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PURPOSE:

1. To integrate the promotion of mental health and the identification and management of mental health problems for the wellness of the Metro RMCI Cancer Care Center (MRCCC) employees.
2. The MRCCC shall conduct Mental Health programs with the following objectives:
 - a) To raise awareness, prevent stigma and discrimination, provide support to workers who are at risk and/or with mental health condition and facilitate access to medical health services.
 - b) To promote workers' well-being towards healthy and productive lives.
 - c) To establish a committee with representatives per division coordinating with the management the plans and programs.

LEVEL:


Wellness Clinic Supervisor, Psychometrician, OSH Committee, and all employees

DEFINITION OF TERMS

Advance Directive- a worker with mental health condition may set out his or her preferences in relation to treatment through a signed, dated and notarized document executed for the purpose. An advance directive may be revoked by a new advance directive or by a notarized revocation.

Confidentiality- refers to ensuring that all relevant information related to persons with psychiatric, neurologic and psychosocial health needs is kept safe from access or use by, or disclosure to, persons or entities who are not authorized to access, use or possess such information.

Constructive Dismissal- refers to an involuntary resignation resorted to when continued employment becomes impossible, unreasonable or unlikely; when there is a demotion in rank or a diminution in pay; or when a clear discrimination,

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insensibility or disdain by an employer becomes unbearable to an employee or an unwarranted transfer or demotion of an employee, or other unjustified action.¹


Discrimination- refers to any distinction, exclusion or restriction which has the purpose or effect of nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural or any other field. It includes all forms of discrimination, including denial of reasonable accommodation. Special measures to protect the rights or secure the advancement of persons with decision making impairment capacity shall not be deemed discriminatory.

Mental Health- refers to a state of well-being in which the individual realizes one's own abilities and potentials, copes adequately with the normal stresses of life, displays resilience in the face of extreme life events, works productively and fruitfully, and is able to make positive contribution to the community.

Mental Health Condition- refers to a neurologic or psychiatric condition characterized by the existence of a recognizable, clinically significant disturbance in an individual's recognition, emotional regulation, or behavior that reflects a genetic or acquired dysfunction in the neurobiological, psychosocial or developmental process underlying mental functioning. The determination of neurologic and psychiatric conditions shall be based on scientifically-accepted medical nomenclature and best available scientific and medical evidence (Ex. Epilepsy, Schizophrenia, Psychosis, Depression, Bipolar).

Mental Health Facility- refers to any establishment or any unit of an establishment, which has, as its primary function, the provision of mental health services.

Mental Health Professionals- refers to a medical doctor, psychologist, nurse, social worker, guidance counselor, or any other appropriately-trained and qualified person with specific skills and relevant to the provision of mental health services.

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Mental Health Services- refers to psychosocial, psychiatric or neurologic activities and programs along the whole range of the mental health support services including promotion, prevention, treatment, and aftercare which are provided by mental health facilities and mental health professionals.


Mental Health Service Provider- refers to an entity or individual providing mental health services as defined in the Act, whether public or private, including, but not limited to mental health professionals and workers, social workers, and counselors, peer counselors, informal community caregivers, mental health advocates and their organizations, personal ombudsmen, and persons or entities offering non-medical alternative therapies.

Occupational Health (OH) Physician- refers to the company physician with the required training on OSH who shall issue the “fit to work” Certification to a patient/worker. The OH Physician of RMCI is also the one in charge for MRCCC.

Reasonable Accommodation

- a) means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms²
- b) improvement of existing facilities used by employees in order to render these readily accessible to and usable by disabled persons; and
- c) modification of work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustments or modifications of examinations, training materials or company policies, rules and regulations, the provision of auxiliary aids and services, and other similar accommodations for disabled persons³

Worker- refers to any member of the labor force, regardless of employment status including those working abroad/overseas.


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POLICY:

A. Social Policy Statements

1. Non-discriminatory policies and practices

- a. There shall be no discrimination in any form against workers who are at risk of developing or who are found to have mental health condition. Workers shall not be discriminated against from hiring, promotion, and/or other benefits of employment because of their condition provided, however, that such conditions shall not interfere with the employee's performance of their job or unduly affect his own safety or that of his co-workers, clients and the general public.
- b. The fitness to work of workers who are found to have mental health condition shall be determined by an OH Physician of RMCI, after appropriate medical evaluation, taking into account the clearance provided by a mental health professional.
- c. A worker may resume work while undergoing treatment provided that an OH Physician of RMCI has certified that he/she is fit for work and that current treatment shall not cause unsafe conditions for the worker while at work or cause similar unsafe conditions for other workers. To monitor and assist the workers in managing their condition, coordination, shall be made between the OH Physician of RMCI/HR personnel and mental health professional in consideration of the workers' assigned tasks and the effects of medications taken.
- d. Workers who have undergone pharmacological and psychosocial interventions/ treatment and are evaluated by an OH physician to be fit to work shall not be prevented from returning to work or subjected to actions that may be construed as constructive dismissal from service.

