

VIRTUAL DONE WELL DAVAO, INC.

MENTAL HEALTH WORKPLACE POLICIES AND PROGRAMS

In accordance with the provisions of Republic Act No. 11036 (Mental Health Act), Department Order No. 208, Series of 2020 (Guidelines for the Implementation of Mental Health Workplace Policies and Programs for the Private Sector), and Republic Act No. 11058 (An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof), and in accordance with Republic Act No. 7277 (The Magna Carta for Persons with Disability) and its IRR, 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), Republic Act No. 11058 (An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties Thereof and its IRR), United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), 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) the company hereby adopts the following policy on full promotion of mental health and the identification and management of mental health problems.

I. DECLARATION OF POLICY

Virtual Done Well Davao, Inc., is, in addition to legal compliance, committed to the following:

1. Raise awareness, prevent stigma and discrimination, and provide support to employees at risk and/or with mental health conditions and facilitate access to medical health services.
2. Promote employee's well-being towards healthy and productive lives.
3. Jointly prepare policies and programs with employees' representatives and occupational safety and health (OSH).
4. To this end, the company, through collaborative efforts with its employees, adopts the policy for mental health promotion, identification, and management.

II. ADVOCACY, INFORMATION, EDUCATION AND TRAINING

- A. The company shall provide all employees with basic information and education on mental health. Standard basic information and education include, but is not limited to, the following:
 1. Understanding mental health and its impact in the workplace and the workforce.
 2. Identification and management of mental health problems in the workplace.
 3. Salient features of RA 11036 and its IRR with emphasis on the basic human rights of persons with mental health conditions and consent to treatment; and
 4. Confidentiality of all information or medical records of a worker with a mental health condition.
- B. The company may extend advocacy, information, education and training activities to employees' families and communities through their corporate social responsibility (CSR) programs to strengthen approaches to prevent stigma and discrimination and better understand individuals with mental health conditions.
- C. The OSH personnel and Human Resources Officers shall undergo capacity building to identify, recognise psychological hazards, and manage mental health problems.

- D. The company shall coordinate with the Department of Health (DOH), National Center for Mental Health (NCMH) or other mental health providers in training employees and program implementers to promote and advocate mental health in the workplace as well as identify and manage mental health problems.
- E. The company shall promote and enhance workers' well-being to have healthy and productive lives through the following approaches, among others:
 - 1. Increasing workers' awareness on mental health and other common conditions like depression, anxiety and substance abuse, including alcohol (ex. newsletters, quick discussions during catchup calls, workshops, posters).
 - 2. Promotion of healthy lifestyle and work-life balance.
 - 3. Identification and management of work-related stress and stressors, including interpersonal issues with superiors, subordinates, co-employees, and clients.
 - 4. Effective management of changes in the work organisation and the utilisation of human resources systems (e.g. addressing burnout, review of workload).
 - 5. Establishing mental health programs to support workers (e.g. recreational activities).
 - 6. Worker's achievement and recognition program.
 - 7. Psychological support in the management of disaster or extreme life events.
 - 8. Capacity building of managers and human resource personnel in the identification and management of workers with mental health problems.
 - 9. Other programs and activities as may be recommended by the OSH committee deemed necessary to promote and sustain the well-being of the employees.

III. SOCIAL POLICY

Non-discriminatory policies and practices

- 1. There shall be no discrimination in any form against employees who are at risk of developing or who are found to have a mental health condition. Employees shall not be discriminated against from hiring, promotion, and/or other employment benefits because of their condition provided. However, that such conditions shall not interfere with the employee's performance of their job or unduly affect his safety or that of his colleagues, clients, and the general public.
- 2. The fitness to work of employees found to have a mental health condition shall be determined by the OH physician, after appropriate medical evaluation, considering the clearance provided by a mental health professional.
- 3. An employee may resume work while undergoing treatment provided that an OH physician has certified that the employee is fit for work and that current treatment shall not cause unsafe conditions for the employee while at work or cause similar unsafe conditions for other employees. To monitor and assist the employees in managing their condition, the company's OH/HR personnel shall coordinate with a mental health professional considering the employee's assigned tasks and the effects of medications taken.
- 4. Employees who have undergone pharmacological and psychological interventions/treatment and are evaluated by OH physician to be fit to work shall not be prevented from returning to work or subject to actions that may be construed as constructive dismissal from service.
- 5. An employee shall not be terminated from work based on actual, perceived or suspected mental health condition. Unless the condition progresses in severity and

affects the employee's safety or the safety of co-workers and work performance and productivity upon the certification issued by a competent public health authority with expertise in mental health.

