



OFW SOS KSA Case Study : Work Related Injuries

Objectives :

1. To be able to identify what professions or skills are prone to injuries.
2. To be able to assess if our government posts (Embassy and POLOs) are assisting the OFWs who suffer work related injuries.
3. To provide assistance to these OFWs and EMPOWERMENT about their rights, the procedures and the laws.
4. To suggest for better ways on how to handle cases like work related injuries.


Worksheets:

1. Salvador Bagkasena
2. Joseph Peruda
3. Violito Co Visaya
4. Harris Maulana
5. Summary
6. Extra
7. Social Insurance Law
8. Saudi Labor Law

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<http://www.pinoy-abroad.net>



Drafted by : Joseph Henry B. Espiritu

Basic Information		
Name :	Salvador Bagkasena	
Age:	49	
Occupation :	Driver (3 years working for the company)	
Contact :	visitation is appreciated	
Company :	Hail Remix	
Address :	Hail Saudi Arabia	
Contact :	not for disclosure	
Type of Accident	Occupational Injury - Road Accident, upper spinal is affected at unang tumama yong ulo noong lumabas sya sa windsheild (last December 16, 2008)	
Physical Condition	Naka-wheel chair, bulol magsalita pero matino. Natamaan ang ulo noong naaksidente.	
Salary :	800 Basic + 200 Meal Allowance	
Last Salary Received	10 months no Salary	
GOSI Member :	YES (OHB - Occupational Hazard Branch)	
Expected Computation of Benefits (GOSI)		
If Total Disability	800 X 75 months = 60200 SR	note : 75 months is derived from 84 minus 9, where 84 is the number of months in 7 years and 9 is the number of years excess of the OFWs current age from 40
If Partial Disability Percentage is Equivalent to 50% or more		
Minimum	50% X 800 X 75 months = 30000 SR	note : the attending physician has the authority to decide the disability %
Maximum	99% X 800 X 75 months = 59400 SR	
If Partial Disability Percentage is less than 50%		
Minimum	1% X 800 X 51 months = 408 SR	note : 51 months is derived from 60 minus 9 where 9 is the excess of the OFWs current age from 40
Maximum	49% X 800 X 51 months = 19992 SR	
Special Requests Mga Kahilingan		
1. Makuha yong sahod na 10 months. If its true na GOSI member itong si OFW Bagkasena, may mga cheque ito na makuha from GOSI. Sa monthly salary nya.		Reference: Articles 27 to 37 of Social Insurance law and Article 29, Articles 132 - 138 of Saudi Labor Law
2. Though hiniling ni OFW Bagkasena na makauwi na sa kanyang family, kailangan matutukan ang kanyang kalagayan kung fully recovered na ba ito. Makuha ang kanyang Disability benefits na tama ang computations base sa kanyang kalagayan; maliban pa doon sa mga sahod nya na hindi natanggap.		
3. May info sya na pauwiin ngayong January, at sana matutukan ang kanyang kalagayan at ang mga benepisyo bago pa ito makauwi ang kawawang OFW		

We talked with the employer and he said na may cheque naman sa GOSI na natanggap si Salvador. Sabi ko sa employer ay may 2 cheques na natanggap si Salvador and after than ay wala na. Sabi ng Employer ay may cheque pa si Salvador na nandoon sa Hail at ipapadala nya lang. I told the employer na kung pwede ay matutukan si Salvador hanggang sa makauwi at makuha ang lahat ng benepisyo ng kanyang GOSI OHB. We advised Salvador to call the employer with the help of Gary Visaya. Hopefully things will be fine for Salvador.

