

STATE WORKERS' COMPENSATION OVERVIEW – South Carolina

Issue	Regulation	Comments
Employee's Notice to Employer	Within 90 days	Notice must be given in writing. Failure to provide notice within this timeframe is excusable if the employer had knowledge of the accident or the employee was prevented from providing notice and the employer is not prejudiced by the lack of notice.
Employee's Claim Filing Requirements	Within two years	
Employer's Report of Accident	Within 10 days	Employers must record all work-related injuries. However, they are required to report only those injuries that cause an employee to miss more than one day of work or that require medical treatment with a cost of at least \$500.
Employee's Waiting Period	Seven days	Retroactively paid if disability exceeds more than 14 days.
Temporary Total Disability (TTD) Benefits	<u>Jan. 1, 2017 to Dec. 31, 2017</u> Max: \$806.92 per week Min: \$75.00 per week <u>Jan. 1, 2016 to Dec. 31, 2016</u> Max: \$784.03 per week Min: \$75.00 per week	An employee's benefit rate is 66 and two-thirds of his or her average weekly wage (AWW), subject to the limits in effect on the date of injury. New limits become effective as of Jan. 1 each year. If an employee's AWW is less than the minimum, the employee is entitled to receive his or her full wages. TTD benefits are available for up to 500 weeks.
Permanent Partial Disability (PPD) Benefits		PPD benefits depend on the type of injury and are payable for the number of weeks determined in a partial disability compensation schedule. If the disability is not listed on the schedule, PPD benefits are 66 and two-thirds of the difference between the employee's pre- and post-injury wages for up to 340 weeks. PPD benefits are not subject to the minimum.
Death Benefits		Death benefits are payable to a deceased employee's dependents for up to 500 weeks. Children receive these benefits until age 18 (23 if full-time students). Partial dependents receive an amount proportional to the contributions they received from the decedent before death. Lump sums are possible and can be paid retroactively. Employers must also pay up to \$2,500 for a deceased employee's funeral expenses.
Coverage of Minors	Yes	Benefits in excess of \$10,000 must be paid to a parent or guardian.
Coverage of Occupational Disease	All Diseases	Claims must be filed within two years after a diagnosis and the causal relationship between the disease and the worker's employment are established.
Occupational Hearing Loss	Yes	The two-year period for filing a claim begins on the date the employee receives notification of a definitive diagnosis of the disease.

State OSHA Program	No	
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ADDITIONAL INFORMATION

Resources:

<http://www.wcc.sc.gov/Pages/default.aspx>

Mailing Address:

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