

# STATE OF NEW YORK

7577--B

2021-2022 Regular Sessions

## IN SENATE

December 8, 2021

Introduced by Sens. BROUK, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 a new section 201-h to  
2 read as follows:

3 § 201-h. Workplace mental health awareness and resources. 1. Posting  
4 of information regarding mental health awareness and resources.

5 a. The commissioner, in consultation with the commissioner of the  
6 office of mental health, and the division of human rights, shall create  
7 and distribute written materials regarding mental health services and  
8 resources available to employees. Such materials shall include at mini-  
9 mum, signs and symptoms of mental health concerns, hotlines, websites,  
10 or other resources maintained by local, state or national organizations  
11 offering mental health services, and resources for information about  
12 federal, state, and local anti-discrimination laws for employees with  
13 mental health related disabilities. Such written materials shall be  
14 translated into at least the twelve most common non-English languages  
15 spoken by individuals with limited-English proficiency in the state,  
16 based on the data in the most recent American Community Survey published  
17 by the United States Census Bureau.

18 b. Every employer in the state shall post such materials in a place  
19 accessible to his or her employees and in a visually conspicuous manner.  
20 Where a significant number of employees have identified as their primary  
21 language a language for which such written materials have been trans-

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

LBD13077-06-2

1 lated by the department, such written materials shall be posted in both  
2 English and such additional primary language or languages as applicable.

3 2. Voluntary guidance for addressing mental health in the workplace.  
4 The commissioner, in consultation with the commissioner of the office of  
5 mental health and the division of human rights, shall establish volun-  
6 tary guidance for employers to address mental health in the workplace.  
7 Such guidance shall contain, at minimum, strategies and tools for  
8 employers to reduce mental health stigma in the workplace, increase  
9 awareness of the signs and symptoms of mental health concerns, create a  
10 workplace environment inclusive of mental health related disabilities,  
11 and promote mental health wellness and stress management in the work-  
12 place. Such guidance shall provide both guidelines for best employer  
13 practices as well as written and digital resources for employers to use  
14 in the workplace at their option.

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