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Subject: Information for H. 3165

Attachments: § 41-29-150 Records - inspection and copying - confidentiality - violation - penalty.rtf  
§ 41-35-660 Appeals.rtf

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Good morning, Representative Tallon:

It was a pleasure speaking with you yesterday. Please find the following information regarding documents and appeals related to the questions presented during the Committee meeting yesterday.

- 1) Documents- DEW is required by federal and state law to protect personally identifying information. DEW is required by to hold confidential personally identifying information and may not release information revealing an individual's identity. An employee that violates this requirement may be subject to discipline pursuant to DEW's internal human resources policy and may face a misdemeanor pursuant to SC Code Ann. Section 41-29-150.

Documents are sent to DEW via mail, fax, and email. In the event DEW receives a drug test from a potential employer and the individual is not receiving unemployment insurance (UI) benefits, the record would be destroyed upon confirmation of the individual's benefit status. Documents that are not related to a claimant cannot be entered into DEW's document imaging system, and, therefore, are not stored on the server.

- 2) Appeal- DEW notifies a claimant when a report has been received that he or she failed to accept work. The claimant is given the opportunity to respond. In the event that the claimant is disqualified due to failure to accept work, the claimant has the opportunity to appeal under 41-35-660. A party has ten days after the determination was mailed to his/her last known address to appeal.

If I can provide additional information or you have any other questions, please contact me at your convenience.  
Have a wonderful day.

Yours Truly,

Maura

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