

Work Injury Compensation Claim Frequently Asked Questions (FAQs)

- Changes to WICA 2019
- General Coverage
- Insurance Requirement
- Accident Reporting Requirement
- Claim Application & Withdrawal

Changes to Work Injury Compensation ACT 2019

1) Updating of WICA Compensation Limits

The new compensation limits are applicable to accident that occurred on and after 1 Jan 2020. The existing compensation limits would continue to apply to all accidents that occurred before 1 Jan 2020.

The revision in Compensation Limits are as follows:

	Limits	Current Limit (Accident happened before 1 Jan 2020)	Adjusted Limit (Accident happened on or after 1 Jan 2020)
Death	Minimum	S\$69,000	S\$76,000
	Maximum	S\$204,000	S\$225,000
Permanent Incapacity	Minimum	S\$88,000	S\$97,000
	Maximum	S\$262,000	S\$289,000*
Medical Expenses		Up to S\$36,000 or 1 year from date of accident, whichever comes first	Up to S\$45,000 or 1 year from the date of accident, whichever comes first.

* This excludes the additional 25% compensation that is paid to employees with Total Permanent Incapacity to offset the cost of care for the injured employee.

2) Expand mandatory Insurance coverage for non-manual employees

From 1 April 2020, the salary threshold for non-manual employees requiring work Injury Compensation insurance will be increased. The increase will be done in 2 phases.

Employers must still purchase insurance for all manual employees, regardless of salary.

	Before 1 April 2020	From 1 April 2020	From 1 April 2021
Salary threshold for non-manual employees	\$1,600	\$2,100	\$2,600

3) Expand scope of compensation to include Light Duties

Currently, employees on light duties due to work injuries are not compensated under WICA.

However, under WICA 2019, medical leave wages are applicable to employees on light duties.

These employees are fit to return to work, but their work activities are limited due to their work injury. Employers would benefit from an employee who is fit enough to carry out light duties, as there would be shorter downtime from work and some restoration of productive capacity.

This will take effect from accident occurred on and after 1 September 2020.

4) **Compulsory reporting for all medical leave or light duties.**

From 1 September 2020, employers must report all work-related medical leave or light duties to MOM.

General Coverage

5) **Who are covered under the Work Injury Compensation Act?**

The Work Injury Compensation Act (WICA) covers any **local or foreign employee** who is under a contract of service or contract of apprenticeship, regardless of salary, age or nationality.

It doesn't cover:

- Independent contractors and the self-employed.
- Domestic workers.
- Uniformed personnel – members of the Singapore Armed Forces, Singapore Police Force, Singapore Civil Defence Force, Central Narcotics Bureau and Singapore Prison Service.

Compensation Benefits

6) **What you can claim under the Work Injury Compensation Act?**

Under the Work Injury Compensation ACT, an injured employee is entitled to claim the following compensation benefits:

- **Medical leave wages** for days you were issued with medical leave due to the work injury or disease.
 - Medical leave wages are payable only for working days covered by MC, hospitalisation leave or light duty granted by Singapore-registered doctor or dentist. It is **not payable** for non-working days (e.g. rest days and public holidays).
 - Medical leave wages are compensation and not income. Both employers and employees need not contribute to CPF and they are not taxable.
 - WICA entitles you to medical leave wages according to the following rates and limits:

Amount of Outpatient Medical Leave (OP) / Light duties (LD)	Amount of Hospital Leave (HL)	Medical Leave Wages are calculated based on
Up to 14 days	Up to 60 days	<ul style="list-style-type: none">i. Full Average Monthly Earnings (AME)ii. For Light duties, it is the shortfall (if any) in the employee's actual wages for that period below the employee's AME
15 th day onwards, up to 1 year from date of accident.	61 th day onwards, up to 1 year from date of accident.	<ul style="list-style-type: none">i. 2/3 of Average Monthly Earnings (AME)ii. For light duties, it is the shortfall (if any) in the employee's actual wages for that period below 2/3 of the employee's AME.

- **Medical expenses**, including your hospital bills, medication and other charges related to work accident up to the maximum limit which is \$45,000 or 1 year from the date of accident whichever comes first.

Examples of eligible medical expenses include:

- Medical consultation fees
- Ward charges
- Treatment fees
- Medical report fees
- Emergency medical transport charges (e.g. ambulance)
- Cost of medicine
- Artificial limbs
- Surgical appliances
- Treatments that facilitate early return to work, claimable charges include those for case management, functional capacity evaluation and worksite assessment

You can claim these medical expenses only if your treatment is prescribed and billed by a **Singapore registered medical practitioner (doctor)**:

- Physiotherapy
- Occupational therapy
- Traditional Chinese Medicine (TCM)

These treatments must be provided by professionals registered with the respective healthcare professional council or board:

- Allied Health Professions Council (AHPC)
- Traditional Chinese Medical Practitioners Board (TCMPB)

- **Lump sum compensation** for **permanent incapacity** or death.

