

STATE OF NEW YORK

5299

2023-2024 Regular Sessions

IN ASSEMBLY

March 7, 2023

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. The commissioner shall translate such poster,
17 pamphlets, or other written materials into the six most common non-Engl-
18 ish languages spoken by individuals with limited-English proficiency in
19 the state of New York.

20 § 218-d. Workplace mental health. The commissioner, in consultation
21 with the commissioner of the office of mental health, shall establish a
22 framework and voluntary standards for addressing mental health in the
23 workplace to reduce mental health stigma, increase public, employee, and
24 employer awareness of mental health issues, and provide guidance to
25 employers to put in place strategies and programs to support the mental
26 health and wellness of their employees. Such strategies and programs may

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

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1 include, but not be limited to, an employer sponsored website or online
2 portal for resources and guidelines included in an employee handbook,
3 posters, written/digital resources for workplace mental health, and
4 guidelines regarding best practices for businesses.

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