

South Carolina Unemployment Notice Requirements Updated

By

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Related Services

COVID-19

Reductions-in-Force/WARN

Act

Wage and Hour

South Carolina's Department of Employment and Workforce (DEW) issued a notice effective April 16, 2020, requiring all employers to provide employees with a [Notification of the Availability of Unemployment Insurance Benefits](#) upon separation of employment. The Notice can be provided in person, by mail, electronically, by text message, or in document form.

The Notice informs employees that unemployment insurance benefits are available to those who have been separated from employment or have had their hours reduced. It also provides employees with contact information for DEW and the types of information employees will need to supply to DEW if they submit an application. Typically, this information is available to employees on postings in the workplace where employees perform their services. The revised Notice and distribution requirement recognize that many employees are no longer reporting to a central workplace during the COVID-19 crisis and may not have access to workplace postings.

Although DEW specifies that only separated employees must receive the Notice, employees who work less than their customary full-time weekly hours because of a lack of full-time work and earn less than the weekly benefit amount (the maximum weekly benefit in South Carolina is \$326) may be eligible for benefits if the reduction is due to a lack of work.

Employers are not required to file claims on behalf of employees who may be eligible for unemployment benefits; however, if employees remain job-attached (*i.e.*, they are on furlough or are working reduced hours), employers can seek permission to file claims on behalf of their employees.

Jackson Lewis has a [dedicated team](#) tracking and responding to the developing issues facing employers as a result of COVID-19. Please contact a team member or the Jackson Lewis attorney with whom you regularly work if you have questions or need assistance.

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