



In the recent story, [After a worker is hurt, the mirage of a supportive employer](#), we wrote of two workers whose distress over their injuries were aggravated by the treatment they received from their employers.

Not all the cases that come to TWC2 are that bad.

Sarker Billal's account of the first few hours after his accident gives a relatively more encouraging picture – not that suffering a badly mauled finger is all that fun to begin with.

Billal describes it as a “gas cutting accident”, something to do with welding work. His right index finger was smashed. It happened on 13 July at around 11am. A fellow worker saw the incident and ran off to alert the safety supervisor of the main contractor. A sequence of events then followed in fairly quick order, suggesting that everybody around Billal observed correct protocol.

The safety supervisor first led Billal to the “safety office” where an immediate report was made of the incident. About 10 – 15 minutes later, the safety supervisor himself drove Billal to Farrer Park Hospital where he was attended to within another 15 – 20 minutes. Even so, it felt like a long time. “I very pain,” recalls Billal.

The doctor gave him a painkiller injection and made arrangements for surgery. However, the surgery was to take place at another location – a medical centre in the Novena area – and so Billal had to be taken there. Before that, the doctor wrote out his prescription for more painkillers post-surgery and the safety supervisor helped collect the medicines from the pharmacy.

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At Novena, the surgery took place around 3pm. He came out of surgery with his finger stitched to his palm and heavily bandaged. We believe it was done so that blood circulation could flow from the palm into the finger for faster recovery, though at first glance it seems as if the finger was amputated, and junior TWC2 volunteers react with gasps.

After the operation, there was no need to keep him warded for the night, so Billal was discharged. He was then accompanied back to the company office, where a senior company official (perhaps the boss himself?) sat down with him to file an accident report with the Ministry of Manpower. Filing such a report triggers an injury compensation claim (“Wica claim”) as well.

Writing out the report apparently took some time – it’s a long form – and it was almost 10pm before Billal could get back to his dormitory to try to sleep after such a traumatic day.

All the events described above may seem eminently regular, but when Billal tells us that his employer set about filing the incident report the very same day as the accident, it strikes us as rather unusual – in a good way. Many other workers coming to TWC2 tell us that their employers failed to make incident reports to the authorities despite the law requiring such notification to be made within ten days of an accident. Then, when the worker himself reports the accident at the ministry (workers can do that too), the employer gets angry at him for doing so.

Some employers even go to the extent of denying that an injury occurred at all, with attempts at cover-up.

Medical leave

The first doctor gave Billal 18 days of medical leave with a follow-up appointment on 1 August. At the follow-up, “have another operation,” he says. This time, the finger was unstitched from the palm. “But finger still cannot move, and not have much feeling,” he explains.

He says this in a fact-of-fact way, not in any plaintive way, which suggests that he has confidence in the doctors treating him. *It will get better*, he seems to be saying between the lines.

At the follow-up appointment, his medical leave was extended and another appointment scheduled.

Meanwhile, we check with him about his salary for July (he worked 13 days till the accident) and the medical leave wages (“MC wages”) for the second half of that month.

“Not yet,” Billal says, explaining that the company’s normal payday is around the tenth of the following month.

On 14 August, we call him again and this time he confirms that he had received his salary for the first half of July (before the accident) and his MC wages for the second half.

All fall down

All was looking good... until he tells TWC2 that he was asked by this employer to sign a letter withdrawing his work injury compensation claim! As at the time of writing, our case officer is looking into why that is happening. Billal says he was only told that the letter was about agreeing to go back to work once medical leave comes to an end, even if the doctor gives him a Light Duty certificate.

“But the other words in the letter say more than that,” we tell him. “They say you agree to cancel the insurance claim.”

The “other words I no understand,” he tells us in response; they were not verbally explained to him.

Without a work injury claim, Billal will not get any MC wages after the fourteenth day of medical leave (i.e. from around the end of July) and he will not be entitled to any compensation should there be permanent damage to his finger. “This is very serious,” we caution him. As at the time of writing, TWC2 is helping him keep his Wica claim alive if he so wishes.

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Employers wanting to avoid Wica claims is something we see quite often. The mystery is why they are motivated thus; after all, they've already paid the insurance premiums, and it will be the insurer who will bear the cost of medical leave wages and disability compensation. The Ministry of Manpower would do well to conduct a study to understand this behaviour, because it undercuts the social protection objectives of the Work Injury Compensation Act. There is something inherently unjust when employers leverage migrant workers' weak English to get them to forgo their rights.

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