STATE OF NEW YORK

1860

2023-2024 Regular Sessions

IN SENATE

January 17, 2023

Introduced by Sens. BROUK, RAMOS -- read twice and ordered printed, and when printed to be committed 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 a new section 201-i to read as follows:

§ 201-i. Workplace mental health awareness and resources. 1. Posting of information regarding mental health awareness and resources.

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

b. Every employer in the state shall post such materials in a place accessible to his or her employees and in a visually conspicuous manner. Where a significant number of employees have identified as their primary language a language for which such written materials have been translated by the department, such written materials shall be posted in both English and such additional primary language or languages as applicable.

2. Voluntary guidance for addressing mental health in the workplace. The commissioner, in consultation with the commissioner of the office of mental health and the division of human rights, shall establish volun-

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

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tary guidance for employers to address mental health in the workplace. Such guidance shall contain, at minimum, strategies and tools for employers to reduce mental health stigma in the workplace, increase awareness of the signs and symptoms of mental health concerns, create a workplace environment inclusive of mental health related disabilities, and promote mental health wellness and stress management in the workplace. Such guidance shall provide both guidelines for best employer practices as well as written and digital resources for employers to use in the workplace at their option.

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