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care but their employers ducked, part 2

August 7th, 2021 | [Articles](#), [Stories](#)



Lin had her surgery at Tan Tock Seng Hospital

[Part 1: Danny from the Philippines](#)

[Part 2: Lin from Myanmar](#)

In the second quarter and middle of 2021, two S-Pass holders came to Transient Workers Count Too for assistance over medical issues. In both cases, they were faced with employers who were not honouring their obligations regarding medical care. TWC2 resolved both cases successfully.

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2022 asking if we could help a Burmese worker who needed surgery for a salivary gland tumour. Through him, we got in touch with the S-Pass holder named Lin and got more details from her.

Lin came to work in Singapore's retail sector in 2015. From about 2018 on, she developed some pain in her left cheek. Finding it difficult to leave the shop unattended — she was the sole worker most of the time — she did not seek treatment while the pain was bearable.

However, in mid 2020, the pain intensified and she finally told her boss that she needed to see a doctor. She went to a family doctor who gave her some medicine for her pain; we're not clear what diagnosis, if any, this doctor came to.

By January 2021, with the pain getting worse and an ulcer developing, she asked her employer to take her to a hospital. Our records however indicate that she was taken to a polyclinic. We're still not clear what diagnosis was reached at this point in time.

Nonetheless, her employer began making the point that treatment in Singapore would be very costly and she should go back to Myanmar where it would be more affordable for her. There didn't seem to be any discussion about the employer's obligation to provide and pay for medical care. Lin was left to believe that this was not the employer's responsibility.

In [Part 1 \(Danny's story\)](#), we detailed the relevant laws that set out the employer's responsibility for medical care and its costs.

With the pain getting worse, Lin decided to return to Myanmar, submitting a letter of resignation late February 2021. Her S-Pass was cancelled on 2 March. She should have gone home soon after, but without flights to Myanmar due to Covid-19 lockdowns, she remained stuck in Singapore.

By June, her condition had become progressively worse and she was being seen at Tan Tock Seng Hospital — by coincidence, the same hospital that treated Danny. The result of a CT scan on 2 June 2021 led the doctor to tell her that surgery was necessary.

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This was the first time Lin heard about insurance. “I was shocked,” she said. She didn’t know that the employer had bought insurance cover, and it seemed more than likely that the employer’s silence on this matter in the preceding months was calculated.

That was when the doctor decided to email TWC2.

Confronting the boss

Meanwhile, Lin confronted her former boss who admitted that there had been insurance in place. However, by this point in time, the employer would not be able to rely on this policy since Lin had resigned in February or March and her S-Pass had been cancelled immediately after.

Naturally, Lin was upset. She felt cheated. She felt that the employer’s earlier suggestion that she should resign and go back to Myanmar was self-serving and unfair.

Meanwhile a flight had opened up on 28 June and Lin felt under pressure from the Ministry of Manpower (MOM) to get onto that flight, having stayed months past the cancellation of her S-Pass.

She asked TWC2 whether we could at least get her treatment done before 28 June.

Swinging into action

We swung into action.

1. We asked the doctor to write a memo saying that surgery was necessary and to schedule an early date for Lin;
2. We sent this memo to MOM to ask for extension of stay for Lin so that she would have time to recover from her surgery;
3. We also asked MOM to look into Lin’s case where she felt her employer was trying to dodge her obligation to cover the cost of Lin’s medical care;

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delay the surgery.

On point (4), TWC2's medical Care Fund is set up precisely for such purposes so that workers do not lose out on timely treatment. Our generous donors to the fund make this possible

The operation was then scheduled for 22 June and the doctor's advice was that she should stay in Singapore at least one more month after that to recover.

Called to an interview at MOM the day before the surgery

MOM stepped in the day before Lin's scheduled surgery calling her up for an interview. Things took an unexpected turn.

Lin reported to TWC2 that much of the interview was about her salary, when this was not even mentioned as an issue by her or us in our earlier correspondence with MOM. Lin not having raised this matter with us, it was not even on our radar.

