**South Carolina Workplace Laws:**

**Notice to Employees**

The following workplace laws are applicable to employees in South Carolina:

### Employment Discrimination

South Carolina and federal laws prohibit discrimination on the basis of race, sex, age, religion, color, national origin and disability.

If you feel that you have been discriminated against because of these, contact the:

- **South Carolina Human Rights Commission**
  1002 Sumter Street, Suite 101, Columbia, SC 29201 / PO Box 4490, Columbia, SC 29240-4490
  Phone: 803-737-7800 or 1-800-521-0725
  www.schrhc.gov

### Workers’ Compensation

If you are injured on the job, you should:
1. Notify your employer at once. You can’t receive benefits unless your employer knows you’re injured.
2. Tell the doctor your employer sends you to that you’re covered by Workers’ Comp.
3. Notify the Workers’ Comp. provider in the box below or the Worker’s Comp. at 803-737-5700 if you experience undue delays or problems with your claim.

Workers’ Compensation:

- Pay 100% of your medical bills and some other expenses.
- Compensates you for 66 2/3% of your salary, limited to the maximum wage set by law, if you are unable to work for more than seven calendar days.

We are operating under and subject to the SC Workers’ Compensation Act. In case of accidental injury or death to an employee, the injured employee, or someone acting in his or her behalf, must give immediate notice to the employer or general authorized agent. Failure to give such immediate notice may be the cause of serious delay in the payment of compensation to the injured employee or his or her dependents and may result in failure to receive any compensation benefits under the law.

**SC Workers’ Compensation Commission**
PO Box 7171
29202-7175
803-737-5700
www.wcc.sc.gov

### Payment of Wages, Child Labor and Right-to-Work Laws

**Payment of Wages Act**

When an employee is hired, the employer must notify the employee of:
- the wages agreed upon
- the normal hours the employee will work
- the time and place wages will be paid
- the deductions an employer may make from wages, including insurance

Changes to these terms must be in writing at least seven calendar days before they become effective.

Employers must pay employees all wages due each pay period.

Employers must also give employees an itemized statement showing gross pay and all deductions made each pay period and maintain records of wages paid for three years.

Employers who violate the Payment of Wages Act are subject to a civil penalty of $100 for each violation. Employers may be assessed a penalty not to exceed $10,000 for any violation.

### Unemployment Insurance

This establishment may be covered by the S.C. Unemployment Compensation Law.

If you become unemployed, contact your local SC Works center for assistance with employment opportunities. If no job is immediately available, you may be eligible for unemployment insurance. If only part time work is available, you may be eligible for partial benefits. Apply online anytime, anywhere at mybenefits.dew.sc.gov

Workers Pay No Part of the Cost for Unemployment Insurance

**Unemployment Insurance Tax:**

Often unemployed workers tell us that unemployment insurance is due them “because they have paid for it.” In South Carolina, employees do not fund unemployment insurance through deductions from pay. Employers fund unemployment insurance through tax contributions.

**Social Security Tax:**

Social Security tax is withheld from your wages as Social Security is your contribution to your old-age, survivors and disability insurance. The employer contributes an equal amount, in addition to his payment of the full unemployment insurance tax.

If you have lost your job due to domestic violence, there is a possibility you may be eligible for unemployment insurance benefits.

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**For more information, contact:**
- **SC Department of Labor, Licensing and Regulation**
  803-896-4380, www.lrlenine.com
- **SC Department of Employment and Workforce**
- **SC Human Rights Commission**
  PO Box 11329, Columbia SC 29211-1329
  803-896-4470, www.lrlenine.com

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**THIS NOTICE MUST BE POSTED CONSPICUOUSLY.**

This poster is free of charge to all SC employers by contacting one of the agencies above. May 2016

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**Unemployment Insurance**

**This right to work the right to a person in South Carolina cannot be denied, interfered with, or abridged because the person belongs or does not belong to a labor organization.**

An employer, labor organization, or other person who violates a workplace provision is guilty of a misdemeanor, and, upon conviction, must be punished by imprisonment for not less than 10 days nor more than 30 days, a fine of not less than $1,000 but not more than $10,000, or both.

