

**EMPLOYER MEDICAL OBLIGATIONS FOR FOREIGN  
WORKERS NON-DOMESTIC WORK PERMIT HOLDERS**

<b>(I)</b>	<b><u>Medical Obligations under Employment of Foreign Manpower Act (EFMA)</u></b>
<b>Q1</b>	<b>What are the medical obligations of employers of Work Permit holders under Singapore law?</b>
<b>A1</b>	<p>There are three main laws regulating medical obligations which employers of Work Permit holders must abide by. Any private contractual agreement between employer and employee, company rulebook or employee terms cannot override statutory obligations.</p> <p>First, under the Employment of Foreign Manpower (Work Passes) Regulations, employers are responsible for the costs of providing medical treatment (<u>both inpatient and outpatient</u>) for their Work Permit holders, regardless of whether the conditions are work-related. Employers are required to:</p> <ul style="list-style-type: none"> <li>(i) Purchase mandatory medical insurance (MI) of at least \$15,000 per foreign worker. This provides basic cover for hospitalisation expenses, including non-work related injuries or illnesses; and</li> <li>(ii) Bear the cost of medical expenses in excess of, or not covered by medical insurance or work injury compensation. However, co-payment is allowed if the conditions are met. (Refer to the Q6).</li> </ul> <ul style="list-style-type: none"> <li>• EFMA: <a href="https://www.mom.gov.sg/legislation/employment-of-foreign-manpower-act">https://www.mom.gov.sg/legislation/employment-of-foreign-manpower-act</a></li> <li>• MI: <a href="https://www.mom.gov.sg/passes-and-permits/work-permit-for-foreign-worker/sector-specific-rules/medical-insurance">https://www.mom.gov.sg/passes-and-permits/work-permit-for-foreign-worker/sector-specific-rules/medical-insurance</a></li> </ul> <p>Second, a worker may file a claim under the Work Injury Compensation Act (WICA) if he is injured in a work accident or suffers a disease due to work. Refer to the next section for more details.</p> <p>Lastly, employers of foreign workers covered under the Employment Act are required to provide paid sick leave, including dental leave, if the sick leave is certified by the company's doctor or by a government doctor (including doctors from approved public medical institutions).</p>
<b>Q2</b>	<b>My company sub-contracts for a main contractor in the Construction business. If my Work Permit holder needs medical treatment, who is liable for his medical expenses?</b>
<b>A2</b>	The direct employer of the Work Permit holder (i.e. the employer whose name appears on the work permit card) shall be liable for medical expenses.
<b>Q3</b>	<b>What is the rationale for making employers provide and bear the cost of medical treatment for their Work Permit holders?</b>
<b>A3</b>	As employers of foreign workers directly benefit from hiring these workers in the short-term, they should bear all the costs associated with the upkeep and maintenance of their employees, including any medical treatment that is deemed by a medical professional to be necessary for the health of the worker. This requirement

	is stated clearly when employers apply for work passes. This ensures that the bills of foreign workers do not remain unpaid and instead get passed on to our tax-payers, which would be unfair to society at large.
<b>Q4</b>	<b>[Medical Insurance] Why is the minimum medical insurance coverage required for Work Permit holders set at \$15,000 per year for inpatient care and day surgery?</b>
A4	The insurance coverage is set at a basic level in order to keep premiums affordable. While this ensures protection for the bulk of workers' medical bills, there remains an average of over 1,000 employers per year who face bills that are larger than \$15,000.
<b>Q5</b>	<b>[Non-work injury] What if the medical expenses for my Work Permit holder's exceeds the \$15,000 covered by insurance? Can I ask my worker to pay part of his medical expenses?</b>
A5	<p>Under the Employment of Foreign Manpower (Work Passes) Regulations, employers have to bear the <u>full</u> cost of the medical treatment for their foreign workers, even in excess of what medical insurance or any other insurance may cover. However, MOM allows employers to arrange for their Non-Domestic Work Permit holders to pay for part of their medical bills, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>(i) The co-pay amount is reasonable and does not exceed 10% of the worker's monthly salary.</li> <li>(ii) The duration of co-payment does not exceed 6 months.</li> <li>(iii) The co-payment option is explicitly in the employment contract or collective agreement and has the worker's full consent.</li> </ul> <p>(July 2023 onwards) In 2022, MOM announced the enhancement of the MI coverage - <a href="https://www.mom.gov.sg/newsroom/press-releases/2022/0304-enhanced-medical-insurance-for-work-permit-and-s-pass-holders">https://www.mom.gov.sg/newsroom/press-releases/2022/0304-enhanced-medical-insurance-for-work-permit-and-s-pass-holders</a></p>
<b>Q6</b>	<b>Can employers reclaim or deduct the cost of medical insurance premiums from their foreign workers? Can employers arrange for their foreign workers to pay part of their medical expenses, for example as part of their employment terms?</b>
A6	Employers <u>must not</u> deduct or reclaim the cost of foreign worker medical insurance premiums, Work Injury Compensation insurance premiums, or any part of medical treatment benefits for work injury claims from their foreign workers.
<b>Q7</b>	<b>If the Work Permit holder requires dental treatment, is the employer obligated to provide and bear the cost of such treatment?</b>
A7	Employers are responsible for the costs of providing medical treatment that is determined by a medical or dental professional as necessary for the health of their Work Permit holder. This includes dental treatment which is determined by a medical or dental professional to be necessary for the health of the worker.
<b>Q8</b>	<b>If the Work Permit holder requires long-term medical care, is the employer obligated to provide and bear the cost of the whole course of treatment?</b>

