State Record Retention Requirements – SC



SOUTH CAROLINA

Wage and Hour

- All employers are required to keep records of the names and addresses of all employees and of wages paid each payday and deductions made for 3 years.
- Employers that employ at least one employee in each of 20 different calendar weeks in either the current or preceding year must keep the following records for five years: (a) the beginning and ending dates of each pay period and the largest number of workers in employment during each calendar week of each pay period; (b) the name and social security number, number of hours worked each week (if less than full time): monetary wages and cash value of other remuneration provided; and the date of hire/rehire/return to work/separation (and the reason for separation) for each employee; and (c) with regard to benefits-wages earned by weeks, whether any week worked was less than full time, and time lost due to an employee's inability to work.

Worker Injuries, Health, and Safety:

- All public employers and private employers with four or more regularly employed employees must keep a record of all injuries, fatal or otherwise, received by an employee in the course of employment, on the forms provided by the Workers' Compensation Commission, for a period of two years.
- Employers in a hazardous waste industry are required to maintain training records for current employees until closure of the facility. Employers must maintain training records for former employees for at least three years from the date that the employee last worked at the facility.
- All employers covered by the South Carolina Occupational Safety and Health Act with 11 or more full-or-part time employees must maintain a log and summary of all recordable occupational injuries and illnesses for five years.

Other Employment Records:

No requirements

Does your state give employees a legal right to examine their own personnel files?

Employees' Rights:

Employees have access to records of exposure to potentially toxic substances. Public sector employees have rights to their files through the South Carolina Freedom of Information Act.

Former Employees’ Rights:

Former employees have access to records of exposure to potentially toxic substances.

Covered Employers

Toxic substances: All employers

Freedom of Information: Public employers

Citation to Authority – click on link to view law – scroll to statute:

SCCA § 41-10-30	**Notification – Wages and hours**
SCCA § 41-27-210	**Employer**
SCCA § 41-15-100 *et seq*.	**Toxic substances**
SCCA § 30-4-10 *et seq*.	**Freedom of information**
SCCA § 42-1-10 *et seq*.	**Workers’ Comp**
SC Code Ann. Regs. 47-14	**Printed information**
SC Code Ann. Regs. 67-411	**Employer’s report of injury**
See SC Code Ann Regs. 61-79.264.16	**Hazardous Waste administration**
SC Code Ann. Regs. 61-107.12	**Waste Incineration management**
SC Code Ann Regs. 61-107.18	**Contaminated Soil**

SC Code Ann. Regs. 71-333	**Retention/Updating**
SC Code Ann. Regs. 71-301	**Partial Exemption**