Basic Information		
Name :	Joseph Peruda	
Age:	37	
Occupation :	Loader Operator (4 years working for the company)	
Contact :	visitation is appreciated	
Company :	Abdul Ali A Ajmi Co. Ltd.	
Address :	Hofuf, Al Ahsa or Alkhobar KSA	
Contact :	c/o POLO KHOBAR	
Type of Accident	Occupational Injury - Nasabugan ang mukha ng tangke ng diesel - October 6, 2008	
Physical Condition	ngayon makatayo na, butas yong kaliwang side ng mukha, tangal ang mata, ilong, giligid at ngipin.	
Salary :	1200 Basic + 200 Meal Allowance	
Last Salary Received	2 months no Salary	
GOSI Member :	YES (OHB - Occupational Hazard Branch)	
Expected Computation of Benefits (GOSI)		
If Total Disability	1200 X 84 months = 100800 SR	note : 84 months is the number of months in seven years
If Partial Disability Percentage is Equivalent to 50% or more		
Minimum	50% X 1200 X 84 months = 50400 SR	note : the attending physician has the authority to decide the disability %
Maximum	99% X 1200 X 84 months = 99792 SR	
If Partial Disability Percentage is less than 50%		
Minimum	1% X 1200 X 60 months = 720 SR	note : 60 months is the number of months in five years
Maximum	49% X 1200 X 60 months = 35280 SR	
Special Requests Mga Kahilingan		
1. Makuha yong sahod na 2 months para may maipapadala sa kanyang pamilya ngayong pasko. May mga maliliit na mga anak si OFW Peruda (Grade 5, Grade 2 and Kinder)		Reference: Articles 27 to 37 of Social Insurance law and Article 29, Articles 132 - 138 of Saudi Labor Law
2. Kailangan matutukan ang kanyang kalagayan kung fully recovered na ba ito. Makuha ang kanyang Disability benefits maliban pa doon sa mga sahod nya na hindi natanggap.		
3. Load for Mobily - ito lang ang tanging paraan para makacomunicate si OFW Peruda sa kanyang pamilya thru text dahil hindi pa ito makapagsalita.		



Account Name
Account Number
Bank / Branch
Contact Number

Nancy S. Peruda
3-043-69936-0
Metro Bank, Novaliches Branch
+639089067000

Basic Information	
Name :	Violito C. Visaya
Age:	45
Occupation :	Mechanical Engineer
Contact :	visitation is appreciated
Company :	Absal Trading Est.
Address :	Riyadh Saudi Arabia
Contact :	<i>not for disclosure</i>
Type of Accident	Occupational Injury - Nahulog sa Ladder
Physical Condition	Hindi makatayo, may tama ang spine. Kasalukuyang nagrehabilitate. At hopeful naman si Mr. Visaya na makarecover pa sya ulit.
Salary :	3700 Basic
Last Salary Received	he receives his monthly salary.
GOSI Member :	YES (OHB - Occupational Hazard Branch)
Expected Computation of Benefits (GOSI)	
If Total Disability	<p>3700 X 79 months = 292300 SR</p> <p>note : 79 months is derived from 84 minus 5, where 84 is the number of months in seven years and 5 is the number of years excess of the OFWs current age from 40</p>
If Partial Disability Percentage is Equivalent to 50% or more	
Minimum	<p>50% X 3700 X 79 months = 146150SR</p> <p>note : the attending physician has the authority to decide the disability %</p>
Maximum	99% X 3700 X 79 months = 289377 SR
If Partial Disability Percentage is less than 50%	
Minimum	<p>1% X 3700 X 55 months = 2035 SR</p> <p>note : 55 months is derived from 60 minus 5, where 60 is the number of months in five years 5 is the excess of the OFWs current age from 40</p>
Maximum	49% X 3700 X 55 months = 99715SR
Special Requests Mga Kahilingan	
1. Walang problema sa sahod si OFW Visaya dahil binigay naman ng kanyang company. Nandito ang asawa nya na dependent nya at nagbantay sa kanya. He still needs us to monitor his situation.	Reference: Articles 27 to 37 of Social Insurance law and Article 29, Articles 132 - 138 of Saudi Labor Law
2. Kailangan matutukan ang kanyang kalagayan kung fully recovered na ba ito. Makuha ang kanyang Disability benefits.	
3. Prayers na makarecover si OFW Visaya. Nakita ko naman na talagang matatag si OFW Visaya at hindi nawalan ng pag-asa.	