Q8	<p>If the Work Permit holder requires long-term medical care arising from a non-work related ailment, employers may send the foreign worker home to continue treatment at the worker's own expense once the worker's condition has stabilised and the worker is deemed medically fit to travel.</p> <p>Employers are responsible for providing and bearing the cost of repatriation. However, employers <u>cannot</u> send the worker home if the worker has an existing statutory claim with MOM, such as for work injury compensation or salary arrears, unless the Controller has specifically allowed for the repatriation of the worker.</p>
Q9	<b>My company has an appointed panel of doctors, and my employees are required (under their employment contract, or company rulebook, or employee terms) to consult these doctors. Can I refuse to pay for my work permit holder's medical expenses if he did not consult with one of these doctors?</b>
A9	No. While employers are allowed to appoint company doctors, they should take note that they remain liable regardless of where the medical costs are incurred.

(II)	<b><u>Medical Obligations under Work Injury Compensation Act (WICA)</u></b>
Q10	<b>Who is covered under the Work Injury Compensation Act?</b>
A10	<p>The Work Injury Compensation Act covers all employees (regardless of nationality) who is under a contract of service or apprenticeship with an employer, except:</p> <ul style="list-style-type: none"> <li>a) Self-employed or independent contractors;</li> <li>b) Domestic workers; and</li> <li>c) Uniformed personnel (members of Singapore Armed Forces, Central Narcotics Bureau, Police, Civil Defence Force and Prisons Service).</li> </ul> <p>This includes situations where the accident happened when the employee was working overseas and medical treatment was needed to treat or stabilise the injury.</p>
Q11	<b>Is it mandatory to purchase Work Injury Compensation insurance for my Work Permit Holder?</b>
A11	<p>Employers of manual workers (regardless of salary level) and non-manual workers earning \$2,600 or less a month <u>must</u> purchase Work Injury Compensation (WIC) Insurance.</p> <p>For other employees doing non-manual work with monthly earning of above \$1,600, employers have the flexibility to decide whether to purchase WIC insurance. However, in the event of a valid claim, the employer will still be required to pay the compensation he is liable for under the Work Injury Compensation Act.</p>
Q12	<b>What can be claimed under WICA?</b>
A12	The Work Injury Compensation Act provides three kinds of compensation benefits:

	<p>a) Medical leave wages;</p> <p>b) Medical expenses (including cost of medical consultation fees, ward charges, treatment and charges for emergency medical transport required to convey an employee to receive treatment, physiotherapy / occupational and/or speech therapy, medicines, artificial limits and surgical appliances); and</p> <p>c) Lump sum compensation for permanent incapacity or death, if applicable.</p> <p>The compensation benefits payable may vary according to the severity of injury or disability and are subject to statutory caps and limits.</p>
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<b>(III)</b>	<b>Medical Obligations under Employment Act (EA)</b>
<b>Q13</b>	<b>Is my Work Permit Holder covered under the EA?</b>
A13	<p>It covers local and foreign employees.</p> <p>All employees under a contract of service with an employer are covered, but there are exceptions:</p> <p>a) Seamen;</p> <p>b) Domestic workers; and</p> <p>c) Statutory board and government employees</p> <p>However, there are exceptions. To read more: <a href="https://www.mom.gov.sg/employment-practices/employment-act/who-is-covered#:~:text=All%20employees%20under%20a%20contract,not%20cover%20managers%20or%20executives">https://www.mom.gov.sg/employment-practices/employment-act/who-is-covered#:~:text=All%20employees%20under%20a%20contract,not%20cover%20managers%20or%20executives</a></p>
<b>Q14</b>	<b>Is my Work Permit holder eligible for paid sick leave?</b>
A14	<p>All employees, including Work Permit holders, who are covered by the Employment Act are entitled to paid sick leave, including dental leave.</p> <p>The amount of paid sick leaves an employee is entitled to under the Employment Act varies according to the length of time served with the employer.</p> <p>Sick leave eligibility and entitlement: <a href="https://www.mom.gov.sg/employment-practices/leave/sick-leave/eligibility-and-entitlement">https://www.mom.gov.sg/employment-practices/leave/sick-leave/eligibility-and-entitlement</a></p>
<b>Q15</b>	<b>My employee suffered a work-related injury and is on medical leave under Work Injury Compensation. Is he still entitled to the paid sick leave under the Employment Act?</b>
A15	<p>Medical leave related to the employee's work injury should be claimed under the Work Injury Compensation Act (WICA) first. For the period your employee is entitled to paid medical leave under the WICA, he is not allowed to claim for paid sick leave under the Employment Act (if he is covered by the EA).</p>

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