

# Out of Work

## A Guide to Unemployment Compensation Benefits in South Carolina



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SC Appleseed fights for low income South Carolinians to overcome social, economic and legal injustice.

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If you have lost your job and qualify, you have a right to collect Unemployment Compensation (UI). This is money that your employer paid into a state fund for unemployed workers. The fund is controlled by the South Carolina Employment Security Commission (ESC).

### Can I receive unemployment benefits?

Yes, you may be eligible if:

- you earned enough wages to qualify;
- your job was covered by the state unemployment fund;
- you were laid off or unfairly fired;
- you quit for a good reason connected with your work. There are only a few reasons that qualify; therefore it is important to get early advice.

### How do I apply for benefits?

As soon as you lose your job, you should go to your local Employment Security Commission or ESC Office. Look in the Blue Pages of your phone book for "South Carolina Employment Security Commission" under "South Carolina State Government" to find the appropriate number. You will fill out an application and talk to an interviewer who will ask questions to see if you qualify. At your initial interview, you will need your Social Security number and the names and addresses of your last employer.

The interviewer will also talk to your employer and ask why you are no longer working. A written decision will be mailed to you. The application process will probably take about three weeks.

### How much are the benefits?

The amount depends on how much you were paid at your last job. You can receive about half of the weekly wage you were earning at the job you lost. As of September 2008, this amount is a maximum of \$326.00 per week. The regular state program provides for a maximum of 26 weeks.

### What do I have to do while receiving benefits?

- You must remain able and available for work. You may report your job hunting contacts by telephone through the TelClaim number at your local office.
- The Unemployment Service will help you with your job hunt and has job listings. You are responsible for seeking work on your own behalf.
- You must accept any reasonable offer if the job is similar to the one you just lost. You must report any part-time or temporary work.

### If I am denied benefits or don't get as much as I think I should, what can I do?

The two most common reasons for denial of UI benefits are misconduct and quitting your job. If you quit, you generally will lose all benefits. You have the right to appeal any decision made concerning your unemployment benefits. This appeal must be made within 10 days of the decision. If an appeal is made after 10 days have passed, it will not be considered.

Forms for filing an appeal are available at the office where you made your initial claim. There is no charge for any appeal.

### I have been able to find part-time work since losing my last full-time job. Can I receive benefits?

If you have only been able to find part-time work and have earned less than your weekly benefit amount, you may still receive benefits. You must report any

work done when filing your weekly claims. You may earn up to one-quarter of your weekly benefit amount with no deduction in your benefit check

### I quit my last job. Can I still receive benefits?

If you quit your last job, you are probably not able to receive UI benefits. However, if you can show that you left your job for good cause, you may still be eligible. Good cause means that you had a significant reason to leave your last job. Some examples are racial or sexual harassment at work, large decrease in wages, or major changes in working hours. If you can demonstrate that you left your job for a good reason, you may still be able to receive benefits.

### I was fired from my last job. Can I still receive benefits?

If you were fired from your last job, you may not be able to receive employment benefits. This means if you lost your last job through excessive absences or tardiness, you might not be able to collect unemployment benefits. However, if you were fired, you should still apply for benefits if you need them. In order for you to become ineligible, your former employer must have had good reason to fire you. If your employer cannot prove this, you may still be eligible for benefits.

### I have been offered a job. Do I have to take it?

Yes. If, while collecting benefits, you do not accept a suitable offer of work you may no longer receive benefits. This will only apply if the job is similar to the type of work you did in the past.