Basic Information		
Name :	Harris Maulana	
Age:	43	
Occupation :	Foreman, Construction	
Contact :	visitation is appreciated	
Company :	Primco Bin Laden	
Address :	Al Kharj	
Contact :	not for disclosure	
Type of Accident	Occupational Injury - Nadaganan ng concrete panel ang paa noong October 2008	
Physical Condition	Natamaan yong kanang paa ng concrete panel, nagputol yong mga buto-buto. Nabalik naman, under recovery at kasalakuyang namamaga ang kanyang kanang paa.	
Salary :	1800 + 200 (meal allowance)	
Last Salary Received	he receives his monthly salary.	
GOSI Member :	YES (OHB - Occupational Hazard Branch)	
Expected Computation of Benefits (GOSI)		
If Total Disability	1800 X 81 months = 145800 SR	note : 81 months is derived from 84 minus 3, where 84 is the number of months in seven years and 3 is the number of years excess of the OFWs current age from 40
If Partial Disability Percentage is Equivalent to 50% or more		
Minimum	50% X 1800 X 81 months = 72900 SR	note : the attending physician has the authority to decide the disability %
Maximum	99% X 1800 X 81 months = 144342 SR	
If Partial Disability Percentage is less than 50%		
Minimum	1% X 1800 X 57 months = 1026 SR	note : 57 months is derived from 60 minus 3, where 60 is the number of months in five years 3 is the excess of the OFWs current age from 40
Maximum	49% X 1800 X 57 months = 50274 SR	
Special Requests Mga Kahilingan		
1. Walang problema sa sahod si OFW Maulana dahil binigay naman ng kanyang company. Pero gusto nya ng umuwi para makapiling ang pamilya.		Reference: Articles 27 to 37 of Social Insurance law and Article 29, Articles 132 - 138 of Saudi Labor Law
2. Kailangan matutukan ang kanyang kalagayan kung fully recovered na ba ito. Makuha ang kanyang Disability benefits na tama ang computations base sa kanyang kalagayan, bago ito makauwi		
3. Prayers na makarecover si OFW Maulana at kung pwede ay makauwi na rin sya.		





OFW SOS KSA Case Study : Work Related Accidents

Summary and Suggestions :

1. Drivers, Construction workers, Field Engineers are prone to work related injuries.
2. The Philippine Government must create a better mechanism to protect the workers whose jobs are prone to accidents (or better increase their minimum salary).
3. The POLO-Riyadh must do routine visit or inquiry with the Riyadh Care Hospital where skilled workers with work related injuries are admitted.
4. Aside from the Saudi Labor law, Saudi Arabia has other mandatory laws that protect the workers' rights and welfare; the Social Insurance law (GOSI) and the Cooperative Health Insurance Law. The officers from POLO and the Embassy must also be informed about these laws.
5. Undocumented workers are not covered with OHB or Medical Insurance. The workers must refrain from running away from their abusive employers unless in a life threatening situation. The Embassy or POLO must fight for the worker's rights according to the laws and procedures of Saudi Arabia (and not to advise the worker to escape). Visit visa holders are also not covered with OHB or Medical Insurance.
6. The Philippine Government and the recruitment agencies must make sure that the employer will provide his workers GOSI-OHB membership. Some good companies and employers provide risk insurance (private insurance company) for their workers aside from the mandatory OHB membership from GOSI. If companies are not providing any insurance for their worker then it is our obligation to report these irresponsible companies to the Saudi Government.
7. Note: the POLO- al Khobar handles the responsibility of all types of cases (Welfare, Labor and Police) in the Eastern region. Even with limited manpower, the POLO-al Khobar are very responsible and active in protecting the welfare and rights of the OFWs. While in the Embassy and POLO Riyadh, you can only handpick the responsible staff. Good Leadership or strong Political Will must be the key plus the heart to serve.



