

# STATE OF NEW YORK

8675

## IN ASSEMBLY

January 10, 2022

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to workplace mental health

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The labor law is amended by adding two new sections 218-c  
2 and 218-d to read as follows:

3 § 218-c. Posting of information regarding mental health awareness and  
4 resources. The commissioner, in consultation with the commissioner of  
5 the office of mental health, shall create and distribute to employers in  
6 this state a poster, pamphlet, or other written materials regarding  
7 mental health and wellness of employees. Such materials shall include  
8 information about mental health issues and resources available to  
9 employees with possible mental health concerns including, but not limit-  
10 ed to, hotlines and websites maintained by local, state or national  
11 organizations offering mental health services, and the rights of workers  
12 with psychiatric disabilities pursuant to the Americans with Disabili-  
13 ties Act (ADA). Every employer shall post such poster, pamphlets or  
14 other written materials in his or her establishment or place of busi-  
15 ness, in a place accessible to his or her employees and in a visually  
16 conspicuous manner.

17 § 218-d. The commissioner, in consultation with the commissioner of  
18 the office of mental health, shall establish a framework and voluntary  
19 standards for addressing mental health in the workplace to reduce mental  
20 health stigma, increase public, employee, and employer awareness of  
21 mental health issues, and provide guidance to employers to put in place  
22 strategies and programs to support the mental health and wellness of  
23 their employees. Such strategies and programs may include, but not be  
24 limited to, an employer sponsored website or online portal for resources  
25 and guidelines included in an employee handbook, posters,  
26 written/digital resources for workplace mental health, and guidelines  
27 regarding best practices for businesses.

28 § 2. This act shall take effect on the one hundred eightieth day after  
29 it shall have become a law.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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