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- e. A worker shall not be terminated from work on the basis of actual, perceived or suspected mental health condition unless the condition progresses to such severity that it affects his/her own safety or safety of co-workers and work performance and productivity upon the certification issued by a competent public health authority with expertise on mental health.

2. Confidentiality

- a. The MRCCC shall ensure that the Data Privacy Act of 2012 shall be clearly communicated and understood by all workers.
- b. The advance directive prepared by the worker with mental health condition shall form part of the worker's record (201 file) which should be treated with utmost confidentiality.
- c. The results of neuropsychological test that may be required as additional requirement shall be treated with confidentiality.
- d. Access to personal data or any information relating to a worker's mental health condition shall be bound by the rules of confidentiality and/or the Data Privacy Act of 2012.

3. Disclosure


- a. Workers are encouraged to disclose their medical or mental health condition for purposes of reasonable accommodation.
- b. The company and co-workers shall not be obliged to reveal to a third party any information about the worker with mental health condition except in any of the following conditions:

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- i. unless it is required by law;
- ii. with consent from the worker with mental health condition;
- iii. life threatening emergency cases where such disclosure is necessary to prevent harm or injury to himself/herself or to other persons; or
- iv. disclosure is required in connection with an administrative, civil or criminal case against a mental health professional or worker for negligence or a breach of professional ethics.

4. Work Accommodation

- a. Agreements on work accommodation and work arrangements for a worker with mental health condition shall be made between management and workers' representatives, provided however that such mental condition shall not prevent the worker from performing the requirements of the job or will endanger his/her safety, or that of his/her co-workers, clients or the general public.
- b. Measures to accommodate and support a worker with mental health conditions, such as flexible leave arrangements, rescheduling of working hours and arrangements for return to work must be clearly explained to the worker, preferably in the presence of his/her family member (*Please refer to the HRD's Policy on Work Arrangement Practices*).
- c. The worker may be allowed to return to work with reasonable accommodation and other such arrangements as determined or as recommended by the mental health professionals and concurred with by the OH Physician of RMCI.
- d. Worker's changes in behavior/attitude which may affect his/her productivity/performance shall be monitored and evaluated.


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B. Treatment, Rehabilitation and Referral System

1. The company shall be providing referral procedures for treatment modalities and rehabilitation through the company's programs that will provide access to mental health services.
2. Workers with mental health condition shall be referred to a DOH-licensed/accredited/recognized mental health facility or mental health service providers for appropriate management.
3. The absence of workers undergoing treatment and rehabilitation shall be charged against their leave credits.
4. If a worker with mental health condition has exhausted his/her leave credits, then the medical leave incurred shall be without pay.
5. In the absence of the legally required OH personnel, the Safety Officer or HR personnel shall facilitate referral of a worker who is at risk or with mental health condition for medical evaluation and/or intervention.

C. Benefits and Compensation

1. In determining the appropriate compensation for the diagnostic, treatment and rehabilitation of a worker with mental health condition, the current health benefit packages under PhilHealth, ECC or SSS whichever are applicable, shall apply.
2. Workers with mental health conditions are entitled to all monetary and non-monetary statutory benefits in accordance with existing rules and regulations without prejudice to the exercise of company policy, rules and regulations on compensation and other benefits.

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3. Companies engaging the services of third party healthcare providers are encouraged to include mental health services in their health packages.

D. Support Mechanism Program

1. Workers with mental health condition shall be referred to a counselor trained and qualified to provide mental health services for counseling services which may be extended to the families and groups who are dealing with workers with mental health issues.
2. The company shall ensure the provision of Psychosocial Support to the employees identified with mental health conditions.