Drafted by : Joseph Henry B. Espiritu



The late OFW Carlito Martinez Pepito showing the cheque he got from GOSI for his total Disability benefit. (135,000SR)



OFW Romeo Carbonel who suffered a work related injury last September 2006 had received his partial disability benefit from GOSI. (49,000SR)

The Tomas Lauson Foundation Project (Founded : June 26 2008)

1. Wheel Chair for Ernesto Duenas	courtesy of Tas
2. 300SR for Ernesto Duenas	courtesy of Abu Tariq Aridi
3. 100SR for Ernesto Duenas	courtesy of Joselito Alejo
4. 100SR for Ernesto Duenas	courtesy of Tas
5. Clothes for Jamil Mabanto	courtesy of Abu Tariq
6. Clothes for Gibril (OFW inmate in Malaz 5)	courtesy of Abu Tariq
7. Thirty SR Mobily Pasa Load for Joseph Peruda	courtesy of Tas
8. 10 X 10 SR Mobily Load Cards for Joseph Peruda	courtesy of Roland, Joel and Tas
9. Sawa Loads for Jamil Mabanto	courtesy of Tas
10. Sawa Loads for Joven Esteva	courtesy of Tas
11. Sawa Load for Johanie Zamora (weekly)	courtesy of Tas
12. Mobily Load for Raisa Ampay (weekly)	courtesy of Tas
13. 100SR for Raisa and Johanie	courtesy of Tas thru Henzel Tumaneng
14. Translation fees for SGH Case	courtesy of Tas and from Abu Tariq
15. Translation Fees for Ernesto Duenas Case	courtesy of Roland
16. Sawa Loads for Eddie Vacalares	courtesy of Tas
17. Translation Fees for Jamil Mabanto Case	courtesy of Abu Tariq
18. Translation Fees for Tatay Conrado Nazareno	courtesy of Roland and Tas
19. Sawa Load for Riza Sancula	courtesy of tas

Tomas Lauson (Birthdate : October 27, 1957 Birthplace : Marikina, Laguna)

Consular Attaché Tomas Lauson came to Riyadh, Saudi Arabia in 2002 to serve as a Security Officer for the Philippine Embassy in Riyadh. During that time, there was a shortage of Case Officers in the Assistance to the National Section (ANS). To fill this shortage, Ambassador Guismola tapped Attaché Lauson. Consular Attaché Lauson was partnered with Consular Attaché Ahmad Radwan in that section which was then headed by Vice Consul Romeo Victor Israel Jr. The three had been very effective in the resolution of police cases of female OFWs.

During his stint with ANS, Consular Attaché Lauson worked round-the-clock and in many times risking his life to save an OFW in need.

The Birth of TOMAS LAUSON FOUNDATION

The V-Team - Anglyonglingkod.com recognizes the efforts done by Consular Attaché Tomas Lauson to provide immediate assistance to distressed OFWs.

Individual members of The V-Team - Anglyonglingkod.com are used to give immediate donations anonymously to distressed OFWs. These donations vary from phone card loads, medicines and cash.

The V-Team - Anglyonglingkod.com members have agreed that any immediate donation would be given in the name of the TOMAS LAUSON FOUNDATION.

A Memorandum of Agreement between Consular Attaché Tomas Lauson and members of The V-Team - Anglyonglingkod.com was drafted and signed on June 26, 2008.

TOMAS LAUSON FOUNDATION

Memorandum of Agreement

The TOMAS LAUSON FOUNDATION is a project of The V-Team - Anglyonglingkod.com to encourage government officials to be more responsible in public service.

The TOMAS LAUSON FOUNDATION is established on June 26, 2008 to give recognition to the services rendered by Consular Attaché Tomas Lauson to thousands of distressed Filipino workers in Saudi Arabia.

The V-Team - Anglyonglingkod.com and its affiliates must abide to the following terms and conditions:

1. No solicitation for funding for the TOMAS LAUSON FOUNDATION. All Donations under the TOMAS LAUSON FOUNDATION must go directly to the beneficiaries.
2. All donations under the TOMAS LAUSON FOUNDATION must be documented and must be submitted to The V-Team - Anglyonglingkod.com for transparency purpose.
3. Only The V-Team - Anglyonglingkod.com members can provide support under the name of TOMAS LAUSON FOUNDATION.

We hereby agree to this Memorandum of Agreement that we will never abuse nor misuse the name of TOMAS LAUSON FOUNDATION.

