HEALTH INSURANCE PROTECTION

connected illnesses or injuries.

FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMENT

under the FLSA.

The Department has authority to recover

wage, overtime, and other violations. The

criminal prosecution. Employers may be

assessed civil money penalties for each

wage or overtime pay provisions of the

law. Civil money penalties may also be

assessed for violations of the FLSA's child

labor provisions. Heightened civil money

penalties may be assessed for each child

labor violation that results in the death or

serious injury of any minor employee, and

such assessments may be doubled when

the violations are determined to be willful or

repeated. The law also prohibits retaliating

complaint or participate in any proceeding

Certain occupations and establishments

are exempt from the minimum wage,

Special provisions apply to workers in

American Samoa, the Commonwealth

of the Northern Mariana Islands, and the

employee protections; employers must

Some employers incorrectly classify

workers as "independent contractors"

the FLSA. It is important to know the

difference between the two because

to the FLSA's minimum wage and

Certain full-time students, student

employees (unless exempt) are entitled

overtime pay protections and correctly

classified independent contractors are

learners, apprentices, and workers with

minimum wage under special certificates

disabilities may be paid less than the

issued by the Department of Labor.

when they are actually employees under

and/or overtime pay provisions.

Commonwealth of Puerto Rico.

Some state laws provide greater

comply with both.

against or discharging workers who file a

ADDITIONAL INFORMATION

liquidated damages in instances of minimum

Department may litigate and/or recommend

willful or repeated violation of the minimum

back wages and an equal amount in

FEDERAL MINIMUM WAGE \$7.25 PER HOUR BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

OF LABOR **UNITED STATES** OF AMERICA

DEPARTMENT



WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT







SC Department of Labor, Licensing and Regulation (LLR) **Required Work Place Poster**

LLR.sc.gov

SC Labor Law Abstract

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
- 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 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. Employees can recover up to three times the full amount of unpaid wages,

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.

costs, and attorney's fees in a civil action.

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
- More than 3 hours on school days
- More than 40 hours in non-school weeks
- More than 8 hours on non-school days

SC LLR -

listed below.

OFFICE OF WAGES AND CHILD LABOR P.O. Box 11329

For details involving child labor provisions,

please contact the Office of Wages and

Child Labor at the address and number

COLUMBIA, SOUTH CAROLINA 29211-1329 (803)-896-4470

www.llronline.com

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 who violates a worker's rights under these provisions is guilty of a misdemeanor, and, upon conviction, must be punished by imprisonment for not less than ten days nor more than thirty days, a fine of not less than one thousand dollars but not more than ten thousand dollars, 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

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 remains in 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 E-Verify. Failure to use E-Verify to verify new hires will result in probation for the employe or suspension/revocation of the employer's business licenses.

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

SC

Unemployment Insurance

This establishment may be covered by the S.C. Employment and Workforce 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 https://scuihub.dew.sc.gov/CSS/ A guide to applying for unemployment benefits can be found at https://dew.sc.gov/individuals/apply-for-benefits

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

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.

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

For more information, contact:

SC DEPARTMENT OF EMPLOYMENT AND WORKFORCE, 803-737-2400, <u>www.dew.sc.gov</u>

THIS NOTICE MUST BE POSTED

CONSPICUOUSLY.

FED

EMPLOYEE RIGHTS

EMPLOYEE POLYGRAPH PROTECTION ACT The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions,

to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably

suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the emplover The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE **EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**

DEPARTMENT OF LABOR **UNITED STATES** OF AMERICA

WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd



REV. 07/2016

FED

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

The birth of a child or placement of a child for adoption or foster care; To bond with a child (leave must be taken within 1 year of the child's birth or

To care for the employee's spouse, child, or parent who has a qualifying serious health condition;

For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;

who is the employee's spouse, child, or parent. An eligible employee who is a covered servicemember's spouse, child, parent, or next of

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and Work at a location where the employer has at least 50 employees within 75 miles of
- *Special "hours of service" requirements apply to airline flight crew employees.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

