

# South Carolina Leave Laws

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*This material is for general informational purposes only and does not constitute legal advice. For current and accurate guidance, please consult legal counsel in your jurisdiction.*

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# Paid Time Off (PTO) in South Carolina

## Vacation Leave Quota

South Carolina law doesn't require employers to provide vacation leave.

Private employers in South Carolina are not required to provide paid or unpaid vacation.

However, most employers in the private sector provide employees with 10 paid days off on average, after a full year on the job.

If an employer chooses to offer vacation leave to its employees, paid or unpaid, it must comply with appropriate state law, established company policy, and the employment contract.

## Accruals

The accrual system is not required by law in South Carolina, but it is a common practice among many companies.

Employers are generally free to design their own vacation accrual system, such as weekly, biweekly, semimonthly, or monthly increments. It is usually based on the pay period.

An employer is allowed to cap (limit) the amount of vacation time an employee can accrue during the year.

## Roll Over (Carry Over, Brought Forward)

A Use-It-or-Lose-It policy is allowed.

A “use-it-or-lose-it” employee vacation policy requires an employee to lose any unused vacation time after a specific date, such as the end of the year.

A use-it-or-lose-it policy is not addressed by state statutes, which means that employers can apply it.

## Statutory Provisions Addressing Vacation Pay

“Wages” includes vacation pay.

Earned vacation time is considered wages after 1 year of employment if a company has a history of paying employees for their earned vacation time and has established policies to do so.

Employers are required to provide written notice to their employees regarding the vacation pay policy, the agreed-upon wages and hours of work, as well as any other relevant information.

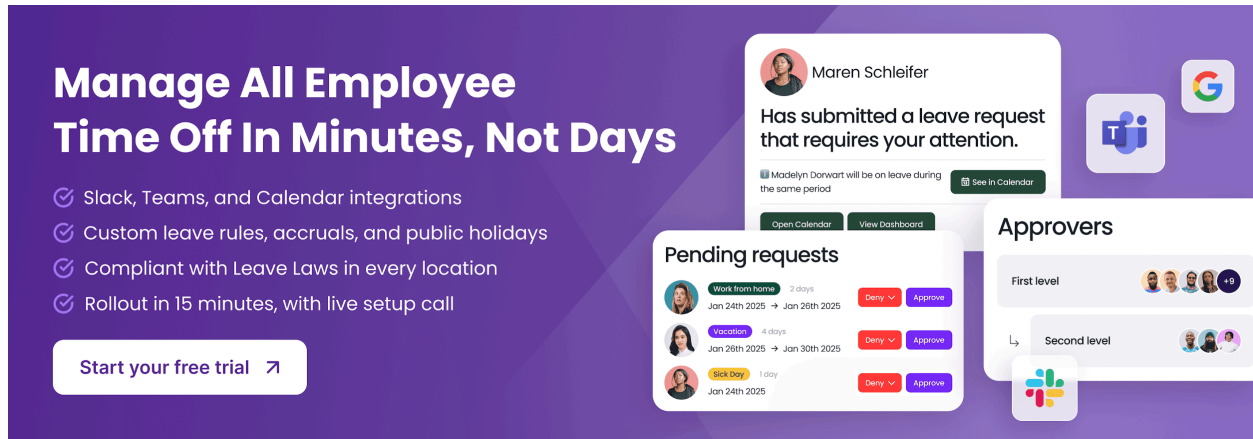
## Payment of Accrued, Unused Vacation on Termination

Employers only must follow their policy. The law doesn’t demand this payment.

An employer may legally establish a policy or contract that denies employees payment for accumulated vacation time upon their departure from the company. Employers can also legally set a policy or contract that denies employees payment for unused vacation time upon leaving the company if they don’t meet certain requirements, such as giving a 2-week notice or being employed on a specific date.

An employer is required to include an accrued, unused vacation in an employee’s final wages only if the company policy or employment contract requires this.

There is currently no clear directive from state law regarding whether an employer must compensate an employee for their accrued vacation leave when they leave their job, if the company policy or contract doesn't address this issue explicitly.



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**Notification:** Maren Schleifer has submitted a leave request that requires your attention. Madelyn Dorwart will be on leave during the same period. [See in Calendar](#)

**Pending requests:**

Request Type	Duration	Period	Actions
Work from home	2 days	Jan 24th 2025 → Jan 26th 2025	Deny Approve
Vacation	4 days	Jan 26th 2025 → Jan 30th 2025	Deny Approve
Sick Day	1 day	Jan 24th 2025	Deny Approve

**Approvers:**

- First level: [User 1] [User 2] [User 3] (+9)
- Second level: [User 4] [User 5]

## Sick Leave in South Carolina

### Federal Laws – Leave Quota

Federal law requires 12 weeks of unpaid sick leave.

The standard federal Family and Medical Leave Act (FMLA) applies to South Carolina (as it is in all the states in the U.S.A). The leave is job-protected.

Employees qualify for FMLA benefits only if:

- they have been employed for at least 12 months (at least 25 hours per week) or 1,250 hours in the previous year
- they work in a location where at least 50 people are employed by the company (in a 75-mile radius)

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

The FMLA entitles qualified employees to take up to 12 weeks off for:

- personal medical reasons – illness or injury
- to care for a close family member (child, spouse, or parent) suffering from a severe illness
- maternity or paternity leave.

Employers are free to propose additional sick leave benefits that are better than the minimum federal requirement.

Check out our article on [FMLA](#) to learn more.

## South Carolina State Laws

No additional state sick laws.

Currently, 23 states offer paid sick leave. South Carolina is not among them.