Signed:

Reference : (Social Insurance Law)

SECTION 1: BENEFITS UNDER THE OCCUPATIONAL HAZARDS BRANCH

ARTICLE (27)

1. Any accident suffered by the contributor during performance or by reason of work shall be considered an employment injury. There shall also be considered an employment injury any accident suffered by the contributor on his way from his dwelling to his workplace and back, or on his way from his workplace to the place where he usually takes his meal or gives his prayer and back. The same shall also apply to accidents suffered by the contributor during movements he makes for the purpose of doing an assignment required by the employer.

2. The disease established to be caused by work shall be considered as employment injury, and so does the occupational disease duly determined in accordance with the principles set forth in the next paragraph, and the date of the first medical diagnosis of the disease shall be regarded as the date on which the injury is sustained.

3. The occupational diseases shall be determined in accordance with such schedule as may be issued by the Board of Directors which shall review it whenever the need thereof arises. The Regulations may fix the maximum period during which the symptoms of the disease must appear in order to be considered as occupational disease in cases where the symptoms of the disease appear on the contributor after he has ceased to be engaged in an employment or occupation set forth in the schedule. The Organization's liability to award the benefits prescribed under this Law shall take effect on the date of cessation of the contributor's engagement in employment or occupation.

ARTICLE (28)

1. The contributor who has sustained an employment injury or his family members shall be entitled to claim the following benefits:

- a. The medical care required by the physical condition of the contributor.
- b. The daily allowances for temporary work disability, if, by reason of the injury, the contributor becomes temporarily unable to work.
- c. The monthly benefit and lump sum compensation for permanent total or partial disability resulting from the injury.
- d. The monthly benefits for the family members.
- e. The grant for the family of the injured person or recipient of the benefit in the event of his death.

2. There shall be no entitlement to any of these benefits unless the injury is sustained by the worker after his registration is effected by the appropriate insurance office or within the time limit prescribed by the Regulations for the employer to register his workers or within the time limit prescribed by the Regulations for the worker to apply for his own registration if the employer has refused or failed to register the worker. Once this condition is fulfilled, accrual of the right to receive the said benefits shall not be subject to completing any period of contribution.

ARTICLE (29)

1. The medical care shall aim, through all possible means, at maintaining and restoring the health of the injured person, or, should this be impossible, at improving his health condition and his ability to work and to attend to his personal needs. Such medical care shall include the following :

a. The services of general practitioners, medical specialists and medical aids.

b. Dentistry services

c. Diagnostic examinations of any kind or nature.

d. Admission of the injured person to and his treatment in a hospital, convalescence center or in any other adequate institution.

e. Medical substances required

f. Artificial limbs and the like or any medical or surgical appliances required to correct the injury in addition to maintenance and replacement of these, as needed.

g. The expenses of transportation of the injured person and the companion, as needed, from and to the workplace or from his dwelling to the medical center or hospital or medical clinic where he can receive the treatment required by his condition and back, as well as their lodging expenses.

2. Medical care shall be provided without any time limitation and for as long as the condition of the injured person requires.

3. The employer shall be liable to provide first-aid to the injured person and shall take the necessary measures to meet this liability, taking into consideration the number of workers he employs and the occupational hazards inherent in the performance of the operations carried out in his enterprise.

4. The medical care shall be provided by the hospitals, medical centers and clinics owned by the Organization or entered into contract with for this purpose, or by the public health centers and aid medical staff available at these centers which are likely to provide the proper care, without any charge to the injured person. In emergency cases, the injured person may have recourse to any physician or physician's aid or private medical clinic or private hospital, and the Organization shall bear the ensuing expenses, provided that it shall be notified of the same within three days from the date on which this right is exercised, save if exceptional circumstances should prevent such notification, in which case the period shall be extended accordingly.

5. The Organization may, if the financial position of the Occupational Hazards Branch so allows, set up its own treatment centers or private hospitals for the treatment of injured persons and may establish appropriate institutions to rehabilitate and prepare them both physically and vocationally. Also, the Organization may, subject to the same conditions, establish special institutions for the employment of those who have sustained employment injuries and of the disabled persons who are unable to find jobs on the labour market.

