

WORK INJURY COMPENSATION ACT 2019

This guide for employers, provides a summary of the key points you need to know about Work Injury Compensation Act 2019 (WICA 2019), and the recommended steps that you should take in the event of a work-related accident.

This is not intended to be a comprehensive overview of WICA 2019, and further reference should always be made to WICA 2019 or to the Ministry of Manpower's (MOM) own guides which can be found at the link below.

1. What is an approved Work Injury Compensation Act 2019 insurance policy

An approved Work Injury Compensation Act 2019 insurance policy is an annual policy issued by an MOM-designated insurer commenced on/after 1 Jan 2021.

This "WICA 2019" policy covers employer's liabilities for compensation under WICA 2019. It is fully compliant with MOM's compulsory terms and does not contain any terms or extensions that derogate from these compulsory terms.

MOM-designated Insurers will process all work injury claims (including death, current incapacity, permanent incapacity claims) under "WICA 2019" policies, in accordance with MOM's prescribed guidelines and requirements.

2. Mandatory sharing of data with MOM

Under WICA 2019, MOM-designated insurers are required to share with the MOM:

- (a) an employer's WICA 2019 insurance policy number;
- (b) data relating to any claim submitted under that policy.

MOM-designated insurers are required to comply with the MOM's specified processing timelines. Employers in turn are to provide all reasonable assistance / documents submission to enable such insurers to meet these timelines, and to allow a full investigation to be carried out.

3. Accident Reporting Requirement

- A. Employers are required to report all work-related accidents and instances of occupational disease within ten (10) days from date Employer is first notified of the accident to the MOM.

From 1 Sep 2020, it is mandatory for employers to report all work-related accidents with medical leave or light duties, to the MOM. This is done through MOM's Incident Reporting eService. A link to this can be found below:

<https://www.mom.gov.sg/eservices/services/wsh-incident-reporting>

B. When filing a report with the MOM via their e-service portal, you will be asked the following:

- i. *“Are you claiming against a WICA 2019 insurance policy that commenced on/after 1 Jan 2021”.*

The commencement date for the policy can be found under the heading of “Period of Insurance” in your Certificate of Insurance.

However, if you are in any doubt please contact your broker, agent or financial advisor.

- ii. *Name of Insurer & Insurance Policy No.*

If you hold a policy with us, the correct name to enter is “Berkshire Hathaway Specialty Insurance”.

With regard to the policy number, this can be found at the top of your policy schedule.

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY 39 Robinson Road #10-01 Robinson Point Singapore 068911 (Hereinafter referred to as “BHSI” or the “Company”) Work Injury Compensation Insurance Policy Policy Schedule This Schedule Page is attached to and forms part of the Policy		
Policy No.: 47-ACA-XXXXXX-XX		Renewal of: 47-ACA-XXXXXX-XX
Item 1. Named Insured:		
Business Registration No. (UEN No.):		
Address:	Singapore	
Item 2. Nature of Business:		
Item 3. Insurer:	Berkshire Hathaway Specialty Insurance Company	
Item 4. Period of Insurance:	From: 01-January-2021 00:00 hrs To: 31-December-2021 23:59 hrs Both days inclusive, local standard time at the Address listed in Item 1 above.	

The number should be entered in the same format, avoiding any blank spaces. The hyphens, where present in the policy number, can be entered.

The policy number will be matched to the number held by the MOM, and will be used to create the iReport that is submitted to us as a record of MOM’s receipt of the matter. If the policy number is entered incorrectly, you will be required to amend it via the MOM’s eService Portal.

iii. Average Monthly Earnings

Medical leave wages are calculated based on your injured employee's average monthly earnings (AME) and are computed based on earnings over the 12 months immediately preceding the accident date.

You may wish to refer to following MOM calculator before making a submission via the MOM's e-service.

<https://www.mom.gov.sg/workplace-safety-and-health/work-injury-compensation/resources-and-tools/wic-calculators/average-monthly-earnings>

The AME will also be checked and verified by BHSI as part of the claims process and documentation will need to be submitted to support the figures presented.

- 4.** Concurrently with the reporting to MOM, you must also report the matter to Berkshire Hathaway Specialty Insurance, as well as your broker, agent or financial advisor. This should be done using BHSI's claim form. A copy of the form and applicable guidelines can be found [here](#).

5. Accidents that are not reportable to MOM

Certain accidents do not need to be reported to the MOM. The MOM provides guidance on this on their website, and the link can be found below.

<https://www.mom.gov.sg/workplace-safety-and-health/work-accident-reporting/what-and-when-to-report>

6. Key changes of claims handling by MOM-designated insurer

- A. Employees who are placed on light duties due to work injuries covered by the WICA 2019, will now be compensated (subject to the terms and conditions of the Policy, for their loss in earnings if the actual wages received during the light duty period are lower than their Average Monthly Earnings (or lower than 2/3 of the Average Monthly Earnings if medical leave and light duties period has exceeded 14 days (Outpatient leave) or 60 days (Hospitalisation leave).
- In order to review a claim for light duties we will need to see itemised payslips for the months where light duty was awarded to the employees.
- B. MOM – designated insurers are now required to correspond directly with injured employees. This is to facilitate the processing of WICA 2019 claims. As part of this process,
- i. for Temporary incapacity (TI) cases with outpatient medical leave not exceeding 28 days, regardless of number of light duty days given by the doctor, we will send letter informing the injured employee that his/her claim is being processed under WICA 2019.
 - ii. for Permanent incapacity (PI) cases with hospitalisation leave of at least 1 day, or outpatient medical leave exceeding 28 days, we will provide the injured employee with a "Claim Processing Form".

Our correspondence with the Injured Employee will, in most cases, be copied to the Employer.

- C. For permanent incapacity claims falling on policies commencing on or after 1 January 2021, the compensation payable is calculated by the MOM – designated insurers (as opposed to the MOM). The calculation will be based on the medical report(s) received from the hospital treating the injured employee.

Once we have determined the compensation due, we shall issue a Notice of Computation (NOC). This informs you and the injured employee as to how the compensation has been calculated. If no objection is raised to the NOC within 21 days, we will then proceed to effect settlement.

Please note that any party can object to the computation, but they must complete and submit the objection according to the instructions set out in the NOC.