F, Chapter 411, Labor Code, by adding Section 411.084, as follows:

Sec. 411.084. EDUCATIONAL PUBLICATIONS. Requires the division of workers' health and safety (division) of the Texas Workers' Compensation Commission (TWCC) to provide certain educational materials to employees. Requires educational materials to be provided in English and Spanish. Requires TWCC to adopt minimum content requirements of the educational material required under this section, including certain materials relating to reporting unsafe working environments, conditions, safety violations and retaliation by employers.

SECTION 3. Requires TWCC to adopt rules required by Section 411.084(c), Labor Code, as soon as practicable after the effective date of this Act.

SECTION 4. Effective date: September 1, 2005