E. Responsibilities of Workers


1. All employees shall:
 - a. Participate actively in the formulation and effective implementation of the workplace policies and programs on Mental Health, through consultations, policy making processes and general assembly in organized and unorganized establishment;
 - b. Provide assistance in any form to improve the condition of co-workers who are at risk of developing or with mental health condition and refrain from any discriminatory acts against them;
 - c. Seek assistance from the company OSH personnel on conditions which may be related to or may result to a mental health condition for their appropriate medical intervention and possible work arrangements or accommodation; and

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- d. Not themselves engage in bullying such as cyber bullying/ mobbing, verbal, sexual and physical harassment, all forms of work-related violence, threats, shaming, alienation and other forms of discrimination which may lead to a mental health problem or may aggravate existing mental health condition.

F. Record Keeping and Reporting Requirements

1. The medical records shall be kept or maintained inside the Wellness Clinic.
2. In compliance with the DOLE requirement of reporting injuries and/or illnesses in the workplace, the MRCCC shall report cases to DOLE-Regional Office having jurisdiction over the company, using the Annual Medical Report (AMR) Form.

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REFERENCES:


DOLE Department Order No. 208, Series of 2020, Guidelines for the Implementation of Mental Health Workplace Policies and Programs for the Private Sector as cited in the following:

- a. Republic Act No. 11036 (Mental Health Act) and its Implementing Rules and Regulations (IRR)
- b. Republic Act No. 7277 (The Magna Carta for Persons with Disability) and its IRR
- c. Republic Act No. 10524 (An Act Expanding the Positions Reserved for Persons with Disability, amending RA 7277 "Magna Carta for Persons with Disability" and its IRR)
- d. Republic Act No. 11058 (An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties Thereof and its IRR)
- e. United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)
- f. Republic Act No. 11313 (An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces and Educational or Training Institutions Providing Protective Measures and Prescribing Penalties Thereof)
- g. Other relevant policy issuances


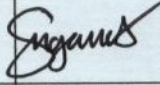
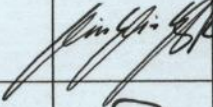

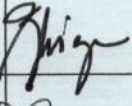
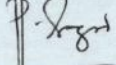
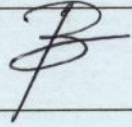
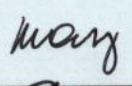

¹*DOLE Department Order No. 208, Series of 2020, Guidelines for the Implementation of Mental Health Workplace Policies and Programs for the Private Sector as cited in Blue Dairy Corp. vs. NLRC, 314 SCRA 401/BLR – Termination of Employment*


²*DOLE Department Order No. 208, Series of 2020, Guidelines for the Implementation of Mental Health Workplace Policies and Programs for the Private Sector as cited in "Convention on the Rights of Persons with Disabilities", United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)*

³*RA 7277 An Act Providing for the Rehabilitation, Self-Development and Self-Reliance of Disabled Persons and their Integration into the Mainstream of Society and for Other Purposes*

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PURPOSE:

To discuss the implementing guidelines of the Policy on Mental Health of Metro RMC Cancer Care Center (MRCCC) employees.

SCOPE:


Applies to all MRCCC employees

PERSON RESPONSIBLE:


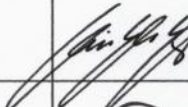

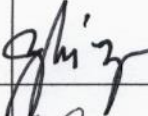
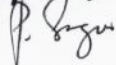


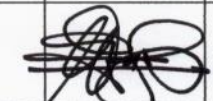
Wellness Clinic Supervisor, Psychologist, Psychometrician and all employees


PROCEDURE:

