

# South Carolina Workplace Laws

## Notice to Employees

### Safety and Health Protection On the Job

**THE STATE:** Under the South Carolina Occupational Safety and Health Act, the State is responsible for the enforcement of occupational safety and health standards in all workplaces, both public and private, within the state of South Carolina. However, longshoring, shipbuilding, ship repairing and shipbreaking operations covered by the Longshoremen and Harbor Workers' Compensation Act, as amended, remain under federal jurisdiction.

**EMPLOYER:** Each employer shall furnish to his employees employment and a place of employment which are free from recognized hazards that are causing or likely to cause death or physical harm to his employees, and he shall comply with occupational safety and health standards promulgated by the Director.

**EMPLOYEEES:** Each employee shall comply with occupational safety and health standards and all rules, regulations and orders issued by the director of Labor, Licensing and Regulation which are applicable to his own actions and conduct.

Any employee or his representative may request an inspection of his place or site of employment. Any employee may file an imminent danger complaint by

telephone. All other complaints must be in writing. Complaint forms will be furnished upon request by the South Carolina Department of Labor, Licensing and Regulation. The identity of any employee filing a complaint will not be revealed without the written consent of the employee.

Employers and employees have the right to participate in inspections by means of bringing to the attention of the 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 employees 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.

Where 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 under state and 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 employees should file such complaints with the Director, South Carolina Department of Labor, Licensing and Regulation.

**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 posted at appropriate places for employee information for three (3) 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 seven thousand (\$7,000) dollars for a non-serious violation.

An employer who receives a citation for a serious violation may be assessed a penalty up to seven thousand (\$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 seventy thousand dollars (\$70,000) 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  
P.O. Box 11329  
Columbia, South Carolina 29211  
(803) 734-9607  
www.llr.state.sc.us**

Under a plan approved November 30, 1972 by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the State of South Carolina is providing job 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 directly to the Regional Office of OSHA, U.S. Department of Labor, 61 Forsyth Street S.W., Room 6T50, Atlanta, Georgia 30303.

### 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 any of these bases, contact the

**South Carolina Human Affairs Commission:**

**2611 Forest Drive, Suite 200  
Post Office Box 4490  
Columbia, South Carolina 29240  
Phone: (803) 737-7800 or 1-800-521-0725  
TDD: (803) 253-4125  
www.state.sc.us/schac**

or

**United States Equal Employment  
Opportunity Commission (EEOC)  
Phone: (704) 344-6700**

### 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 below or the S.C. Workers' Comp. Commission at (803) 737-5700 if you experience undue delays or problems with your claim.

**Workers' Compensation:**

1. Pays 100% of your medical bills and some other expenses.
2. 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 (7) calendar days.

**We are operating under and subject to the S.C. 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.

**S.C. Workers' Compensation Commission  
P.O. Box 1715, 1612 Marion Street  
Columbia, S.C. 29202-1715  
(803) 737-5700  
www.wcc.state.sc.us**

### 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 in writing 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 (7) 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.

Employers who violate the Payment of Wages Act are subject to a civil penalty of \$100 for each violation. Employees can recover up to three times the full amount of unpaid wages, costs, and attorney's fees in a civil action.

To report a suspected violation, or for recordkeeping or other questions involving the Payment of Wages Act, or to order a copy of the Payment of Wages Act, please contact the Office of Wages and Child Labor at the address and number listed below.

**Child Labor**

No employer in this State shall engage in any oppressive child labor practices. Oppressive child labor includes employment of any minor in any occupation declared by the Director of Labor, Licensing and Regulation to be particularly hazardous or detrimental to the health or well being of minors. Oppressive child labor also includes employment of minors who are 14 or 15 years old under the following conditions:

- During school hours
- Before 7 a.m. or after 7 p.m. (9 p.m. during the period of summer break of the school district in which the minor resides)
- More than 18 hours during school weeks
- More than 3 hours on school days
- More than 40 hours in non-school weeks
- More than 8 hours on non-school days

For details involving child labor provisions, please contact the Office of Wages and Child Labor at the address and number listed below.

**S.C. Department of Labor, Licensing and  
Regulation  
Office of Wages and Child Labor  
P.O. Box 11329  
Columbia, South Carolina 29211-1329  
803-734-9627  
www.llr.state.sc.us**

**Right-to-Work**

The right to work of a person in South Carolina cannot be denied, interfered with, or abridged because the person belongs – or does not belong – to a labor union. An employer, labor organization, or other person that interferes with a worker's rights under these provisions may be assessed a penalty of not more than \$100 for each violation and is subject to a lawsuit by the aggrieved worker. For more information, contact the Office of Labor – Management Mediation at (803) 896-5156

### Unemployment Insurance

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

If you become unemployed, go to the nearest South Carolina Employment Security Workforce Center to help you find a job. Please take your social security card with you. If no job is immediately available, you may be eligible for unemployment insurance benefits if you are:

1. Able and available for suitable work
2. Unable to obtain suitable work
3. Actively seeking work

If only part time work is available, you may be eligible for partial benefits. For questions concerning unemployment insurance benefits, contact:

**Benefit Department at (803) 737-2532**

**S.C. Employment Security Workforce Centers**

Abbeville	Gaffney	Moncks Corner
Aiken	Georgetown	Myrtle Beach/Conway
Anderson	Greenville	Newberry
Barnwell	Greenwood	Orangeburg
Beaufort	Hampton	Ridgeland
Benettsville	Hartsville	Rock Hill
Camden	Horry	Seneca
Charleston	Kingstree	Spartanburg
Chester	Lancaster	Summerville
Clinton	Lexington	Sumter
Columbia	Marion	Union
Florence	Liberty	Walterboro
		Winnsboro

**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." This is not true. Not one cent is deducted from your pay in South Carolina to cover unemployment insurance. Your employer pays the entire unemployment insurance tax.

**Social Security Tax**

Don't confuse unemployment insurance with old-age, survivors and disability insurance. The amount deducted from your wages as social security is your contribution to old-age, survivors and disability insurance. The employer contributes an equal amount, in addition to his payment of the full unemployment insurance tax. For questions concerning unemployment insurance tax, contact:

**Employer Status Section at (803) 737-3075**

**South Carolina Employment Security Commission  
1550 Gadsden Street  
Columbia, S.C. 29202  
(803) 737-2400  
www.sces.org  
E-Mail: ui@scses.org**

**Workers' Compensation Provider Name,  
Address & Claims Telephone #:**

### For more information, contact:

S.C. Department of Labor, Licensing and Regulation	(803) 896-4380	www.llr.state.sc.us
S.C. Employment Security Commission	(803) 737-2400	www.sces.org
S.C. Human Affairs Commission	(803) 737-7800	www.state.sc.us/schac
	1-800-521-0725	
S.C. Workers' Compensation Commission	(803) 737-5700	www.wcc.state.sc.us

**THIS NOTICE MUST BE POSTED  
CONSPICUOUSLY.**

This poster is available **free of charge** to all South Carolina employers by contacting the S.C. Department of Labor, Licensing and Regulation, S.C. Employment Security Commission, S.C. Human Affairs Commission or S.C. Workers' Compensation Commission.