

Office of Wages and Child Labor



South Carolina Department of
Labor, Licensing And Regulation

P.O. Box 11329
Columbia, SC 29211-1329
www.llr.state.sc.us
803-896-4470



Recordkeeping Requirements

State law requires employers of five or more employees to notify each employee in writing at the time of hiring of the normal hours and wages agreed upon, the time and place of payment, and the deductions which will be made from wages, including insurance programs. No law requires an employer to provide an employee with benefits such as vacation, sick leave, holiday pay, lunch hour, break time, etc. However, if an employer decides to do so, he must give notice of the policy to the employee in writing and abide by the policy. The employer has the option of giving individual notification or posting the terms conspicuously at or near the place of work. Any changes in any of the above terms must be given to the employee in writing at least seven calendar days before they become effective.

Every employer shall keep records of names and addresses of all employees and of wages paid each payday and deductions made for three years.

The employer must furnish each employee with an itemized statement showing his gross pay and the deductions made from his wages for each pay period.

Any employer who violates these provisions must be given a written warning by the Director of the South Carolina Department of Labor, Licensing and Regulation or his designee for the first offense and must be assessed a civil penalty of not more than \$100 for each subsequent offense.

Payment of Wages

When an employee is separated from the payroll, voluntarily or involuntarily, every employer must pay all wages due to the employee within 48 hours of the time of separation **OR** the next regular payday, which may not exceed 30 days.

If an employer fails to pay wages due to an employee, the employee may recover in a civil action an amount equal to three times the full amount of the unpaid wages, plus costs and reasonable attorney's fees as the court may allow. The employee must bring the suit within three years.

Any employer who violates these provisions must be assessed a civil penalty of not more than \$100 for each violation. Each failure to pay constitutes a separate offense.

To file a wage complaint, contact the S.C. Department of Labor, Licensing and Regulation, Office of Wages and Child Labor, P.O. Box 11329, Columbia, S.C. 29211-1329, (803) 896-4470.

Child Labor

State law will allow persons as young as 14 to work in the state of South Carolina. However, certain rules do apply. These rules limit the work hours of persons 14 and 15 years old and prohibit the employment of persons under 18 years of age in occupations determined to be hazardous.

Wage and Child Labor Questions & Complaints

Employees in South Carolina are entitled to full and timely payment for all wages earned on the regularly scheduled paydays of each successive payroll earnings period.

To file a wage complaint, or to report or inquire about any instance of child labor, please contact the S.C. Department of Labor, Licensing and Regulation, Office of Wages and Child Labor, P.O. Box 11329, Columbia, S.C. 29211-1329. Phone: (803) 896-4470.

Frequently Ask Questions

- Q. Does my employer have to provide me with breaks and time for lunch/dinner during the day?
A. There is no requirement under South Carolina law for an employer to provide employees with breaks or a lunch period.
- Q. Who do I contact if I feel as though I was terminated unfairly?
A. Due to South Carolina being an employment at will state, you will need to contact an attorney, or if you feel you were discriminated against due to race, age, sex, handicap, national origin, and/or religion, you may contact the South Carolina Human Affairs Commission.
- Q. If I quit my job, or if I am terminated, does my employer have to pay me all wages due that day?
A. No. State law requires the employer to pay an employee all wages due him or her within 48 hours of the day of separation **OR** the next regularly scheduled payday, not to exceed 30 days.
- Q. Does my employer have to provide me with paid vacation and/or sick time?
A. No.
- Q. Upon leaving a company, am I entitled to receive pay for any vacation and/or sick time that I have earned but not used?
A. This would depend on the company's policy.
- Q. Can my employer decrease my rate of pay?
A. Yes. However, if the employer has 5 or more employees, the employee must be notified in writing at least seven calendar days in advance.
- Q. How old does a minor need to be before he/she can begin work in South Carolina?
A. A minor can begin work at age 14. However, the child labor laws has restrictions on what type of work can be performed and limitations on hours of work.
- Q. What documents are needed for a minor to work in South Carolina?
A. The minor will need to provide the employer with a copy of a legal document showing their birth date (birth certificate or driver's license).
- Q. As an employer, what posters am I required to post in the workplace?
A. The S.C. Department of Labor, Licensing and Regulation has an all-in-one poster that includes the required notices of LLR, the S.C. Employment Security Commission, the South Carolina Workers Compensation Commission and the South Carolina Human Affairs Commission.

Referral Numbers

Please refer to the following agencies for assistance with the topics listed below:

ATTORNEY REFERRALS:

SC Lawyer Referral Service (800) 868-2284
P. O. Box 608 (803) 799-7100
Columbia, SC 29202

BANKRUPTCY:

US Bankruptcy Court (803) 765-5436
P. O. Box 1448
Columbia, SC 29202

DISCRIMINATION/HARASSMENT:

SC Human Affairs Commission (800) 521-0725
2611 Forest Drive, Suite 200 (803) 737-7800
P. O. Box 4490
Columbia, SC 29240

Equal Employment Opportunity Commission (800) 669-4000
15 South Main Street, Suite 530
Greenville, SC 29615

MINIMUM WAGE/OVERTIME/FMLA:

U S Department of Labor (803) 765-5981
Wage and Hour Division
Strom Thurmond Building, Room 1072
1835 Assembly Street

Columbia, SC 29201
Charleston Branch Office: (843) 746-2975
Florence Branch Office: (843) 662-6611
Greenville Branch Office: (864) 232-3045

PENSION/WELFARE BENEFITS:

U S Department of Labor (404) 562-2156
**Employee Retirement Income Security
Admistration (ERISA)
61 Forsyth Street, SW, Suite 7B54
Atlanta, GA 30303**

SC LAW GENERAL INFORMATION:

SC Bar's Law Line (800) 521-9788 or (803) 771-0011

UNEMPLOYMENT BENEFITS:

SC Employment Security Commission (803) 737-2400
1550 Gadsden Street
P. O. Box 995
Columbia, SC 29202

WORKERS' COMPENSATION:

SC Workers' Compensation Commission (803) 737-5700
1612 Marion Street
P. O. Box 1715
Columbia, SC 29202-1715