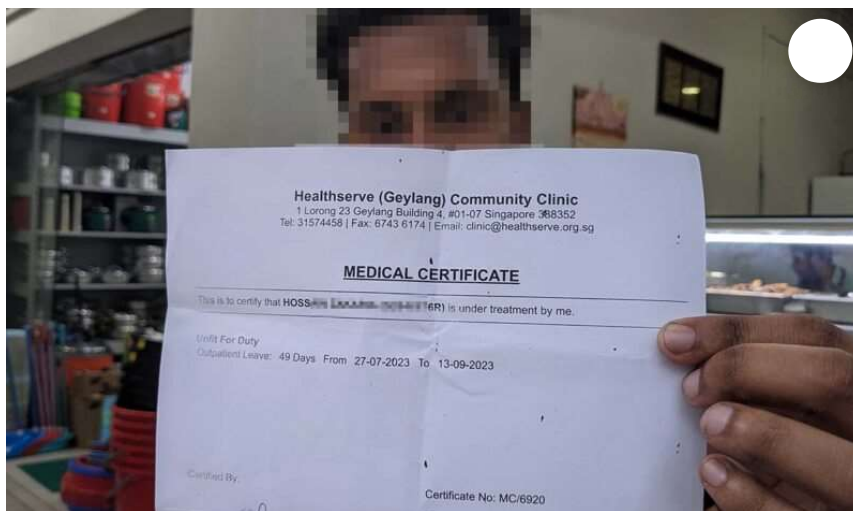


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A worker at TWC2's Cuff Road Project showing us his MC for 49 days

Our intern was based at The Cuff Road Project (TCRP) three evenings a week for nearly three months. Non-payment of medical leave wages was among the most common issues migrant workers came to seek help over. Here is her reflection of her experience with TWC2.

According to the Ministry of Manpower's (MOM) [2022 Workplace Safety and Health report](#), 21,766 workplace injuries were reported last year, with the majority of fatal and major injuries coming from the construction sector. These numbers show that those who bear the brunt are our construction workers, typically migrant workers from countries such as Bangladeshi, India and Myanmar.

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(commonly referred to as MC money), payable for the working days covered by medical leave certificates issued by doctors ('MC'). MCs can be for outpatient leave, hospitalisation leave or light duty, but for this paper, the distinctions do not matter.

MC money is calculated based on a worker's average monthly earnings (AME), which in turn is computed from his earnings over the past 12 months before the date of his work accident. The law says that MC wages are to be paid no later than the usual monthly pay day.

However, at TWC2, we often see workers with WICA claims who tell us that they have not received their MC wages. Why is this the case? Why is this such a frequent complaint? What are the public policy failures behind this issue?

This opinion piece attempts to explain the gap between the law and reality on the ground and in doing so, hopefully shed light on the challenges faced by work injury compensation claimants in receiving their MC money.

Ahmed's story: paid half

It's a typical evening at TWC2's Cuff Road Project. I speak to Ahmed (not his real name), a friendly and easy-going migrant worker whom I have come to know and who had a work injury accident on 12 February 2023. On 15 February, Ahmed underwent surgery at Ardmere Orthopaedic Clinic to insert metal rods into his ankle. Yet, the doctor did not certify him for medical leave post-surgery. This is puzzling to hear, as his injury seems serious enough to warrant an MC for an extended period of time.

Eventually, accompanied by a TWC2 volunteer, Ahmed visited Ng Teng Fong Hospital (NTFGH) who issued him an MC backdated to 12 February, and another for the period 23 – 28 February. All well and good except that having pieces of paper did not result in proper payment of his wages.

Ahmed shares that his employer only paid him a basic salary of \$728 instead of his MC money. He reckons that that amount is around half of what he is supposed to receive. To make matters

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expenses such as food.

In order to understand Ahmed's circumstances better, I ask to find out more about his previous job, his knowledge of his medical entitlements and his current work injury situation. Ahmed has been working in Singapore since 2008 and has undergone the Construction Safety Orientation Course (CSOC), a compulsory Workplace Safety and Health (WSH) training course for all workers working in the construction industry in Singapore. Through this course, he learnt that he could visit a polyclinic if he fell sick and obtain an MC. He also learnt that a worker is entitled to receive MC money under WICA.

A few years later in 2013, Ahmed did a Building Construction Supervisors Safety (BCSS) Course to become a safety supervisor. As a safety supervisor, he was the one giving instructions to workers in his company about the standard protocol to follow if they felt unwell, obtaining MCs when they visit the doctor or clinic, and that the company must pay the workers their MC money. He also knows that workers should be able to call a number at MOM.

