



TOUSSAINT LAW FIRM

When it really matters, Call us...

(864) 888-1900

Layoff Law for South Carolina

Employees in South Carolina may be terminated for any reason under South Carolina's at-will state laws. Employees on active duty with the South Carolina National Guard and State Guard cannot be laid off or lose their benefits or seniority, unless the employer's circumstances have substantially changed.

- **Worker Adjustment and Retraining Notification Act (WARN)**
Employees who have been employed for 12 months at a South Carolina plant which is closing or laying off more than 100 employees are entitled to 60 days notice under the Worker Adjustment and Retraining Notification Act (WARN).
- **Wages Due**
South Carolina law requires that all wages due to an employee who has been terminated or voluntarily quit must be paid by the employer within 48 hours after the separation of employment or by the next regularly scheduled pay period, which cannot exceed 30 days.
- **Unemployment Compensation**
Laid off South Carolina employees are entitled to receive unemployment insurance benefits if they meet the state eligibility requirements regarding income earned of \$1,500 or more for each of the last four out of five completed calendar quarters. You must have worked full-time, the lay off must not have been your fault and you must be actively seeking current employment. Maximum state benefits are \$326 for 26 weeks (as of 2010).

Source: *"Layoff Laws for South Carolina"*

by Sheri Bell Hack, published on eHow.

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