South Carolina doesn't mandate an employer to offer employees either paid or unpaid sick days. Some employers (especially big companies) do offer it as a common benefit. If employers decide to offer sick days, they must stick to the provisions outlined in their established company policy or employment agreement.

South Carolina has not passed any laws requiring employers to offer paid sick leave to their employees, but there have been some recent proposals indicating that this could change in the coming time. There is a proposed paid sick leave act in the House of South Carolina, which has not been passed yet.

### Payout

Sick leave in South Carolina is unpaid.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

# Maternity, Paternity, FMLA in South Carolina

## Federal Law

12 weeks of unpaid maternity/paternity leave is provided by FMLA.

The Family and Medical Leave Act (FMLA) is a federal law that allows eligible workers to take up to 12 weeks of unpaid, job-protected leave per year for family or medical reasons, including maternity or paternity leave. Unless otherwise authorized by the employer, an employee must take this leave continuously. More information about FMLA eligibility can be found above, under the section *Sick Leave in South Carolina: Federal Laws – Leave Quota*.

The Pregnancy Discrimination Act (PDA) is one more federal law that protects pregnant women. According to the PDA, discrimination against pregnant people is prohibited in all areas of employment: hiring, firing, pay, job assignments, promotions, fringe benefits, training, leave, and health insurance.

## Additional State Laws in South Carolina

There are no additional state laws providing leave for maternity or paternity.

South Carolina has no additional laws regarding maternity and paternity leave. Expecting and new parents are entitled to leave only under the federal Family and Medical Leave Act (FMLA) and the Pregnancy Disability Act.

### Payout

Maternity and paternity leave in South Carolina are unpaid.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

# Bereavement Leave in South Carolina

An employer is not required to provide bereavement leave.

An employer is not legally required to provide any paid or unpaid bereavement leave, or any time off to attend an immediate family member's funeral. However, nearly all American companies, offer paid time off for bereavement, which usually lasts for up to 3 work days. Some companies are even more generous and offer a maximum of 5 or 6 days.

## Payout

Bereavement leave in South Carolina is unpaid.

# Jury Duty Leave in South Carolina

Employers must provide employees unpaid time off for jury duty.

Employers are required to provide employees with unpaid, job-protected leave to report to jury selection or jury duty. Notice requirements do apply, so employees may have to show their employer their jury summons (within a reasonable period of time after receiving it) to be given the necessary leave.

An employer is not allowed to force its employees to use any other type of leave (vacation time, sick leave, etc.) to cover leave taken for jury duty.

An employer is not allowed to terminate or downgrade the position of an employee for fulfilling their obligation to testify in a court proceeding or to serve on a jury.

## Payout

*The employer pays:*

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

Employers in South Carolina are not required to pay employees for jury duty leave, but most employers do it as the court compensation is rather low.

*The court pays:*

Employees who serve as jurors in South Carolina are paid for every day of trial (though juror pay is only a token amount).

## Military Leave in South Carolina

### Federal law

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law that applies to employers of all sizes and types in the U.S. USERRA protects employees called to active duty in the U.S. military, including the U.S. Armed Forces, Reserves, and National Guard. USERRA provides reinstatement rights, protection from discrimination, the right to continue group health care benefits for up to 24 months during their leave, and up to 5 years of unpaid leave for military service (with exceptions to this 5-year limit).

### South Carolina State Law

Apart from the protection of USERRA, South Carolina law provides unpaid leave for members of the South Carolina National Guard and State Guard called to active duty by the governor.

A worker should be reinstated into the same job or a position that has comparable seniority, status, and salary after being discharged honorably from service. If a worker no longer possesses the necessary qualifications for their former job, they should be assigned to another



position that suits their qualifications and provides equivalent seniority, status, and compensation.

An employee must apply for reinstatement in writing within 5 days of being released from service or duty-related hospitalization.

Payout

Military leave is unpaid.

## Voting Leave in South Carolina

Not required by state law.

South Carolina law does not require employers to grant their employees time off to vote on Election Day.

About half of the states in the U.S. provide time off for voting, but South Carolina is not among them.

Payout

Voting leave is unpaid.

## South Carolina State Holidays in 2025

A leave for holidays is not required by state law.

Private employers in South Carolina are not required to provide paid or unpaid leave for holidays. Private employers can require all employees to work on holidays. However, the majority of employers in South Carolina do provide at least several paid holidays.

South Carolina officially observes 13 state holidays.

### A complete list of holidays celebrated in South Carolina in 2025:

Holiday	Observed in 2025	General Date
New Year's Day 2025	Wednesday, January 1	January 1
Martin Luther King, Jr.	Monday, January 20	3rd Monday in January
George Washington's Birthday / Presidents Day	Monday, February 17	3rd Monday in February
Confederate Memorial Day	Friday, May 9	May 10
National Memorial Day	Monday, May 26	Last Monday in May
Independence Day	Friday, July 4	July 4

Labor Day	Monday, September 1	1st Monday in September
Veterans Day	Tuesday, November 11	November 11
Thanksgiving Day	Thursday, November 27	4th Thursday of November
Thanksgiving Friday	Friday, November 28	Day after Thanksgiving
Christmas Eve	Wednesday, Dec. 24	December 24
Christmas Day	Thursday, Dec. 25	December 25
Day After Christmas	Friday, Dec. 26	December 26

*If any of the legal holidays occur on a Sunday, then the following Monday will be considered a public holiday. Similarly, if any of these holidays fall on a Saturday, then the preceding Friday will be recognized as a public holiday.*

## 2026

Holiday	Observed in 2026	General Date
New Year's Day 2026	Thu, Jan 1, 2026	January 1
Martin Luther King, Jr.	Monday, January 19	3rd Monday in January