Confidentiality

1. The company shall communicate its confidentiality policy to all employees for their understanding.
2. The advance directive prepared by the employee with mental health condition shall take part of the employee's record (201 file), which should be treated with the utmost confidentiality.
3. Results of the neuropsychological test as an additional requirement must be treated with confidentiality.
4. Access to personal data or any information relating to an employee's mental health condition shall be bound by the rules of confidentiality and/or the Data Privacy Act of 2012.

Disclosure

1. Employees are encouraged to disclose their medical or mental health conditions for purposes of reasonable accommodation.
2. The company and co-workers are not obliged to reveal to a third party any information about the employee with mental health condition except in any of the following conditions:
 - a. Unless it is required by law;
 - b. With consent from the employee with a mental health condition;
 - c. Life-threatening emergency cases where such disclosure is necessary to prevent harm or injury to the employee or other persons; or
 - d. 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.

Work Accommodation and Work Arrangements

Agreements on work accommodation and work arrangements for an employee with a mental health condition shall be made between management and workers' representatives. Provided that such mental state shall not prevent the employee from performing the job's requirements or endanger his/her safety, or his co-workers, clients or the general public.

1. Measures to accommodate and support an employee with mental health conditions, such as flexible leave arrangements, rescheduling of working hours and arrangements to return to work, must be clearly explained to the employee, preferably in the presence of his/her family member.

Depending on the need and capacity of the employee and the client, the employee may work from home or on a flexible work schedule with break schedule. Employee may utilise available sick leave credits for therapy/treatment sessions or other mental health related appointments. An employee may be reassigned to a different function or with a different task suited to the current state and work capacity.

Should the level of service provided to the client by the VA drops to unacceptable level of service, VDW will provide a substitute VA until such time the VA recovers.

2. The employee may be allowed to return to work with reasonable accommodation and other such arrangements as determined or recommended by the mental health professionals and concurred with by the OH physician, if available.
3. Weekly temperature check shall be conducted on employees with mental health conditions to monitor and evaluate changes in behaviour/attitude which may affect his/her productivity/performance. Emphasis will be on giving positive reinforcement and constructive feedback. Forms of communication preferred by the employee shall be adapted (e.g. chat, email, video call, daily checklists and notes, etc.)

Treatment, Rehabilitation and Referral System

1. Worker's/Employee's Assistance Program
 - Employees needing financial assistance due to medical reasons may file for a company loan.
 - Employees shall be referred to government support hotlines and HMO for consultations and counseling.
2. Employees with mental health conditions shall be referred to a DOH-licensed/accredited/recognised mental health facility or mental health service providers for appropriate management. Details are outlined under Support Mechanism Program section.
3. The period during which the employee is under treatment or rehabilitation shall be considered as authorised leaves. Employee may utilise his/her annual leave credits or other regulated leaves like Victims of Violence Against Women and Their Children (VAWC) leave, if applicable, without prejudice to the existing company policies on availing leave of absence.
4. If an employee with a medical health condition has exhausted his/her leave credits, then the medical leave incurred shall be without pay. The employee shall file for SSS Sickness Benefit.

If the employee is certified to still be unable to work, the Employer may pay for another 120 days. Thereafter, the company will review on the case by case basis as to the further assistance. The Employee has to be assessed and certified by the physician of choice of the Employer.

5. In the absence of legally required OH personnel, the Safety Officer or HR personnel shall facilitate the referral of a worker at risk or with a mental health condition for medical evaluation and/or intervention.

Benefits and Compensation

The current health benefits package under [PhilHealth](#), ECC or [SSS](#), whichever is applicable, shall be applied to an employee with a mental health condition undergoing treatment and rehabilitation.

Support Mechanism Program

For counselling on mental health issues, employees may contact the local or national mental health hotlines.