It is clear that Ahmed knows his medical entitlements and how to get help. Unfortunately, ever since Ahmed's accident in February this year, he has learned the hard way that neat protocols do not reflect reality. He himself, for all his knowledge and awareness about his rights, has never once received an accurate sum of MC money. TWC2 is currently assisting Ahmed.

Sharmin

As Ahmed and I are talking, I realise that another worker seated at the same table is also facing MC money problems. Sharmin (not his real name) is in fact a co-worker of Ahmed's, employed by the same company.

Sharmin injured his lower back on 14 April 2023 and was sent to a private clinic at Farrer Park Hospital. Despite receiving an MC for the period 14 – 30 April, Sharmin has not been paid his full MC money as well. Similarly, TWC2 volunteers have been accompanying Sharmin to his hospital appointments and has

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the MC money policy under WICA, why are we still seeing so many workers who are being short paid or not paid their MC money at all?

Employers' POV: workers as burdens

It is impossible to escape the sense that employers see their workers more as machines that ought to keep performing at high efficiency, than as humans deserving of fair treatment. In fact, I have heard from interviews with workers that many employers are quick to get upset at workers for being injured in the first place. Such employers do not see their workers as deserving of MC money anymore than machines deserve MC money when they break down. Providing for the employee through his recovery is seen as a cost and an unwanted burden. Since, from TWC2's observations over the years, there appear to be no penalties imposed by MOM for not paying MC wages on time, regulations about this matter are ignored.

This is compounded when, from the employer's point of view, a worker is easily replaced. Many bosses operate with the mindset that they can just repatriate the injured worker and get another worker in.

It is not uncommon to hear from workers that their employers are pressuring them to go back to their home country to recover. TWC2 has seen several cases where employers quickly book return flight tickets for their injured worker, before a worker can even see a doctor or lodge a work injury claim.

On a separate note, when hospitals ask employers for Letters of Guarantee (of payment) so that needed surgical operations can be carried out, bosses drag their feet or refuse altogether. Without an LOG, a worker will not get the needed medical treatment.

Furthermore, there are employers who refuse to give their injured workers a food allowance ('makan' money), sometimes leaving the latter with no access to meals. See our article: [After forced repatriation thwarted, employer makes Shipon sweat it out.](#)

been passed to him, so that he can avoid paying his employee the due MC wages. For a worker who does not have enough foresight to take a picture of his medical leave certificates or make copies of it, he is left without evidence. But sadly, why does it have to come to this? Of course, it has to be stressed that not all employers behave this way towards their workers but such stories do not just come out of thin air.

Put on hold, never mind if worker starves

What if the company disputes that a worker's injury is indeed a work injury and the claim is being checked for validity by MOM? In such a scenario, as observed by TWC2, an employer may hold back a worker's MC money until the claim's validity is determined. In the meantime, for instance, a worker might not know that his claim was being investigated. He could spend a year without knowing why he is not getting any MC money, or what he can do about it. This is because there is no system to give him information about the status and progress of his claim.

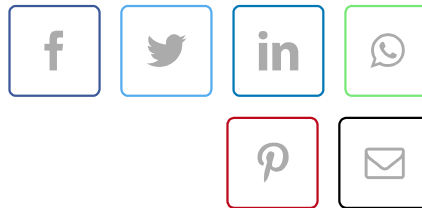
During this time, a worker is likely to still be attending hospital appointments, and would require money for transportation to and fro, as well as money for other living expenses, such as food. Without being able to work, a worker has no salary to fall back on. Yet, his MC wages are held back because (perhaps unknown to him) his claim is being checked. This is further compounded by the cost of hospital appointments which is often borne by workers themselves. Moreover, they still have families depending on them for remittances.




MOM enforcement: effective or lacking?

The big question is: how does MOM enforce the rule over accurate and timely MC money? As an NGO, TWC2 regularly writes to MOM on behalf of worker-clients who have yet to receive their MC money. MOM may pursue this matter by either emailing or calling a company representative to a meeting to check why the MC money has not been paid to a worker. Yet, over the course of my internship, I have encountered several workers who told me that despite complaining multiple times to MOM and waiting for months, they still have not received any

There are good employers out there who pay their workers their entitlements promptly. Unfortunately, there are others who do not and getting the authorities to enforce the law is an uphill task. This strongly suggests that our system has gaps that urgently need to be fixed.

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