	Limits	Current Limit (Accidents happened before 1 Jan 2020)	Adjusted Limit (Accidents happen on and after 1 Jan 2020)
Death	Minimum	S\$69,000	S\$76,000
	Maximum	S\$204,000	S\$225,000
Permanent Incapacity	Minimum	S\$88,000	S\$97,000
	Maximum	S\$262,000	S\$289,000

Insurance Requirement

7) Employers are required under WICA to maintain Work Injury Compensation Insurance for:

- All manual employees
- All non-Manual employees – **MOM has expanded mandatory Insurance coverage for non-manual employees:**
 - From 1 April 2020, the salary threshold for non-manual employees requiring work Injury Compensation insurance will be increased. The increase will be done in 2 Phases

	Before 1 April 2020	From 1 April 2020	From 1 April 2021
Salary threshold for non-manual employees	\$1,600	\$2,100	\$2,600

- Every employer is required by law to maintain adequate Work Injury Compensation Insurance for all employees doing manual work, regardless of Salary level and employees doing non-manual work earnings \$2,100 per month or less from 1 April 2020 and \$2,600 per month or less from 1 April 2021.
- Failure to maintain a Work Injury Compensation Insurance is an offence punishable by maximum fine of \$10,000 and/or imprisonment of up to 12 months
- It is not mandatory for Employers to maintain Insurance for non-manual employees earning more than \$2,100 from 1 April 2020 and \$2,600 from 1 April 2021. Nonetheless, employers will be required to pay compensation in the event of a valid claim, even if they do not buy Insurance. As such, employers can decide whether to buy Insurance for this group of employees, after weighing their risks with the costs of Insurance premiums.

Accident Reporting Requirement

8) Under the WICA 2019, when must the employer report a work-related accident? How do employers report a work-related accident to MOM?

Compulsory reporting from **1 September 2020**: Employers must report to MOM for any instance of medical leave or light duties issued for work-related accidents.

Work-related accidents, workplace accidents, Dangerous Occurrences and Occupational Diseases must be reported to MOM. The reporting requirements differ depending on the type of accident. If there is doubt after you have completed investigations, please report.

MOM have enhanced features for WSH Incident Report eService, please visit:

“<https://www.mom.gov.sg/eservices/services/wsh-incident-reporting>“ to lodge work-related accidents.

9) What are the new requirements for incident reporting from 1 September 2020?

Employers are required to inform MOM and Insurers of any work accident resulting in employee’s death, hospitalisation or any instance of medical leave or light duties, **within 10 days after they first notice the work accident**.

This takes effect for all work accidents that occur on or after **1 September 2020**.

It is an offence for any person who does not report a work-related accident and there will be a fine of \$200 for the first time, or up to \$2,500 for subsequent offences. If the composition fine is not paid, the person may be prosecuted and fined up to \$10,000 or jailed up to 6 months.

Any person withholding necessary information or documents for claims processing will be liable for a maximum fine of \$5,000 and/or 6 months’ imprisonment.

Claims Application & Withdrawal

10) When must an injured employee file a claim if he wishes to seek compensation under the Work Injury Compensation Act/WICA 2019?

In accordance with WICA 2019, there is no need for the employee (or employee's representative) to make a WIC claim with MOM. The claim is deemed as made once the employer has notice of the accident leading to the work injury.

Claim processing for all cases will start automatically once MOM is notified of the accident. Employees (or their representatives) should still notify their employer as soon as possible when there is a work accident.

Employees who don't wish to make a claim under WICA will need to opt out using the claim withdrawal form sent by MOM.

This takes effect for all work accidents that occur from **1 September 2020**.

11) Can an Injured employee file a claim under Work Injury Compensation ACT/WICA 2019 as well as sue his employer in the Civil Courts for damages arising from his injury?

An employee who has been injured in a workplace accident may either file a claim for compensation under the Work Injury Compensation Act /WICA 2019 or sue his employer in the civil courts for damages but is **not entitled to do both**.

Notwithstanding this, if the injured employee has filed a claim for work injury compensation under the Act, he may still withdraw his claim under the Act to initiate civil action. However, his claim must be withdrawn within 14 days if there are no disputes, or 28 days if there are disputes, after the Commissioner serves him with a Notice of Assessment (NA) to inform him of his compensation amount. After the Commissioner serves the NA, the employee and employer (and the insurer, if applicable) have up to 14 days to accept or object to the NA. The following three scenarios are possible at the end of the 14-day period:

Scenario 1:

All parties accept the NA. The employer (or the insurer, if applicable) is required to make payment to the employee within 21 days after the date of service of the NA. The case is resolved and the employee will no longer be able to sue his employer in the civil courts subsequently.

Scenario 2:

One or more parties object to the NA. The employee will have a further 14 days (or up to 28 days after the service of the NA) to decide if he wishes to proceed with his claim under the Act or withdraw his claim. Once the employee decides to proceed with his claim under the Act, he will generally no longer be able to sue his employer in the civil courts subsequently.

Scenario 3:

The employee decides that he would like to sue his employer instead of claiming work injury Compensation. He should then withdraw his claim from under the Act to commence Civil Action.

12) Deadlines for withdrawing a claim or Suit

The injured employee has **up to 1 year** from the accident to decide whether to claim under WICA or under common law.

Only the injured employee, or his legal representative, can notify MOM of the decision to withdraw claim.