6. The Regulations shall determine the manner in which the provisions of this Article will be implemented, the methods and grace periods of the reporting of employment injury cases which must be referred to the appropriate offices of the Organization, and the kinds of injuries that must be reported.

ARTICLE (30)

1. If, as a result of duly recorded employment injury, the injured person is temporarily disabled, he shall be entitled to a daily allowance for each day of work disability including holidays. The daily allowance for injury shall be paid as of the day following the day on which the injury is sustained. The entitlement to the daily allowance shall cease on the day of restoration of his work ability, his recovery, establishment of his permanent disability, or his death.
2. The amount of the daily allowance for injury shall be assessed at the rate of 100% (one hundred percent) of the injured person's daily contributory wage for the month preceding the month in which the injury was sustained, which amount shall be reduced to 75% (seventy five percent) of the said wage while he is under treatment at the Organization's expense at a treatment center or elsewhere.
3. The Regulations shall prescribe the method and intervals of payment of the daily allowance.
4. Payment of the allowance may be suspended by a decision of the director of the office to which the injured person belongs, if it is established by a medical report that the injured person has refused to abide by the medical instructions required by his physical condition or to undergo a medical examination.

ARTICLE (31)

1. In case of permanent total disability resulting from an employment injury, the injured contributor shall be entitled to a monthly benefit equivalent to 100% (one hundred percent) of his average monthly contributory wage determined in accordance with paragraph (4) of this Article. However, if the permanent total disability benefit payable within the Kingdom is less than SR 1,500 (one thousand five hundred Saudi Riyals), it shall be raised to such amount. The Regulations may provide for raising the minimum benefit based on the increase in the cost of living in the Kingdom and within such limits as may be permitted by the financial position of the Organization.
2. In case of permanent partial disability resulting from an employment injury which is equivalent to or exceeding 50% (fifty percent), the injured contributor shall be entitled to a monthly benefit equivalent to the product of multiplying the percentage of such disability by the permanent total disability benefit to which he might have been entitled had he sustained a total disability.
3. The amount of the payable monthly benefit shall be increased by 50% (fifty percent) as an allowance if the injured person is in need of the constant help of others in the performance of his daily life activities, provided that the amount of such allowance shall not exceed the maximum prescribed by the Regulations.
4. The average monthly wage shall be computed by taking one third of the total contributory wages paid during the three months preceding the month in which the injury was sustained. If during this period, the injured person had not worked at all or had worked partially for the employer in whose employ the injury was sustained, the average monthly wage shall be computed by taking one third of the total wages which would have been subject to contribution had the injured person been working under the same conditions and continuously with the last employer throughout the base three months period.

ARTICLE (32)

In case of permanent partial disability resulting from employment injury which is less than 50% (fifty percent), the injured person shall be entitled to a lump sum injury compensation equivalent to 60 times the monthly benefit prescribed for permanent partial disability which he could have claimed according to the percentage of the resulting disability pursuant to the provisions of the preceding Article, if he was not over 40 years on the date he sustained the injury, otherwise the said compensation shall be reduced by a number of monthly benefits equivalent to the number of years in excess of his 40 years of age, provided that the amount of compensation shall not be less than 36 times the assumed monthly benefit and shall, in no way, be more than SR 165,000 (one hundred sixty five thousand Saudi Riyals). The Regulations may, by justifiable reasons, provide for raising this maximum.

For the purposes of implementation of the provisions of this Article, the fractions of a year shall be considered as one whole year if they are equivalent to or exceeding six months and shall be disregarded if they are less than six months.

ARTICLE (33)

1. Should a recipient of a permanent partial disability benefit be afflicted with another disability resulting from another employment injury, he shall be entitled to receive a new benefit computed on the basis of the total injuries sustained by him, taking into account that the total disability degrees shall not exceed 100% (one hundred percent), and on the basis of the average wage for the three months preceding the month in which the last injury was sustained. However, if such average wage proves to be less than that on the basis of which the first benefit was computed, the new benefit shall be computed on the basis of the higher average wage.

