
	MENTAL HEALTH POLICY	
	Policy No.: PS-HR-004-2019	Effective Date: May 14, 2019 Revision No.: 0

I. PURPOSE AND SCOPE

This policy aims to make the Company compliant with the government requirement to strengthen the workplace response as embodied in the Implementing Rules and Regulations (IRR) of Mental Health Act (Republic Act No. 11036), “an Act establishing a national Mental Health policy for the purpose of enhancing the delivery of integrated mental health services, protecting and promoting the rights of person utilizing psychiatric, neurological and psychosocial health services, appropriating funds thereof and for other purposes”, specifically, in Chapter V Section 26, where it states: “Employers shall develop appropriate policies and programs on mental health in the workplace designed to raise awareness on mental health issues, correct the stigma and discrimination associated with mental health conditions, identify and provide support for individuals at risk, and facilitate access of individuals with mental health conditions to treatment and psychosocial support.”

II. DEFINITION OF TERMS

1. **Company** – refers to Maynilad Water Services, Inc.
2. **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 a positive contribution to the community/organization.
3. **Mental Health Condition** - refers to a Neurologic or Psychiatric Condition characterized by the existence of a recognizable, clinically-significant disturbance in an individual's cognition, emotional regulation, or behavior that reflects a genetic or acquired dysfunction in the neurobiological, psychosocial, or developmental processes 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.
4. **Psychiatric or Neurologic Condition** - refers to a condition presenting a serious and immediate threat to the health and well-being of a Service User or any other person affected by a Mental Health Condition, or to the health and well- being of others, requiring immediate medical intervention.
5. **Psychosocial Problem** - refers to a condition that indicates the existence of dysfunctions in a person's behavior, thoughts and feelings brought about by sudden, extreme, prolonged or cumulative stressors in the physical or social environment.
6. **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.
7. **Mental Health Professional or Worker** - refers to a trained person, volunteer or advocate engaged in mental health promotion, providing Support services under the supervision of a mental health professional.
8. **Service User** - refers to a person/employee with lived experience of any Mental Health Condition including persons who require, or are undergoing, psychiatric, neurologic or psychosocial care.
9. **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.

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10. **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, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation. Special measures solely to protect the rights or secure the advancement of persons with decision-making impairment capacity shall not be deemed to be discriminatory.
11. **Legal Representative** - refers to a person designated by the Service User, appointed by a court of competent jurisdiction, or authorized by this Act or any other applicable law, to act on the Service User's behalf. The legal representative may also be a person appointed in writing by the Service User to act on his or her behalf through an advance directive.
12. **Support** - refers to the spectrum of informal and formal arrangements or services of varying types and intensities, provided by the State, private entities, or communities, aimed at assisting a Service User in the exercise of his or her legal capacity or rights, including: community services; personal assistants and ombudsmen; powers of attorney and other legal and personal planning tools; peer support; support for self-advocacy; non-formal community caregiver networks; dialogue systems; alternate communication methods, such as non-verbal, sign, augmentative, and manual communication; and the use of assistive devices and technology.

III. GENERAL POICY STATEMENT

The Company recognizes that, as a responsible corporate citizen, it shall secure and affirm the right of every employee to mental health and its services. It shall communicate and implement the policies established by RA No. 11036 which aims to:


1. Strengthen effective leadership and governance for mental health by, among others, formulating, developing and implementing corporate policy, strategies, programs and regulations relating to mental health; and
2. Develop and establish a comprehensive, integrated, effective and efficient mental health program and care responsive to the psychiatric, neurologic and psychosocial needs of the employee.

IV. DISTRIBUTION


This policy shall apply to all officers and staff of the Company.

V. POLICIES AND STANDARDS

1. In compliance to RA11036, Maynilad, together with employees/labor organizations, shall develop appropriate policy and programs on mental health designed to raise awareness on mental health issues, correct the stigma and discrimination associated with mental health conditions, identify and provide support for employees at risk and facilitate access of employees with mental health conditions to treatment and psychosocial support.
2. Such policy shall be in coordination and under the guidance of an appropriate government agency, such as but not limited to, the Department of Health (DOH) and the Department of Labor and Employment (DOLE).
3. Maynilad, together with employees/ labor organizations and the Company's focal personnel from Human Resources Division shall address all aspects of implementing the Mental Health policy and program in the workplace.

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4. Maynilad shall respect and support the right/s of the Service User to:
 - a. Freedom from social, economic and political discrimination and stigmatization. Ensuring that non-discriminatory practices and acts are upheld in the workplace;
 - b. Access to evidence-based treatment of the same standard and quality, including but not limited to, affordable essential health and psychosocial services, comprehensive and coordinated treatment integrating holistic prevention, promotion, rehabilitation care and support for the purpose of achieving the highest attainable standard of mental health. If feasible, a referral mechanism shall be developed for employees to access the services of the nearest mental health facility, and/ or private and government health service providers;
 - c. Access to adequate and appropriate information in different media formats regarding available multidisciplinary mental health services.
 - d. Confidentiality of all information, communications and records in whatever form regarding the Service User's mental health status and other information related to it. Such information shall not be disclosed to third parties without the written consent of the Service User concerned or his/her legal representative, except in the following circumstances:
 - i. Disclosure is required by law or pursuant to an order issued by a court of competent jurisdiction;
 - ii. The Service User has expressed consent to the disclosure;
 - iii. A life-threatening emergency exists and such disclosure is necessary to prevent harm or injury to the Service User or to other persons; and
 - iv. Disclosure is required in connection with an administrative, civil and criminal case against a mental health professional or worker for negligence or a breach of professional ethics, to the extent necessary to completely adjudicate, settle or resolve any issue or controversy involved therein.
5. Maynilad in coordination with mental health facilities and institutions/agencies shall provide capacity-building initiatives thru reorientation, training and seminars to identified employees to develop their ability to deliver evidence-based, gender-sensitive, culturally-appropriate and human rights-oriented mental health services and care. It shall:
 - a. Ensure that the policy and program is (i) in adherence to existing government legislations and guidelines, including provision for leaves, benefits and insurance; and (ii) shall be made known to all employees.
 - b. Provide information, education and awareness programs/initiatives on Mental Health for its workforce; if not available within the company, then provide access to information.
 - c. Take measures to reasonably accommodate employees with mental illnesses. Work accommodation measures to support employees with mental health needs shall be encouraged through flexible leave arrangements, rescheduling of working time and arrangements for return to work. These work accommodations shall be made according to the consensus between management and employee.
 - d. Encourage positive health-seeking behavior among employees which shall include voluntary confidential counselling and treatment.

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- e. Continue to improve the program/s on Mental Health by networking with government and organizations promoting Mental Health in the workplace.

VI. MONITORING

1. The Health Management Department, upon release of appropriate guidelines from DOLE, shall review this policy to amend, detail out or add some of the stipulations herein to include:
 - Workplace Policy,
 - Preventive Strategies
 - Social Policy
 - Diagnosis and Referral
 - Compensation and Benefits
 - Roles and Responsibilities
2. The Enterprise Risk Management and Internal Audit shall periodically review compliance with and/or effectiveness of this Policy, and recommend the necessary or appropriate changes thereto.