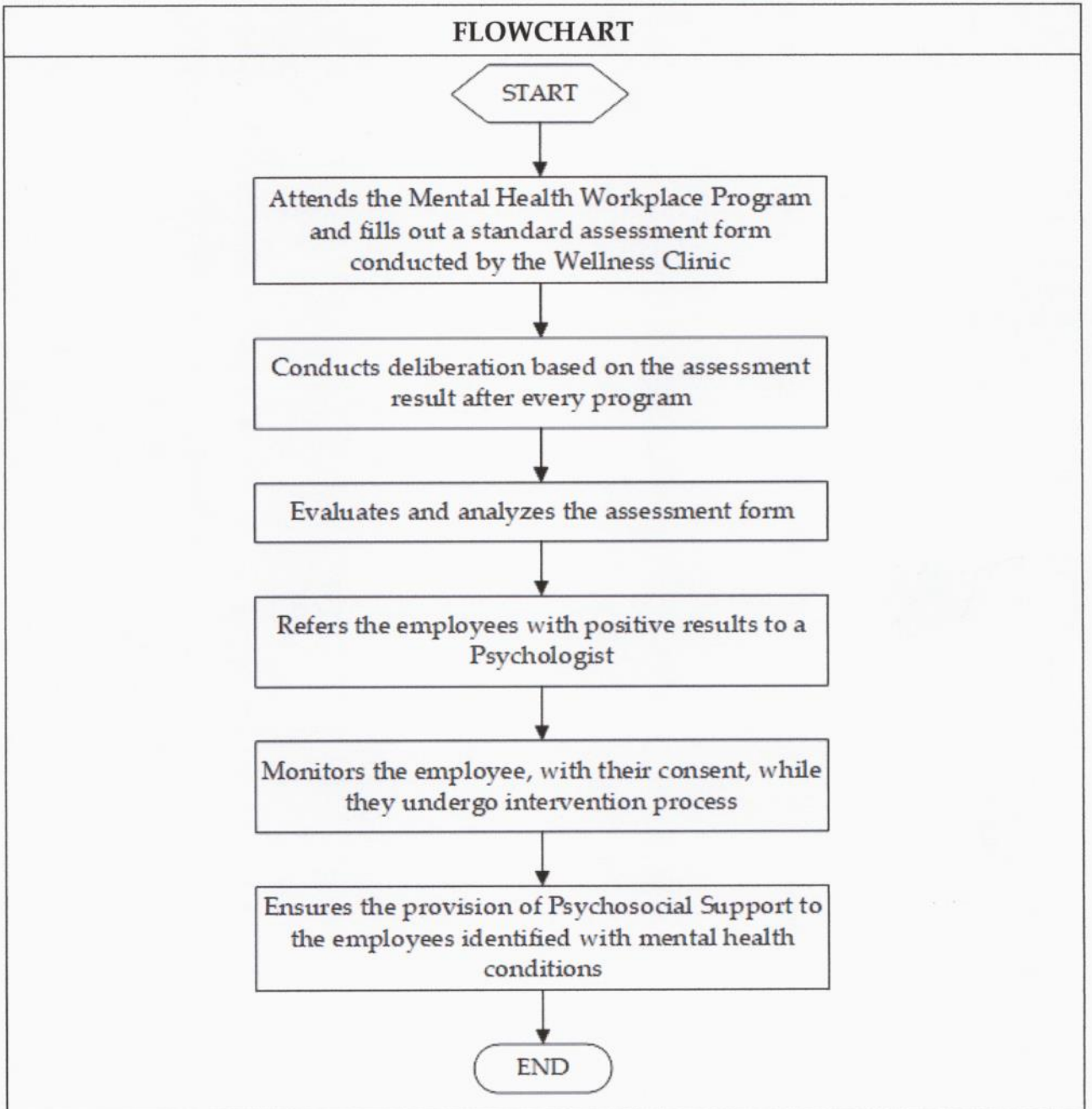
1. All employees shall be required to attend the Mental Health Workplace Program and to fill up a standard assessment form conducted by the Wellness Clinic for identification of workers with mental health conditions. Assessment forms shall be the basis for the intervention plan.
2. There shall be a deliberation based on the assessment results after every program.
3. The assessment forms shall be evaluated or analyzed and employees with positive results shall be referred to a Psychologist.
4. In cases where positive results are identified based on the assessments, the employee, with their consent, shall be monitored while they undergo the intervention process.
5. The assessment, results and intervention process shall be held strictly confidential.
6. During and after the intervention process, the company will ensure the provision of Psychosocial Support to the employees identified with mental health conditions.


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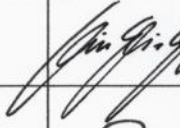

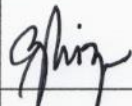
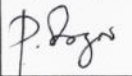


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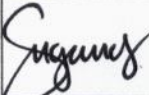
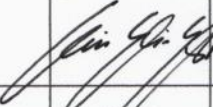

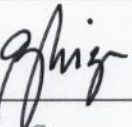
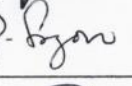



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KEY TASKS	PERSON RESPONSIBLE
1. Attends the Mental Health Workplace Program and fills out a standard assessment form conducted by the Wellness Clinic	All employees
2. Conducts deliberation based on the assessment result after every program	Psychometrician
3. Evaluates and analyzes the assessment form	Psychometrician
4. Refers the employees with positive results to a Psychologist	Wellness Clinic Supervisor
5. Monitors the employee, with their consent, while they undergo intervention process	Wellness Clinic Supervisor
6. Ensures the provision of Psychosocial Support to the employees identified with mental health conditions	RMCI

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