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WORKER RIGHTS · SOUTH CAROLINA

Your Rights as a Worker in South Carolina

What every hospitality worker should know, in plain language. No legal jargon.

This guide is general information about South Carolina employment law as of October 2026. It is not legal advice, and not a substitute for talking to a licensed attorney about your situation.

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You Can Be Fired for Almost Any Reason, but Not an Illegal One

- South Carolina is an "at-will" state. Your employer can let you go for a good reason, a bad reason, or no reason at all.
- But they cannot fire you for: your race, color, religion, sex, national origin, age, or disability; filing a workers' comp claim; complaining about unpaid wages or unsafe working conditions; refusing to break the law.

If you were fired for one of these reasons, consider talking to an employment lawyer.

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Your Paycheck Is Protected

- Minimum wage: South Carolina has no state minimum wage — the federal $7.25/hour applies. Overtime: 1.5x your rate for hours past 40 in a week (federal law).
- Written notice: employers with 5 or more employees must tell you in writing when you're hired what you'll be paid, your normal hours, when and where you'll be paid, and what deductions they'll take. Any changes need 7 days' written notice.
- Final paycheck: when you leave — quit or fired — you must be paid everything you're owed within 48 hours or by the next regular payday (no more than 30 days out).
- Deductions: your employer generally cannot withhold or divert your wages without your written authorization or written notice of the amount and terms.
- Unpaid wages: if your employer won't pay what you're owed, you can sue for up to triple the unpaid amount, plus attorney's fees. You have 3 years to file.

If your pay is short or a deduction showed up you never agreed to in writing, you can file a complaint with SC Labor, Licensing and Regulation — or consider talking to an employment lawyer.

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If You Earn Tips

- Your employer can pay a cash wage of $2.13/hour, but your tips must bring you to $7.25/hour for every hour worked. If they don’t, your employer owes you the difference.

Vacation and PTO

- South Carolina does not require employers to offer vacation, sick leave, or holidays.
- But once your employer promises paid time off in writing, it counts as wages — they owe it to you.

Breaks

- South Carolina does not require meal or rest breaks for adult workers. If your employer gives you a break, that’s their policy — not the law.

If You’re Under 21 and Serve Alcohol

- You must be 18 to serve beer, wine, or liquor in open containers — but someone 21 or older has to pour or mix it.
- You must be 21 to pour, mix, or bartend.

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Non-Compete Agreements

- South Carolina courts disfavor non-competes and read them strictly against the employer. To be enforceable, an agreement must be reasonable in time and geographic scope, protect a legitimate business interest, and be backed by real consideration. Courts will not rewrite an overbroad agreement to make it fair.

Every agreement is different — do not assume yours is unenforceable. Talk to an employment lawyer before you act on it.

What South Carolina Does Not Require

- No state pay transparency law — employers aren’t required to post pay ranges.
- No state paid sick leave law.
- No minimum wage above the federal $7.25.
- South Carolina is a right-to-work state — you can’t be forced to join a union as a condition of employment.

If Your Rights Were Violated

- Wage issues (unpaid wages, illegal deductions, missing overtime): SC Department of Labor, Licensing and Regulation (LLR), Office of Wages and Child Labor — 803-896-4470.
- Discrimination: SC Human Affairs Commission (803-737-7800) or the U.S. Equal Employment Opportunity Commission (EEOC).
- Unsafe working conditions: Federal OSHA.

Deadlines apply to many claims, so don’t wait. And when in doubt, consider talking to an employment lawyer — many offer free consultations.

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