

[DONATE](#)[VOLUNTEER](#)[DONATE](#)[VOLUNTEER](#)

can still be bullied

June 23rd, 2021 | [Articles](#), [Stories](#)



By TWC2 volunteer Avantika R, based on an interview in March 2021

What stands out as the volunteers at TWC2 converse with Kumar is his command of English. Fluency in the language removes a huge barrier and should give him confidence to pursue his injury compensation claim by himself.

Yet, he has engaged a lawyer — a decision which will potentially cost him ten or twenty percent of whatever compensation he receives. This is the cut that the lawyer is likely to take as legal fees.

We at TWC2 have always lauded the protection afforded workers under the Work Injury Compensation Act (WICA) which sets out a no-fault system with a clear procedure that an injured

▸ [Thoughtless zoning and a dorm in the middle of nowhere](#)

10 October 2023

▸ [After a worker is hurt, all goes smoothly until...](#)

10 September 2023

▸ [Why do Bangladeshis choose to work in Singapore?](#)

5 September 2023

▸ [Work injury paralegal taken to court over insurance monies](#)

1 September 2023

▸ [“One room sleeping 26 man”](#)

27 August 2023

▸ [Getting sick can cost more than just five dollars](#)

25 August 2023

▸ [After a worker is hurt, the mirage of](#)

In August 2020, a 300 or 400kg battery fell on his left foot while Kumar was working in a warehouse. Six months on, his foot is still swollen and he is still limping. Kumar tells us he has been in a battle with his employer to get his treatment funded.

At first, his employer helped him pay for his immediate treatment — to avoid giving cause to Kumar to file a case with the Ministry of Manpower (MOM), Kumar alleges. He held off making an accident report as agreed, but a couple of months later, the employer decided he didn't want to pay the bills anymore.

Kumar recounts how the human resources department started applying pressure on him to sign a four-page document without allowing him to read the first three pages. Kumar suspects that it was a written statement that the injury was based on his own negligence and that he agreed that the payment for his treatments would end. Not being given a copy of what he signed, he naturally cannot be sure what it contained.

Nonetheless, he felt cornered and coerced into signing the document, and left the company office afraid that the document might not serve him well.

It was around this time that Kumar went into a law firm looking for a notary public to sign a document that he needed for an unrelated family matter. His friends had referred him to the firm. The clerk in the law office noticed his injured foot and said they could act for him and help him with his WICA claim. Kumar was a ready client, concerned as he was about (1) the document he had signed but not seen, (2) the problems he was having paying medical fees — he had been told to pay in advance and claim later — and (3) the need to get a Letter of Guarantee (LOG) from the employer for the costly scan the doctor had ordered.

The lawyer managed to get Kumar the LOG to cover payments for his treatment, and Kumar felt he had someone looking out for him. But that was then. As of today, the employer is not cooperating anymore, and Kumar is still a long way from full recovery. Currently, whenever treatment is needed, Kumar has to make payment in advance, his outlays running into the thousands of dollars.

▸ [Payslips law widely flouted, hardly any enforcement](#)

14 August 2023

▸ [Food as power tools](#)

9 August 2023

▸ [MC money not paid. Again.](#)

5 August 2023

Tags

[Abuse & bullying](#)[Accident reporting](#)[Advocacy](#)[Confinement](#)[Criminal charges](#)[Domestic work](#)[Donations](#)[Economics of migration](#)[ECT](#)[Family](#)[featured](#)[Food](#)[Forced repatriation](#)[Housing](#)[Illness](#)[Job mobility](#)[Kickback](#)[Labour court](#)

process and protection under WICA. MOM officials could have stepped in to ensure he got his medical treatment and medical leave wages in a timely fashion.

That MOM officials have not played much of a role in Kumar's case is understandable, for once a worker has retained a lawyer, the lawyer becomes the legal representative, and third parties, including government officials, might only complicate things by getting involved.

We speak with long-time volunteer of TWC2, Christine Pelly, to find out more about why injured workers would still engage lawyers despite a simple process laid out under WICA.

She says, "He signed a four-page document without being given the opportunity to look at the first three pages. That itself will make someone insecure – he wouldn't know what he's signing, he wouldn't know how to overturn it." She further adds, "What Kumar doesn't realise is that irrespective of what he's signed, under the Work Injury Compensation Act, as long as it's a workplace injury it's a no-fault claim."

In other words, it does not matter whose negligence it is that the accident occurred. However, when workers don't know this – and few workers expect to be injured, so none of them would think it important to know such things in advance – it makes them feel helpless, which leads them to seek the protection of lawyers.

Yet employers should know that WICA is a no-fault system. So why might they still want their injured employees to sign away their rights?

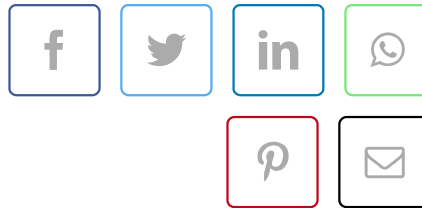
Debbie Fordyce, TWC2's president, explains, "Employers may also be doing this (coercing and strong-arming workers) to send a message to other workers. If, for instance, this worker was injured and he was able to just swimmingly get his insurance compensation and go home with tons of money, other workers may try to do the same."




The employers' belief that intimidation has value is what this issue ultimately boils down to.

[Lawyers](#)[MC & light duty](#)[MC wages](#)[Media interest](#)[Medical costs](#)[Medical interaction](#)[Medical treatment](#)[MOM processes](#)[Placement agents & fees](#)[Police processes](#)[Politics and policies](#)[Recruitment](#)[Repatriation agents](#)[Rest day](#)[Salary & deduction](#)[Society & socialisation](#)[Survey & statistics](#)[TADM](#)[Trafficking](#)[Training](#)[Transfer](#)[Volunteers](#)[WICA & medical insurance](#)[WICA validity](#)[Work safety](#)

workers compensation — which comes through without the lawyers having to do much work, courtesy of simple-to-follow, no-fault WICA.

Share This Post With Others!



 facebook.com/twc2sg
 instagram.com/twc2sg
 twitter.com/twc2sg

MAKE A DIFFERENCE

It takes only a few seconds

[DONATE](#)

[VOLUNTEER](#)

[DONATE](#)

[VOLUNTEER](#)