

	DE LA SALLE-COLLEGE OF SAINT BENILDE			
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1. RATIONALE

- 1.1 De La Salle-College of Saint Benilde affirms the basic right of all Benildeans to sound mental health as well as their fundamental rights to mental health services. It recognizes mental health of all stakeholders as an integral component in the over-all mission of the College.
- 1.2 The College shall promote and protect the mental health and well-being of all associates and provide access to mental health services by competent professionals and advocates in accordance with the following relevant laws and international declarations: Republic Act 11036 or the Mental Health Act of 2018 through its Implementing Rules and Regulations (IRR), the United Nations Declaration of Human Rights, the Convention on the Rights of Persons with Disabilities, Republic Act No. 7277 or the Magna Carta for Disabled Persons, Republic Act No. 11058, an Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof, and Department Order No. 208 of the Department of Labor and Employment.
- 1.3 The College adapts an integrated Policy on Mental Health, that will ensure the promotion of mental health and the identification and management of mental health problems, including provisions of assistance to its associates.

2. OBJECTIVES

- 2.1 Establish and implement policy guidelines that will raise the level of awareness, prevent stigma and discrimination, provide support to associates who are at risk and/or with mental health conditions, and facilitate access to medical health services, treatment, and psychosocial support.
- 2.2 Promote the mental health and well-being of associates through the effective communication of policies and evidence-based practices.
- 2.3 Engage the administration, members of the Benildean Community, and centers and offices in the College involved in Occupational Safety and Health, to collaboratively review, update and monitor its Mental Health Policy, programs, and implementation.
- 2.4 Integrate laws or rules for mental health in the educational institution's curriculum and other support services.
- 2.5 Establish efficient linkages with other agencies and organizations, public or private, that allow collaborative arrangements in providing treatment and care.

3. SCOPE

- 3.1 This policy covers all associates of **De La Salle-College of Saint Benilde**.

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4. DEFINITION OF TERMS

3.2 This policy shall likewise apply in the engagement of qualified applicants and employees of service contractors assigned to the College.

4.1. **Mental Health** – refers to a state of well-being in which the individual realizes one's own abilities and potentials, copes adequately with normal stresses of life, displays resilience in the face of extreme life events, works productively and fruitfully, and is able to make a positive contribution to community (World Health Organization, 2018; Section 4 of the Mental Health Act of 2018).

4.2. **Mental Health Services** – refer to psychosocial, psychiatric, or neurologic activities and programs along the whole range of mental health support services including promotion, prevention, treatment, and aftercare, which are provided by mental health facilities and mental health professionals (Republic Act 11036).

4.3. **Mental Health Professional** – refers to a medical doctor, nurse, psychologist, guidance counselor, and psychometrician.

4.4. **Mental Health Advocate** – refers to an entity or individual providing mental health services which include deployment of trained person, volunteer engaged in mental health promotion, including those providing support services under the supervision of a mental health professional, and other allied health professionals such as occupational and physical therapists.

4.5. **Service User** – refers to a Benildean associate with lived experience of any mental health condition who require, or are undergoing psychiatric, neurologic or psychosocial care. (Section 4, item t of the Implementing Rules and Regulations of RA 11036)

5. POLICY STATEMENTS

5.1 Advocacy, Information, Education and Training

5.1.1. In accordance with Section 7 of the Mental Health Act, the College upholds the rights of Mental Health Professionals.

5.1.2 The College shall provide basic information and education on Mental Health.

5.1.3. The College shall implement information campaigns in the physical and virtual campuses to increase awareness on mental health and other common conditions (e.g. depression, anxiety, and substance abuse including alcohol).

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5.1.4. In the context of its Corporate Social Responsibility program, the College shall extend advocacy, information, education and training activities to its associates' families and respective communities.

5.1.5. Identified representatives of Occupational Safety and Health (OSH), Benilde Well-Being Center (BWC), and People and Organization Development Office (PODO) shall undergo capacity-building trainings on the identification, recognition of psychosocial hazards, and management of mental health problems. The training of associates and program implementers as mental health advocates in the promotion of mental health and well-being in the workplace and in the College, as well as the identification and management of mental health problems may be coordinated with the Department of Health (DOH), National Center for Mental Health (NCMH), or with other mental health service providers.

5.2 Promotion and Enhancement of Associates' Well-Being

5.2.1. The College shall promote mental health programs for its associates to have healthy and productive lives through the recommendations that are stipulated in the DOLE D.O. 208.

5.3 Mental Health Integration and Promotion in the Educational Institution

5.3.1. In compliance with Section 25, Chapter 5, of the Department of Health's Implementing Rules and Regulations for Republic Act No. 11036 or the Mental Health Act, the College shall develop policies and programs that promote mental health, raise awareness on mental health issues, identify and provide support and services for those with mental health concerns, and facilitate access to treatment.

5.3.2. As required by the Mental Health Act and to ensure the integration and promotion of mental health in the institution's programs and services, the College shall have a complement of mental health professionals composed of Medical Doctors, Nurses, Registered Guidance Counselors, Registered Psychologists, Psychometricians, and other appropriately-trained and qualified persons with specific skills relevant to the provision of mental health services.

5.4. Social Policy and Accommodation

5.4.1 There shall be no discrimination in any form against associates who are at risk of developing or who are found to have mental health conditions.

5.4.2 No associate shall be discriminated against in terms of hiring, promotion, and/or other benefits of employment because of their

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condition, unless such conditions will interfere with the associates' performance of their job or unduly affect the associates' safety, that of their co-workers, students, stakeholders, and the general public. As such, the fitness to work of associates diagnosed with mental health conditions shall be evaluated by an Occupational Safety and Health Physician who will issue a medical report including recommendation(s).

