

## **A GUIDE TO UNEMPLOYMENT INSURANCE BENEFITS IN SOUTH CAROLINA**

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

### **Can I receive unemployment benefits?**

You may be eligible if:

- you earned enough wages to qualify;
- you are able and available to work and were unemployed for one week before applying;
- 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 Department of Employment and Workforce or DEW Office. Look on DEW's website for the application through the MyBenefits Portal. You will fill out an application and may talk to an interviewer who will ask questions to see if you qualify. 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 monetary eligibility decision will be mailed to you, followed by a written decision. 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 May 2017, this amount is a maximum of \$326.00 per week. The regular state program provides for a maximum of 20 weeks.

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

- You must remain able and available for work and register for work two weeks after you submit your initial claim. You may report your job hunting contacts by telephone through the TelClaim number at your local office or online via MyBenefits Portal each week.
- Update your résumé every 90 days.
- SC Works will help you with your job hunt and has job listings. You are responsible for seeking work on your own behalf, at least twice a week.
- 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 will generally 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. You may also earn benefits if you lose your part time job.

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

If you quit your last job, you are probably not able to receive employment 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. While you may be found to have been fired for cause you may be eligible for benefits after you serve a period of disqualification. 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.

This brochure is for information only. If you have problems with receiving unemployment benefits, you may want to contact your local legal services program by calling the Legal Aid Telephone Intake Center for a referral at 744-9430 in Columbia or toll free at (888) 346-5592 from other places in the state. South Carolina Appleseed Legal Justice Center is dedicated to advocacy for low-income people in South Carolina to effect systemic change by acting in and through the courts, legislature, administrative agencies, community, and the media, and helping others do the same through education, training, and cocounseling. Copyright retained by the South Carolina Appleseed Legal Justice Center. For permission to reproduce this brochure, contact SC Appleseed at P.O. Box 7187, Columbia, S.C., 29202 (Revised June 2018)