2. Should a contributor, who had previously received a lump sum injury compensation pursuant to the provisions of Article (32) hereof, sustain a new injury he shall be entitled to a monthly benefit where the total percentage of his disability in both injures qualifies him to become a recipient of a permanent disability benefit as provided for in a paragraph (2) of Article (31), provided that the lump sum compensation amount already paid to him shall be recovered by the Organization by installment deduction of the same from the first thirty six benefit payments. However, where payment of the benefit is discontinued pursuant to the provisions of paragraph (2) of Article (34) or by reason of death before the full compensation amount is deducted, the balance of installments shall not be recovered.

3. In case an injury is repeatedly sustained the disability percentages shall be totaled notwithstanding that such totaling may not qualify the injured person for monthly benefit, so long as such totaling shall raise the compensation payable to the injured person for the total injuries sustained by him, in which case the compensation payments already received for the former injuries shall be deducted from the compensation payable for the total injuries.

ARTICLE (34)

1. The degree of permanent disability shall be determined according to the nature of the infirmity sustained, the general condition of the injured, his age and occupation, his physical and mental aptitudes and also according to his professional capabilities. This shall be done in accordance with the schedule of disability rates issued by the Board of Directors which shall review it whenever the need thereof arises.

2. The disability benefits shall be granted on temporary basis, and the Organization shall require the injured persons to undergo periodical examinations during the first five years following the assessment of the disability. The benefit shall become payable for life by the lapse of the said five years. The dates of the examinations shall be fixed by the Medical Boards provided for in Article (53) of this Law. Should such examinations show an increase or decrease in the degree of disability of the injured person, the Organization shall, of its own accord or at the request of the beneficiary, revise the benefit, and such benefit shall be raised, reduced or stopped, depending on the change in the condition of the beneficiary, as of the first day of the month immediately following the confirmation of the intervening change.

3. The injured contributor who is entitled to monthly benefit shall have the right to concurrently received both the monthly benefit and his employment wage.

ARTICLE (35)

1. The members of the family of the deceased contributor as defined by paragraph (8) of Article (2) shall be entitled to benefits in the proportions prescribed by paragraph (2) of this Article, if the contributor was a recipient of a permanent total or partial incapacity benefit or died in employment by reason of an employment injury. In the later case, the survivors benefits shall be computed on the basis of assumption of contributor's entitlement to a benefit equivalent to the permanent total disability provided for in paragraph (1) of Article (31).

2. The benefit shall be paid to the eligible family members on equal basis, at the rate of 100% (one hundred percent) for three members and at the rate of 75% (seventy five percent) for two members, and at the rate of 50% (fifty percent) for one member, provided that the share payable within the Kingdom to any family member shall not be less than SR 300 (three hundred Saudi Riyals) per month, and that their total shares shall, accordingly, not exceed the average wage taken as a basis for the calculation of the deceased contributor's benefit or SR 1,500 (one thousand five hundred Saudi Riyals) per month whichever is greater. Should their total shares exceed such amount, their individual shares shall be reduced proportionately.

The Regulations may provide for raising said minimum subject to the increase in the cost of living in the Kingdom and the results of the review of the financial position of the organization. In case of cancellation of a share of a member of the family, his share shall be repaid to the other eligible family members without prejudice to the foregoing limits.

3. a. The benefit payable to the widow, daughter, sister or grand daughter shall be suspended if she marries. However, if she is divorced or widowed thereafter, payment of her suspended share shall be resumed to her. If such share has already been wholly or partially redistributed among certain eligible survivors, their entitlements shall be reduced by the same amount, in which case the total amount of shares shall not exceed the limits provided for in paragraph (2).

b. In case of divorce or widowhood of the daughter, sister or granddaughter who was married at the time of death of the contributor or recipient of the benefit, the benefit shares shall be redistributed for the purpose of granting her the payable share.

