STATE OF NEW YORK

5299--A

2023-2024 Regular Sessions

IN ASSEMBLY

March 7, 2023

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Assembly Rule 3, sec. 2 -- 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:

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 be designed to eliminate stigma and misinformation about mental illness, improve employers' and employees' understanding of mental disorders and the existence of effective treatment, and provide information regarding available resources and how to access them, including but not limited to, the 9-8-8 suicide prevention and behavioral health crisis hotline and other state or federal hotlines, 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 such employer's establishment or place of business, in a place accessible to his or her employees and in a visually conspicuous manner.

§ 218-d. Workplace mental health. The commissioner, in consultation with the commissioner of the office of mental health, shall establish a voluntary framework and 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 for

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

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employers on strategies and programs to support the mental health and wellness of their employees. Such strategies and programs may 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.