DEPARTMENT OF LABOR **UNITED STATES** OF AMERICA

1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

U.S. Department of Labor • Wage and Hour Division • WH1420

REV. 04/2016

department of the State, and local subdivision thereof,

CONSPICUOUS PLACES UPON THEIR PREMISES where

SHALL POST, KEEP POSTED, AND MAINTAINED IN

notices to employees and applicants for employment

are customarily posted a notice to be prepared and

distributed by the Commission setting forth excerpts

from and/or summaries of, pertinent provisions of the

and information pertinent to the filing of a complaint

In addition to preventing **Employment** discrimination,

the mission of SCHAC is to eliminate and prevent unlawful

EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

Housing on the basis of race, color, national origin,

HUMAN AFFAIRS LAW and LACTATION SUPPORT ACT,

SOUTH CAROLINA LAW PROHIBITS Employers, including each State Agency, or

Failure to Hire or Promote **Unequal Wages**

- Discipline/Demotion/Suspension/Termination Applying Different Terms and Conditions of Failure to Reasonably Accommodate due to:
- disability; religion; pregnancy, childbirth or related medical conditions, including, but not limited, to Retaliation as a result of complaining about discrimination, seeking an accommodation, or

employment discrimination. To preserve the ability

to act on your behalf and to protect your right to

file a private lawsuit, should you ultimately need

to, you should contact SCHAC promptly when

South Carolina mail, or online at www.schac.sc.gov. Once **Human Affairs** submitted, a SCHAC Intake Officer will contact you Commission and assist you in filing a formal complaint. We Prevent and You must file a formal complaint to launch an Discrimination There are strict time limits for filing charges of

South Carolina **HUMAN AFFAIRS COMMISSION** 1026 SUMTER STREET, SUITE 101 COLUMBIA, SC, 29201 www.schac.sc.gov PHONE: 803.737.7800 Toll- Free: 1.800.521.0725

SC

Workers' Compensation Workers' Compensation Compliance Poster SOUTH CAROLINA WORKERS' COMPENSATION

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. **Workers' Compensation:**

Compensates you for 66 2/3% of your salary, limited to the maximum wage set by law, if you are

Pays 100% of your medical bills and some other

unable to work for more than seven (7) calendar

- If you are injured on the job, you should: Notify your employer at once. You cannot receive benefits unless your employer knows you are
- Tell the doctor your employer sends you to that you are covered by workers' compensation. Notify the Workers' Compensation Provider listed on this poster or the South Carolina Workers' Compensation Commission at 803.737.5700

if you experience undue delays or problems

with your claim.

1333 Main Street, Suite 500 COLUMBIA, S.C. 29202-1715 803-737-5700

CLAIMS TELEPHONE NUMBER

YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

because of this status.

service connection.

ENFORCEMENT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and

REEMPLOYMENT RIGHTS

applicants to the uniformed services.

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed
- services while with that particular employer; you return to work or apply for reemployment in a timely manner after
- conclusion of service; and

If you are eligible to be reemployed, you must be restored to the job and

you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job. RIGHT TO BE FREE FROM DISCRIMINATION AND

RETALIATION If you:

FED

are a past or present member of • uniformed service; the uniformed service; have applied for membership in

the uniformed service; or then an employer may not deny you:

initial employment;

reemployment; retention in employment;

promotion; or any benefit of employment

are obligated to serve in the

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. The rights listed here may vary depending on the circumstances. The text of

viewed at http://www.dol.gov/elaws/userra.htm.

this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

the Office of Special Counsel, as applicable, for representation.

In addition, an employer may not retaliate against anyone assisting in the

enforcement of USERRA rights, including testifying or making a statement

in connection with a proceeding under USERRA, even if that person has no

If you leave your job to perform military service, you have the right to

elect to continue your existing employer-based health plan coverage

for you and your dependents for up to 24 months while in the military.

service, you have the right to be reinstated in your employer's health

plan when you are reemployed, generally without any waiting periods

or exclusions (e.g., pre-existing condition exclusions) except for service-

Even if you don't elect to continue coverage during your military

The U.S. Department of Labor, Veterans Employment and Training

For assistance in filing a complaint, or for any other information on

USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at

Service (VETS) is authorized to investigate and resolve complaints of

http://www.dol.gov/vets. An interactive online USERRA Advisor can be

If you file a complaint with VETS and VETS is unable to resolve it, you

may request that your case be referred to the Department of Justice or

U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

REV. 04/2017

Private Employers, State and Local Governments, Educational

Institutions, Employment Agencies and Labor Organizations Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies

and labor organizations are protected under

following bases: RACE, COLOR, RELIGION, SEX,

Federal law from discrimination on the

NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's

religious practices where the accommodation

does not impose undue hardship.

DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue

AGE The Age Discrimination in Employment Act of 1967, as amended, protects applicants

promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. **SEX (WAGES)** In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal

and employees 40 years of age or older

from discrimination based on age in hiring,

All of these Federal laws prohibit covered entities from retaliating against a person who who, while on active duty, participated in a U.S.

members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

WHAT TO DO IF YOU BELIEVE **DISCRIMINATION HAS OCCURRED** There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit,

should you ultimately need to, you should

contact EEOC promptly when discrimination is

files a charge of discrimination, participates

in a discrimination proceeding, or otherwise

opposes an unlawful employment practice.

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (tollfree) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX,

Executive Order 11246, as amended, prohibits

job discrimination on the basis of race, color,

religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973,

as amended, protects qualified individuals

available at www.eeoc.gov.

NATIONAL ORIGIN

from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section

503 also requires that Federal contractors take

affirmative action to employ and advance

in employment qualified individuals with

disabilities at all levels of employment, including the executive level. **DISABLED, RECENTLY SEPARATED,**

OTHER PROTECTED, AND ARMED **FORCES SERVICE MEDAL VETERANS** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires

Equal Employment Opportunity is THE LAW separated veterans (within three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans

service medal was awarded).

RETALIATION Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes

discrimination under these Federal laws.

Any person who believes a contractor has

military operation for which an Armed Forces

violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be

contacted by e-mail at OFCCP-Public@dol.gov,

or by calling an OFCCP regional or district office,

listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving

Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment

discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable

functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency

accommodation, can perform the essential

providing such assistance. EEOC 9/02 and OFCCP 8/08 Versions Useable With

11/09 Supplement

EEOC-P/E-1

LLR.sc.gov

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

matters of safety and health in the workplace.

Discrimination:

Employers: that are causing or are likely to cause death or physical harm to his employees, and shall comply with occupational safety and health standards promulgated by the Director of LLR. Employers must report to OSHA all work-related fatalities within 8 hours, and all inpatient

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 a complaint,

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

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. 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:**

An employer who receives a citation for a serious violation may be assessed a penalty up to seven thousand (\$7,000) dollars for each Any employer who willfully violates an occupational safety and health rule or regulation may be assessed a penalty not more than

An employer may be assessed a penalty up to seven thousand (\$7,000) dollars for a non-serious violation.

shall be deemed guilty of a misdemeanor and, upon conviction, be punished by fine, imprisonment or both.

For more information, contact: SC LLR - Office of OSHA Compliance P.O. Box 11329 Columbia, South Carolina 29211 - 1329

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.

REV. 07/2018

ONLINE

TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

JJKeller.com/laborlaw 800-327-6868

To update your labor law posters contact

J. J. Keller & Associates, Inc.

62906

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This poster is in compliance with federal and state posting requirements.

Rev. 08/2018

For qualifying exigencies related to the foreign deployment of a military member

the servicemember with a serious injury or illness.

kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for

- the employee's worksite.

For additional information or to file a complaint:

(including Pregnancy & Childbirth or related medical conditions), Age (40+), or Disability Examples of conduct covered under the law:

EMPLOYMENT DISCRIMINATION

Based on: Race, Color, Religion, National Origin, Sex

religion, sex, familial status or disability; and **Public Accommodations** on the basis of race, color, participating in a discrimination investigation national origin or religion. How to report unlawful discrimination: Complete a questionnaire via phone, in-person,

Eliminate Unlawful

Commission **P.O.** Box 1715

www.wcc.sc.gov

REV. 02/20/2014

SC Department of Labor, Licensing and Regulation (LLR) **Required Work Place Poster**

under federal jurisdiction. Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards

either verbally or in writing. Complaint forms 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 to the attention of the inspecting officer

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:**

Under a plan approved November 30, 1972 by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), the

AUG2020

hardship.

work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment. **GENETICS** Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic

information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the affirmative action to employ and advance manifestation of diseases or disorders in family in employment disabled veterans, recently

Safety and Health Protection on the Job

hospitalizations, amputations, and losses of an eye within 24 hours. Reporting may be accomplished by telephone at (803)896-7672 or in person at 121 Executive Center Drive, Suite 230, Columbia, SC 29211. **Employees:** Each employee shall comply with occupational safety and health standards and all rules, regulations and orders issued by the director of

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

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