5.4.3 The College shall provide the work accommodation and work agreements for associates with mental health conditions, provided that the mental health condition shall not prevent the concerned associate from fulfilling the requirements of the job and/or will endanger the associate's safety or that of the associate's co-workers, students, stakeholders, or the general public.

5.4.4 Associates may resume work while undergoing treatment, subject to the certification of the OSH Physician that the said associate is fit to work and that his/her current treatment shall not cause unsafe conditions for the associate while at work or cause similar unsafe conditions for others in the workplace. PODO and the OSH associate will be jointly responsible in monitoring and assisting the concerned associates in managing their conditions and shall coordinate with a health professional taking into consideration the concerned associates' assigned tasks and the effects of medications taken.

5.4.5 Associates who have undergone pharmacological and psychosocial interventions/treatment and are certified by an OSH Physician to be fit to work will be allowed to return to work.

5.4.6 No associate shall be terminated from work on the basis of actual, perceived, or suspected mental health condition unless the condition progresses to such severity that, upon certification by an appropriate competent public health authority, the said condition will affect the associate's safety or the safety of the co-workers, and his/her work performance and productivity.

5.5 Confidentiality, Record Keeping and Reporting Requirements

5.5.1 The College shall strictly adhere to the requirements of the law and treat each case, and all information and documents pertaining thereto with utmost confidentiality.

5.5.2 The advance directive prepared by the associate with mental health condition shall be part of the associate's record (201 file).

5.5.3 The College shall keep all medical records and required documents pertaining to the mental health condition of an associate, such as results

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of neuropsychological tests, at the Center for Health and Medical Services (CHMS).

5.5.4 The access to medical records, personal data or any information relating to an associates' mental health conditions shall be bound by the policy on confidentiality and/or Data Privacy Act of 2012. Such records shall be accessed only when legally necessary and only by the authorized representatives from CHMS, PODO, BWC or other units granted consent by the service user. Any authorized associate who had access to the records shall be bound by the confidentiality policy of the College.

5.5.5 In compliance with the DOLE Requirement of reporting injuries and/or illnesses in the workplace, PODO and CHMS shall report cases to the DOLE-Regional Office using the Annual Medical Report Form.

5.6 Disclosure and Referral

5.6.1 Associates are encouraged to disclose their medical or mental health conditions for purposes of proper management and intervention, and reasonable accommodation. **Intentional non-disclosure of such condition may be a ground for appropriate disciplinary action.**

5.6.2 The College shall not be obliged to reveal to a third-party any information about an associate with mental health condition except in any of the following conditions:

- a. unless required by law;
- b. with consent from the associate or student with mental health conditions;
- c. life threatening emergency cases where such disclosure is necessary to prevent harm or injury to one's self or other persons; or;
- d. disclosure is required in connection with an administrative, civil or criminal case.

5.6.3 Associates shall seek assistance from the PODO, OSH Committee, or BWC, **on conditions that may be related to or may result to a mental health condition for their appropriate intervention.**

5.6.4 Associates are encouraged to refer a fellow Benildean who may be experiencing emotional, mental or psychosocial challenges to the Benilde Well-Being Center (BWC).

5.6.5 The College shall provide access to counseling services or referral to counseling services for associates through BWC or its partner healthcare provider/s. When deemed necessary, BWC will refer

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associates to mental health specialists, like psychiatrists and clinical psychologists, or to a licensed/accredited/recognized mental health facility or a medical service provider for further assessment and/or appropriate crisis intervention and management in collaboration with other offices (e.g., PODO, CEMSS, Deans/Department Heads, CHMS, and Risk Management and Compliance Office).

5.6.6 The College shall uphold the right of associates to give informed consent before receiving treatment or care, including the right to withdraw such consent. They are also encouraged to participate in the development and formulation of the treatment plan that will be implemented.

5.7 Benefits and Compensation

5.7.1 The College shall provide reasonable accommodation and support for associates diagnosed with mental health conditions through statutory benefits and applicable leave credits in accordance with existing rules and regulations without prejudice to the exercise of the College's policies on compensation and benefits.

5.7.2 If associates have exhausted their leave credits, medical leave incurred shall be without pay.

5.7.3 In the absence of the legally required OSH personnel, the associate in charge of wellness under PODO shall facilitate referral of associates who are at risk or with mental health conditions for medical evaluation and/or intervention.

5.8 Monitoring and Evaluation

5.8.1 The Center for Institutional Policy Development (CIPD) shall develop, implement and monitor the Mental Health Policies, while the BWC shall develop programs on mental health through and with the Occupational Safety and Health Committee.

5.8.2 The College shall review and evaluate the Mental Health Policies and Programs annually or as necessary to ensure effective implementation, compliance to legal issuances and relevance to the needs of the stakeholders.

5.8.3 In compliance with the DOLE Requirements on OSH Programs, pursuant to D.O. 198, series 2018 (IRR of RA 11058), PODO shall submit the latest copy of the company policy and program to the DOLE Regional Office that has jurisdiction over the College.

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6. EFFECTIVITY CLAUSE

5.8.4 PODO, in collaboration with the BWC, will submit to the Chancellor/President an annual statistical summary report on the status of mental health cases in the College and recommend appropriate measures if necessary.

5.9 Compliance and Enforcement

5.9.1 Associates who commit acts, that include but are not limited to bullying, cyber bullying/mobbing, verbal, sexual verbal, sexual and physical harassment, all forms of work-related violations/infractions, violence, threats, shaming, alienation, and other forms of discrimination, which may lead to a mental health problem shall be subject to disciplinary action based on due process. The abovementioned actions shall be reported to be investigated by the OSH Committee, Center for Restorative Discipline (CRD), PODO and concerned Offices/Centers.

6.1 This policy shall take effect upon approval and shall continue to be in full force unless superseded by new policies and guidelines.

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