It turned out that her employer had declared a monthly salary of \$2,500 to MOM when they applied for an S-Pass for her. On questioning, she disclosed to the MOM officer that she was only paid \$1,680 a month. She explained that she had raised this matter with the boss initially when she joined but the boss said a portion had to be set aside to cover the monthly foreign worker levy, plus other costs. This is a deceitful explanation. The levy and related costs should not be deducted from a worker's salary.

However, Lin didn't want to lose the job and let the matter slide.

The officer then told her that he would initiate a salary claim for her. Salary claims tend to take months to resolve, which would be a way to buy time for her to remain in Singapore for treatment.

While this was a creative solution, it really wasn't what Lin wished for. She did not want to file a salary case and be unable to return to Myanmar because the case remained open. She wanted to go home as soon as doctors let her.



If the claim could be made to move quickly, Lin might get some of her salary back before going home, and so, as David explained to her, it wasn't an altogether bad idea.

Even so, the complication would have caused her some worry just before the operation.

Surgery went well

The surgery went well and Lin was happy about that. She also reported that about two or three days after the operation, the boss came to see her. It turned out that much had happened during those few days, for the boss came with three cheques:

- one cheque for \$500 payable to her;
- another for \$7,896.24 for the surgery; and
- a third for \$1,307.35 to settle previous bills by the hospital.

The boss was crying profusely, Lin said. The elderly lady said she did not want any problem with the authorities and also that she did not have much money. These cheques were coming out of her own pocket, the boss said, as she could no longer claim against the insurance policy.

The last bit, as is obvious by now, was her own fault. She should not have tried to weasel out of her statutory obligations by convincing Lin to resign. If Lin had remained an employee, the insurer would pay up.

Lin must have felt sorry for her. Lin agreed to sign a letter saying that she would not be making a salary claim, nor claim for medical bills after 2 July 2021.

The reason for the employer's sudden change of heart became clear when MOM called Lin. It was MOM who instructed the boss to settle all outstanding bills. There was also some assurance that Lin's pass would be extended for as long as the doctor deemed necessary until she was fit to fly.

Perhaps — but we're only speculating here — MOM held the threat of action against the boss for salary offences as a way to make the employer pay Lin's medical bills.

According to Lin, the boss

asked her to write a letter (addressed to MOM, presumably) to say that she wanted to go home on an available flight on 26 July. To this request from the boss, Lin hesitated, wanting to consult TWC2 first. David told her not to sign any such letter. It should be the doctor who should decide when she could go home.

“If the boss pesters you for such a letter, we will complain to MOM,” David advised her.

Home at last

Lin did eventually catch the flight of 26 July. Her recovery was smooth and the doctor said it was OK for her to leave Singapore.

TWC2 called her a day later. She was fine and happy, she said. She was in a quarantine facility — converted from a Buddhist temple — and thus not exactly home with her family yet. Home was 12 hours away by bus in a remote village.

She thanked TWC2 for all our help.

We never got to spend the \$10,000 we had allocated for

Uneven customer service from MOM

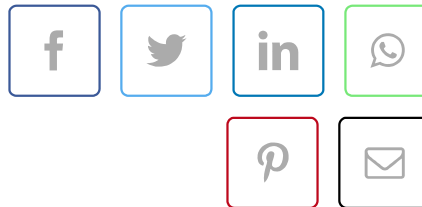
MOM’s response to Lin’s case was a world apart from the ministry’s response in Danny’s case. Lin got more support than she could hope for.

Danny only got a boilerplate email from a Do-not-reply address.

This unevenness in response suggests shortcomings in management capability and control, such that what help a worker gets from officials is more a matter of luck than policy. If your file goes to a sympathetic and diligent officer, you get help. If your file goes to a dud, you can’t even reply by email.

The larger problem is the ministry’s defensiveness whenever faced with reports of poor performance. There is a tendency to take umbrage with the slightest criticism of their performance. Instead of dealing with its in-house duds, it takes aim at

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