

**FREQUENTLY ASKED QUESTIONS ON THE TRANSFER OF THE FOREIGN WORKERS COMPENSATION SCHEME (FWCS) FROM THE DEPARTMENT OF LABOUR (JTK) TO SOCIAL SECURITY ORGANISATION'S (SOCSO) EMPLOYMENT INJURY (EI) SCHEME**

**1. Question : When is the effective date for the implementation of SOCSO's Employment Injury (EI) Scheme?**

**Answer :** The SOCSO EI Scheme is effective from 1 January 2019. For existing foreign workers in Malaysia who have valid Foreign Workers Compensation Scheme (FWCS), they have to be registered with SOCSO by their employers a day after the expiration of FWCS, subject to the end of the cooling-off period for FWCS on 31 December 2019. Beginning 1 January 2020, all employers shall register with SOCSO although their foreign workers are still covered under FWCS. New foreign workers entering Malaysia on or after 1 January 2019 have to register with SOCSO once they are validated by the Immigration Department of Malaysia at any gazetted port of entry.

**2. Question : What is the Act applicable under the Scheme?**

**Answer :** The Act applicable to this scheme is the Employees' Social Security Act, 1969 (Act 4).

**3. Question : Who is eligible to be covered?**

**Answer :** All legal foreign workers in Malaysia who have valid working permit issued by the Immigration Department of Malaysia including expatriates EXCEPT for domestic servants.

**4. Question : What are the eligibility requirements for the EI Scheme?**

**Answer :** New foreign workers must possess valid working permit, passport and Special Pass while existing foreign workers must possess valid passport and Visitor's Pass (Temporary Employment) or a valid Employment Pass issued by the Immigration Department of Malaysia.

**5. Question : What is the procedure to register and contribute for the foreign workers?**

Employers can register their foreign workers online via the Automated SOCSO Integrated System (ASSIST) portal or by completing the Foreign Worker Registration Form and submit it to the nearest SOCSO office with effect from 1 January 2019. Employers must submit the following supporting documents:

- Copy of front page of passport comprising employee details of the front page of the passport containing personal particulars of the worker,
- Legitimate work permits, or entry passes or the like

Employers must make contributions according to Second Category of the EI Scheme which is the employer's share of the contributions. All payments for foreign worker contributions must be made online through the ASSIST Portal or internet banking by using the Foreign Workers Social Security Number (FWSS -12 digits) provided by SOCSO during the registration of foreign workers.

**6. Question : What is the ID number that will be used as the identity of a foreign worker during registration?**

Answer : SOCSO will generate the Foreign Workers Social Security Number (FWSS -12 digits) for each registered foreign worker. The 12-digit FWSS No. shall be quoted when dealing with SOCSO on all matters related to foreign workers despite any changes to the worker's particulars in the passport or valid working permit or equivalent document in the future.

**7. Question : What Form is used to register foreign workers?**

Answer : The Foreign Worker Registration Form as in Appendix A in the Employer's Circular No. 3 Year 2018, which can be downloaded from SOCSO's website [www.perkeso.gov.my](http://www.perkeso.gov.my).

**8. Question : What is the contribution rate for employers and foreign workers?**

**Answer :** The rate of contribution is 1.25% of the insured monthly wages and to be paid by the employer only, referring to the Second Category Contribution Schedule for EI Scheme only.

**9. Question : Are contributions deducted on a monthly or an annual basis?**

The deduction for the contribution of foreign workers is on monthly basis, which is contributed by the employer.

**10. Question : When is the contribution payment due?**

**Answer :** Contributions payable for any month must be paid no later than the 15th day of each succeeding month. For example, contributions for January 2019 must be paid latest by 15 February 2019.

**11. Question : What is the definition of salary for foreign workers for the purpose of contribution?**

**Answer :** Employee's contribution is subject to employee's salary including wages, overtime payments, commission, service charge, paid annual leave, sick leave, maternity leave, rest day, public holidays, incentive allowances, subsistence and so on. All work payments by hourly, daily, weekly, monthly are considered salary.

**12. Question : What are the benefits provided under the SOCSO's Employment Injury (EI) Scheme?**

**Answer :** Benefits provided under EI scheme are as follows:

- **Medical Benefit**
- **Temporary Disablement Benefit**
- **Permanent Disablement Benefit**
- **Dependants' Benefit**
- **Funeral Benefit**

- **Constant-Attendance Allowance**
- **Rehabilitation**

The benefits exempted under the EI Scheme for Foreign Workers are the Education Benefit, Vocational, Dialysis treatment and Return To Work Programme.

However, for foreign workers who die in Malaysia and are repatriated to the country of origin for burial, are eligible for a RM6,500 in Funeral Benefit. For foreign workers who die and buried in Malaysia, their eligible beneficiaries will receive RM2,000 or in the case of non-beneficiaries, the expenses will be reimbursed based on the funeral receipt, whichever is the lowest.

**13. Question : What is the procedure to report an accident and what are the documents needed to make a claim?**

**Answer :** All benefit claims for foreign workers can be done by filling in the Foreign Worker Claim Notification Form as in Appendix C in the Employer's Circular No. 3 Year 2018 together with supporting documents. This information can be obtained by visiting SOCSO's website [www.perkeso.gov.my](http://www.perkeso.gov.my).

**14. Question : How and who should I contact if there is any questions or concerns regarding SOCSO's protection for foreign workers?**

**Answer :** For more information, please contact SOCSO's Customer Service Line 1-300-22-8000 or visit SOCSO's website [www.perkeso.gov.my](http://www.perkeso.gov.my) or go to the nearest SOCSO office nationwide.