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:

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

§ 218-c. Posting of information regarding mental health awareness and resources. The commissioner, in consultation with the commissioner of the office of mental health, shall create and distribute to employers in this state a poster, pamphlet, or other written materials regarding mental health and wellness of employees. Such materials shall include information about mental health issues and resources available to employees with possible mental health concerns including, but not limited to, hotlines and websites maintained by local, state or national organizations offering mental health services, and the rights of workers with psychiatric disabilities pursuant to the Americans with Disabilities Act (ADA). Every employer shall post such poster, pamphlets or other written materials in his or her establishment or place of business, in a place accessible to his or her employees and in a visually conspicuous manner. The commissioner shall translate such poster, pamphlets, or other written materials into the six most common non-English languages spoken by individuals with limited-English proficiency in the state of New York.

§ 218-d. Workplace mental health. The commissioner, in consultation with the commissioner of the office of mental health, shall establish a framework and voluntary standards for addressing mental health in the workplace to reduce mental health stigma, increase public, employee, and employer awareness of mental health issues, and provide guidance to employers to put in place strategies and programs to support the mental 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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include, but not be limited to, an employer sponsored website or online portal for resources and guidelines included in an employee handbook, posters, written/digital resources for workplace mental health, and guidelines regarding best practices for businesses.

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