In addition, the employer, labor organization, or other person is subject to a lawsuit by the aggrieved worker. For more information call (803) 896-4470.

**Immigrant Worker**

The South Carolina Illegal Immigration and Reform Act requires all employers to verify the legal status of new employees and prohibits employment of any worker who is not legally in this country and authorized to work.

After July 1, 2009, all businesses in South Carolina are imputed a South Carolina employment license which permits an employer to hire employees. The imputed employment license is issued to any employer for effect as long as the business abides by the law.

Effective January 1, 2012, all South Carolina employers are required to enroll in the U.S. Department of Homeland Security’s E-Verify program and verify the status of new employees within three business days, using Land Security’s E-Verify program and verify the status of new employees within three business days, using E-Verify. Failure to use E-Verify to verify new hires will result in probation for the employer or suspension/revocation of the employer’s business license.

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**Safety and Health Protection on the Job**

- Any employee or representative may request an inspection of place or site of employment.
- The South Carolina Department of Labor, Occupational Safety and Health Administration (OSHA), South Carolina is providing job safety and health consultation.
- The inspecting officer shall have the right to determine the number of persons participating in the walk-around inspection.

Under state law, the authorized representative of the employer accompanies the inspecting officer during a walk-around inspection. If, in the inspector’s opinion, an employee is exposed to recognized hazards that are causing, or likely to cause, death or serious harm, the employer shall comply with occupational safety and health standards promulgated by the Director.

- Any employee or representative may request an inspection of place or site of employment. Any employee may file an inspection request, either verbally or in writing. Cite of location and filing information may be found on our website or will be provided, upon request, by the South Carolina Department of Labor, Licensing and Regulation.

Employers and employees have the right to participate in inspections by means of bringing attention to the inspector or inspecting officer possible violations which exist in their area of work and the right to participate in the walk-around inspection. The inspecting officer shall have the right to determine the number of persons participating in the walk-around inspection.

Under state law, when the authorized representative of the employee accompanies the inspecting officer during a walk-around inspection, he shall not suffer any loss of wages or other benefits which would normally accrue to him.

There is no authorized representative, the inspecting officer will consult with a reasonable number of employees concerning matters of safety and health in the workplace.

**DISCRIMINATION:** State and federal laws prohibit discrimination against any employee if he files a complaint or causes any proceeding under or related to this Act or is about to testify in any such proceedings or because of the exercise by any employee on behalf of himself or others of any right afforded him by this Act or any federal law. The Director of Labor, Licensing and Regulation or the nearest federal OSHA offices must be notified within thirty (30) days after such discriminatory act occurs. State and local government employers should file such complaints with the director of SC Department of Labor, Licensing and Regulation. A public sector employee believing that he has been discharged or otherwise discriminated against by any person in violation of Section 41-15-510 may proceed with a civil action pursuant to the provisions contained in Chapter 27, Title 8.

**CITATIONS:** Citations listing the alleged violations during an inspection will be mailed to the employer with reasonable promptness. State law requires such citations be promptly presented at appropriate places for employee information for three days, or until the violations are corrected, whichever is later, to warn employees of dangers that may exist.

**PENALTIES:** An employer may be assessed a penalty up to $7,000 for a non-violent serious violation.

An employer who receives a citation for a serious violation may be assessed a penalty up to $7,000 dollars for each such violation.

Any employer who willfully violates an occupational safety and health rule or regulation may be assessed a penalty not more than $750,000 for each violation.

Any employer who willfully violates an occupational safety and health rule or regulation and the violation causes death to an employee shall be deemed guilty of a misdemeanor and, upon conviction, be punished by fine, imprisonment or both.

For more information, contact:
- South Carolina Department of Labor, Licensing and Regulation
  Office of OSHA Compliance
  PO Box 11329, Columbia, SC 29211
  803-896-7665, www.lrlenine.com

Under a plan approved November 30, 1972 by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), South Carolina is providing safety and health protection for workers throughout the state. Federal OSHA will monitor the operation of this plan to assure that continued approval is merited. Any person may make a complaint regarding the state administration of this plan to the Regional Office of OSHA, U.S. Department of Labor, 61 Forsyth Street SW, Room 6T50, Atlanta, Georgia 30303.