4. The benefit payable to the incapacitated son, brother or grandson shall be cancelled in case he is no more incapacitated. However, if he is re-incapacitated his suspended share shall be returned to him. In case such share has already been wholly or partially redistributed among certain eligible survivors, their shares shall be reduced by the same amount, provided that the total shares shall not exceed the limits provided for in paragraph (2).

ARTICLE (36)

As an exception to the provisions of Articles (31) and (35), the non-Saudi injured person who qualifies for monthly benefit or the members of his family in the event of his death as a result of an employment injury, shall be paid a lump sum compensation in lieu of the monthly benefit. The lump sum compensation shall, in this case, be assessed according to the following rules:

1. The total benefit payable for seven years for the injured person who is afflicted with permanent total disability up to a maximum of SR 330,000 (three hundred thirty thousand Saudi Riyals).
2. The total benefits payable for five years for the injured person who is afflicted with permanent partial disability up to a maximum of SR 165,000 (one hundred sixty five thousand Saudi Riyals).
3. The total benefit payable for seven years for the contributor deceased as a result of an employment injury, which benefit amount shall be distributed among his eligible family members in accordance with the provisions of paragraph (2) of Article (35) of this Law, provided that the distributed lump sum shall not exceed the maximum limit fixed under paragraph (1).
4. The Regulations may, for justifiable reasons, provide for raising the maximum limits mentioned in paragraphs (1) and (2).

ARTICLE (37)

The Organization shall be liable to pay the expenses of preparation and transportation of the body of the deceased contributor who was receiving an employment injury benefit in accordance with the details laid out in the Regulations.

Reference : (Saudi Labor Law)

Chapter Three Work Injuries

Article (132):

The provisions of this Chapter shall not apply to the firms subject to the Occupational Hazards Branch of the Social Insurance Law.

Article (133):

If a worker sustains a work injury or an occupational disease, the employer shall be required to treat him and assume directly or indirectly all necessary expenses, including hospitalization, medical examinations and tests, radiology, prosthetic devices and transportation expenses to treatment centers.

Article (134):

An injury shall be deemed a work injury in accordance with the provisions of the Social Insurance Law. Occupational diseases shall also be considered work injuries and the date of the first medical diagnosis of the disease shall be treated tantamount to the date of injury.

Article (135):

Any relapse or complication arising from an injury shall be deemed an injury and shall be treated as such in terms of aid and treatment.

Article (136):

Occupational diseases shall be determined in accordance with the Occupational Diseases Schedule provided for in the Social Insurance Law. Degree of total or partial disability shall be determined according to the Disability Percentage Guide provided for in the said Law.

Article (137):

In the case of temporary disability arising from work injury, the injured party shall be entitled to financial aid equal to his full wage for thirty days, then 75% of the wage for the entire duration of his treatment. If one year elapses or it is medically determined that the injured party's chances of recovery are improbable or that he is not physically fit to work, his injury shall be deemed total disability. The contract shall be terminated and the worker shall be compensated for the injury. The employer may not recover the payments made to the injured worker during that year.

Article (138):

If an injury results in a permanent total disability or the death of the injured person, the injured person or his eligible beneficiaries shall be entitled to a compensation equal to his wages for three years, with a minimum of fifty four thousand riyals.

If the injury results in a permanent partial disability, the injured person shall be entitled to a compensation equal to the percentage of the estimated disability in accordance with the approved disability percentage guide schedule multiplied by the amount of compensation for the permanent total disability.

Article (139):

An employer shall not be required to comply with the provisions of Articles (133), (137) and (138) of this Law if any of the following is established:

- (1) If a worker deliberately injures himself.
- (2) If an injury is caused by intentional misconduct on the part of the worker.
- (3) If a worker refuses to be examined by a physician or refuses to accept treatment by the physician designated by the employer without a valid reason.

Article (140):

Liability of previous employers of a worker suffering from an occupational disease shall be determined in light of the medical report of the attending physician. Previous employers shall be required to pay the compensation provided for in Article (138) of this Law, each in proportion to the period such worker has spent in his service, provided that the industries or occupations they engage in cause the disease the worker suffers from.

Article (141):

The procedures for reporting work injuries shall be determined pursuant to a decision by the Minister.