

Workplace Mental Health

MHANYS supports legislation that will require mental health information postings in the workplace and provide employers with voluntary mental health guidelines.

While workplaces across New York make policies and best practices regarding physical health issues and accommodations clear, similar practices do not exist for mental health. Among small businesses without human resource departments in particular, many employers are unsure of the best practices regarding employee mental health and wellness.

Federal laws like the Americans with Disabilities Act (ADA) provide certain protections for people with both physical and mental disabilities. However, there is still confusion in the workplace about how these laws apply to people with psychiatric disabilities. For example, application of the reasonable accommodations standard to people with mental illnesses is not as intuitive as accommodations for individuals with physical disabilities, like installing wheelchair ramps, for example. All too often, employers and employees aren't even aware that the reasonable accommodations provision also applies to people with mental illness, much less how the standard can be applied.

In addition, there is still a significant level of mental health stigma reflected in the workplace. Stigma is often rooted in a lack of knowledge about mental health and in the workplace specifically, a lack of acknowledgment or clearly articulated policies about mental health.

Creating a workplace culture of acceptance of mental health, standardized best practices across departments and different labor industries, and creating a link between New York's Office of Mental Health and the Department of Labor will provide greater access to mental health resources and workplace support. The presence of mental health information and resources in the workplace will work to prevent stigma around mental health issues while providing necessary resources that encourage proactive and positive mental health.

Legislative Need

S.1860 (Brouk) directs the commissioner of labor to create and distribute to employers a poster, pamphlet, or other written materials regarding mental health and wellness of employees to be posted in the workplace. The legislation also directs voluntary guidelines for employers to put in place strategies and programs to support the mental health and wellness of their employees.