



YOUR RIGHTS AS A WORKER IN SOUTH CAROLINA

It is the public policy of the state of South Carolina that the right of persons to work must not be denied or abridged because of membership or non-membership in a labor union or labor organization. Certain actions by employers, labor organizations, and individuals are unlawful, including: (1) Agreements or contracts which require membership in a labor organization in order to be hired or continue to work; (2) Requirement by an employer that an employee become or remain a member of a labor organization, abstain or refrain from membership in a labor organization, or pay fees or dues to a person or organization; (3) Participation in an agreement that requires, as a condition of employment, that an employee be, become, or remain a member of a labor organization or pay fees or dues to a labor organization; such an agreement is unenforceable.

An employer has the right to deduct from the wages of employees and to pay to a labor organization, or its authorized representative, membership dues in a labor organization; however, the employer must have received from each employee written authorization which must not be irrevocable for a period of more than one year or until the termination date of any applicable collective agreement or authorization, whichever occurs sooner. After one year, the employee has the right to revoke the written authorization allowing for deduction of membership dues in a labor union.

It is unlawful for a person or persons to use force, intimidation, violence, threats or violent/insulting language against a person or property, or any member of the family of any person, to interfere, or attempt to interfere, with the person in the exercise of his right to work, to pursue or engage in any lawful vocation or business activity, to enter or leave his place of employment, or to receive, ship or deliver materials, goods or services not prohibited by law, or compel or attempt to compel any person to join, or support, or refrain from joining or supporting any labor organization; or to engage in picketing by force or violence as to obstruct or interfere, with free ingress to, and egress from, any place of employment. Peaceful picketing is permissible under the National Labor-Management Relations Act of 1947 and the Constitution of the United States.

An employer, labor organization, or other person who fails to comply is guilty of a misdemeanor, and, upon conviction, must be punished by imprisonment for not less than ten days nor more than thirty days, a fine of not less than one thousand dollars but not more than ten thousand dollars, or both. A person whose rights are adversely affected by contract, agreement, assemblage, or other act or thing done or threatened to be done and declared to be unlawful or prohibited by state law may apply to a court having general equity jurisdiction for appropriate relief.

For more information, go to South Carolina Code of Laws 41-7-10 et seq.