Employees with HMO membership may contact Maxicare for counselling about their emotions or ideations that may affect their mental health and/or advice about their mental health diagnosis.

The HOFFEN CLINIC (Center for Mental Health and Psychosocial Development)

Adventist Hospital Davao

0951815 HOPE (0951-815-4673)

(082)-297-2761 loc 269

Facebook: Center for Mental Health and Psychosocial Development

centerformentalhealth@adventisthealth-dvo.com

National Center for Mental Health Crisis Hotline

Globe/TM: (0917) 899 8727

Smart: (0908) 639 2672

Toll-free: **1553**

Hopeline

Globe/TM: (0917) 558 4673

Smart: (0918) 873 4673

Toll-free: **2919**

[Kapwa MH](#) – MentalHealthPH’s menu-based chatbot

<https://twitter.com/kapwamh>

Davao City Mental Health & Psychological Support Hotline

Globe: *(0977) 760 8610; (0956) 815 1493

Smart: *(0939) 768 3627; (0951) 516 5630

Sun: *(0933) 768 3627; (0933) 404 1072

**Calls only*

Southern Philippines Medical Center - Institute of Psychiatry and Behavioral Medicine

Inquiries

Smart: (0999) 224 9783

TM: (0936) 068 9225

Teleconsult

Globe: (0906) 387 1465

Smart: (0939) 370 3531

Lingap Diwa (0917) 552 4987

To register, send a text or inquiry. Prepare the following details:

- Name
- Birthday
- Address
- Symptoms or complaint
- Name of physician

IV. ROLES AND RESPONSIBILITIES OF EMPLOYERS AND WORKERS

A. Employer's Responsibilities:

1. Develop, implement, monitor and evaluate workplace policies and programs. The company may link up or coordinate with mental health service providers for assistance;

2. Develop and implement programs with reporting mechanisms to address and prevent problems on bullying such as cyberbullying/mobbing, verbal, sexual and physical harassment, all forms of work-related violence, threats, shaming, alienation and other forms of discrimination that may lead to a mental health problem and shall not themselves engage in abovementioned;
3. Ensure adequate resources to implement and sustain mental health workplace programs;
4. Ensure to provide the necessary training to the OSH personnel and Human Resource Officers who will develop, implement and monitor the mental health workplace policies and programs;
5. Provide necessary work accommodation when needed;
6. Develop mechanisms for referral of workers at risk of developing or with a mental health condition for appropriate management; and
7. Ensure compliance to all requirements of existing legislation and guidelines related to it.

B. Employee's Responsibilities:

1. Participate actively in formulating and implementing workplace policies and programs on Mental Health through consultations, policy-making processes and general assembly in an organised or unorganised establishment;
2. Assist in any form to improve the condition of co-workers who are at risk of developing or with a mental health condition and refrain from any discriminatory acts against them;
3. Seek assistance from the company OSH personnel on conditions which may be related to or may result in a mental health condition for their appropriate medical intervention and possible work arrangements or accommodation; and

V. RECORD KEEPING AND REPORTING REQUIREMENTS

- A. The medical records shall be kept with HR, and access is restricted to an as-needed basis.
- B. In compliance with the DOLE requirement of reporting injuries and/or illnesses in the workplace, companies shall report cases to DOLE-Regional Office having jurisdiction over the company, using the Annual Medical Report (AMR) Form.

VI. MONITORING AND EVALUATION

Implementation and regulating the Mental Health Workplace Policies and Programs shall be the company's responsibility through the OSH Committee.

Review and evaluation of the Mental Health Workplace Policies and Programs shall be done annually or as necessary to ensure its effective implementation and compliance to the latest legal issuances.

VII. PENALTIES

Any violations of these Guidelines shall be dealt with per the provisions of existing labour laws and regulations, particularly RA 11058, as may be applicable.

VIII. REPEALING CLAUSE

All policies, issuances, rules and regulations and agreements inconsistent with these Guidelines are hereby repealed or modified accordingly.

IX. EFFECTIVITY

This policy shall take effect immediately and shall be made known to every employee.

Signed
Evelyn B. Obenza

Operations Manager

Signed
Leo Angelo P. Lisondra

HR OIC

Date: 9 September 2022