

Both father and three year old daughter sued their maid agency for breach of contract and damages after their maid suddenly left the house. Our Yvonne Raj was the lawyer for the Plaintiffs.

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Family was left in the lurch by maid, court told

KUALA LUMPUR: A family was left in the lurch when their Filipino maid quit without a replacement being provided by the employment agency, the Sessions Court here heard yesterday.

Seng Hoon Kiew, 40, wife of a factory manager who is suing a recruitment agency and her maid for breach of contract, said her family life was disrupted, especially where the care of her small daughter was concerned.

She said her maid, Judith Bielza, whom she took from Indophima Sdn Bhd on April 21, 1992, quit on Oct 12 the same year without a replacement being provided as promised.

Seng, a teacher, said that as a result, her family faced many problems and had to make the "bitter" decision to sell their house to move to her mother's house in Kajang.

Seng, who previously lived in Taman Melawati, said she contacted the agency when Bielza, 29,

quit and was told by the agency's officer that she would be replaced by another maid whose service had been terminated by another employer.

She was testifying in a summons case brought by her husband, Cheong Ah Lek, and their daughter, Michiko Cheong Ming Ren, three, against Indophima and Bielza for special damages of RM10,550 and RM1,800 respectively.

They claimed that the agency had failed to honour the agreement by allowing Bielza to work for another employer which was in breach of the agreement and conditions of the work permit approved by the Immigration Department.

In its statement of defence, Indophima denied the allegations and said there was no provision for the RM2,000 deposit to be refunded.

Examined by counsel Yvonne Kalathini Raj, Seng said the maid left when she returned from work after informing

them in the morning that she wanted to return home.

She said that after that she had to shuttle between her school in Ulu Klang and her mother's house because she was breast-feeding Michiko who was a baby then.

She said that while under Bielza's care, Michiko suffered a fractured skull as a result of a fall and she was only informed of the incident 10 days later when her daughter cried constantly.

She said that when she contacted Indophima for a new maid, she was informed that Bielza was still in the country and working for another employer.

Cross-examined by counsel Azlan Kamis, for Indophima, Seng said she was not informed by the agency's officer that Bielza, whom she had chosen through biodata provided by the agency, had reported that her husband had tried to molest her.

The hearing continues on June 15. — Bernama

Filipina maid left us in a lurch, teacher tells court

KUALA LUMPUR, Tues. — A teacher and her family went through a lot of difficulties when her Filipina maid left suddenly, the Sessions Court was told today.

Seng Hoon Kiew said the maid, Judith D. Bielza, left on the night of Oct 12, 1992, and she had to send her baby girl to Kajang to be cared by her mother.

She had to commute daily to Kajang from her house in Taman Melawati, Ampang to breast-feed her baby, Seng said, adding that finally she had to sell her house and shift to Kajang.

"We (she and her husband) did not want to rent out the house in Taman Melawati for fear of it being neglected by the tenant. So with a heavy heart we sold it," she said.

Seng was testifying in a suit brought by her husband, factory manager Cheong Ah Lek, and their daughter Ming Ren Michiko, now about three years old, against employment agency Indophima Sdn Bhd and Bielza for breach of contract and negligence.

The father and daughter are seeking RM12,350 in special damages, general damages for breach of contract, costs and other relief.

Among other things, they claimed that Indophima had failed to keep its part of the contract signed on Jan 16, 1992, causing them problems.

The plaintiffs are represented by Yvonne Kalathini Raj while Azlan Khamis appeared for the defendants. Questioned by Yvonne,

Seng said Bielza, whose duties were only to look after Ming Ren and wash the clothes, told her one morning that she wanted to go back to her homeland.

"Since I was in a hurry to go out, I told her to wait till I returned and discuss the matter," she said, adding that the maid got angry and called her stupid.

Seng said when she came home Bielza insisted on leaving that night although she told her to wait until her husband came home so that they could send her to the agency.

"The maid said she could find her way to the agency and left," Seng said, adding that she called the agency later and a staff confirmed that Bielza had arrived.

To a question by Raj whether she had made any preparation for the maid's departure, Seng said she had not because the maid left suddenly.

Seng said subsequently, when she called the agency, a worker told her that Bielza was working for another employer.

She then lodged a report with the Immigration Department since she was responsible for Bielza as long as she was still in the country.

To another question, Seng said some time in July 1992 she noticed that her baby was not eating well and when she questioned the maid she told her that the baby's head was soft due to a fall about 10 days earlier.

She took the baby to the hospital and a doctor confirmed that the baby's skull was fractured.

Agensi didakwa langgar perjanjian

KUALA LUMPUR, Selasa — Seorang guru hari ini memberitahu Mahkamah Tengah di sini bahawa pembantu rumahnya dari Filipina, tidak menjaga bayinya dengan baik sehingga anaknya dimasukkan ke hospital kerana dipercayai terjatuh.

Seng Hoon Kiew, 40, berkata bayinya yang berusia beberapa bulan ketika kejadian itu berlaku pada Julai 1992, mengalami keretakan di kepala dan dimasukkan ke wad otak dan saraf.

Menurutnya, dia tidak mengetahui mengenai kejadian itu sehingga

pembantu rumahnya, Judith D Bielza, memberitahunya hal itu sepuluh hari kemudian.

Hoon Kiew berkata, pada 12 Oktober 1992, ketika dia bersama suaminya, Cheong Ah Lek, bersiap untuk pergi kerja, Judith memberitahu bahawa dia hendak berhenti kerja kerana mahu balik ke Filipina.

"Saya menyuruh dia tunggu sehingga kami balik kerja untuk berbin-cang tetapi pembantu rumah itu marah dan berkata kamu, Puan Cheong sangat bodoh," katanya.

Hoon Kiew berkata demikian dalam perbincangan kes tuntutan saman Ah Lek dan Cheong Ming Ren (anak Ah Lek) terhadap agensi pembawa masuk pembantu rumah luar negeri, Indophima Sdn Bhd dan Judith.

Mereka mendakwa Indophima melanggar perjanjian kontrak sehingga menyebabkan plaintif (Ah Lek dan Ming Ren) mengalami pelbagai masalah, kesulitan dan kerosakan.

Perbincangan yang dijangka di hadapan Hakim Kamardin Hashim akan bersambung 15 Jun ini.