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## Mental Health in Bangladesh’s Workplace: Legal Frameworks, Public-Private Collaborations, and Future Pathways

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*Mental health in the workplace is becoming an increasingly important issue globally, and Bangladesh is facing the challenge of creating effective legal frameworks to safeguard the mental well-being of its employees. While the Labour Act 2006 and the Mental Health Act 2018 provide some level of protection, they do not fully address the mental health challenges present in work environments. This paper examines the current state of mental health legislation in Bangladesh, assessing its effectiveness against international standards. It points out the shortcomings in existing laws, such as the absence of specific mental health provisions in labor regulations and the limited enforcement of the Mental Health Act in workplace settings. Furthermore, the paper discusses the cultural stigma associated with mental health, insufficient resources in workplaces, and a general lack of awareness among both employers and employees as significant obstacles to progress. By referencing international best practices, the study proposes practical solutions, including the incorporation of mental health provisions into labor laws, the development of supportive workplace policies, and the encouragement of public-private partnerships. Ultimately, this paper aims to foster a more inclusive and supportive workplace culture in Bangladesh, where mental health is valued equally as physical health, thereby enhancing the well-being and productivity of the workforce.*

**Keywords:** *mental health, workplace, labour act, mental health act.*

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## INTRODUCTION

Mental health in the workplace is becoming an increasingly important issue worldwide, and Bangladesh is no different. As industries change and the workforce becomes more diverse, the mental and physical well-being of employees is being recognized as a crucial element of workplace success.<sup>1</sup> Mental health encompasses a person's emotional, psychological, and social well-being, affecting how they think, feel, and act in everyday situations.<sup>2</sup> It is crucial because it influences overall health, quality of life, and productivity while also aiding individuals in managing stress and forming strong relationships.<sup>3</sup> Good mental health encourages resilience, improves emotional stability, and facilitates meaningful participation in activities. In contrast, poor mental health can result in physical health issues, decreased productivity, and social isolation.<sup>4</sup> Focusing on mental health not only benefits individuals but also fosters inclusive and harmonious communities.<sup>5</sup> Although the Labour Act 2006 and the Mental Health Act 2018 provide some legal protections for workers, they do not fully tackle the unique and complex challenges related to mental health in Bangladeshi workplaces.<sup>6</sup> The Labour Act, while essential for safeguarding labor rights, does not specifically address mental health, which often takes a backseat in policy discussions. Conversely, the Mental Health Act seeks a more holistic approach to mental health but encounters limitations in its implementation within workplace settings. The lack of clear, enforceable mental health protections in these laws, along with

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<sup>1</sup> Hannah Wren, 'What Is Employee Well-Being and Why Is It Important?' (*Zendesk*, 16 April 2024) <<https://www.zendesk.com/blog/employee-wellbeing/>> accessed 29 September 2024

<sup>2</sup> 'Mental Health' (*WHO*, 17 June 2022) <<https://www.who.int/news-room/fact-sheets/detail/mental-health-strengthening-our-response>> accessed 29 September 2024

<sup>3</sup> *Ibid*

<sup>4</sup> *Ibid*

<sup>5</sup> Shiv Gautam et. al., 'Concept of Mental Health and Mental Well-Being, It's Determinants and Coping Strategies' (2024) 66(Suppl 2) *Indian Journal of Psychiatry* <[https://doi.org/10.4103/indianjpsychiatry.indianjpsychiatry\\_707\\_23](https://doi.org/10.4103/indianjpsychiatry.indianjpsychiatry_707_23)> accessed 29 September 2024

<sup>6</sup> Md Fahmedul Islam Dewan, 'Mental Health in Workplace Is a Labour Legislation Concern' *The Daily Star* (05 March 2024) <<https://www.thedailystar.net/opinion/views/news/mental-health-workplace-labour-legislation-concern-3559221>> accessed 30 September 2024

widespread stigma, insufficient resources, and a general lack of awareness, creates significant obstacles to supporting employees' mental health in the workplace.<sup>7</sup>

This paper explores the legal framework regarding mental health in Bangladeshi workplaces, comparing it with international standards to highlight existing gaps and challenges. By examining the interplay of cultural stigma, legal protections, and workplace practices, the study seeks to reveal the systemic issues that hinder effective mental health support and propose practical solutions. In doing so, it aims to assist policymakers, employers, and advocacy groups in creating a more inclusive and supportive environment where mental health is valued equally with physical health. The paper will offer insights on how to reform current policies, better integrate mental health into workplace practices, and foster a more holistic approach to employee well-being in Bangladesh.

## **MENTAL HEALTH PROVISIONS IN BANGLADESH'S LABOUR AND MENTAL HEALTH LAWS**

**Labour Act 2006:** The Labour Act of 2006 serves as the main legal framework for labor rights in Bangladesh.<sup>8</sup> Although the act covers various aspects of workers' rights, it does not specifically recognize mental health as a distinct area of concern. The Act includes general provisions aimed at protecting workers in terms of workplace conditions, occupational safety, and health. However, its emphasis is primarily on physical health and safety rather than on mental well-being.<sup>9</sup> Some sections of the Act touch on mental health issues indirectly by addressing working conditions, hours, and safety measures that can impact workers' psychological well-being.<sup>10</sup> For instance, Section 80 focuses on ensuring safe and healthy working conditions, but it mainly addresses physical hazards.<sup>11</sup> The absence of an explicit mention of mental health highlights a

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<sup>7</sup> *Ibid*

<sup>8</sup> 'Labour Law In Bangladesh' (*Legal Seba*, 14 June 2024) <<https://legalseba.com/bd-articles/?p=367>> accessed 30 September 2024

<sup>9</sup> *Ibid*

<sup>10</sup> Dewan (n 6)

<sup>11</sup> Labour Law In Bangladesh (n 8)

significant gap in the legal framework, as it fails to acknowledge the increasing mental health challenges that workers face in today's high-stress work environments.<sup>12</sup>

**Mental Health Act 2018:** The Mental Health Act of 2018 was a significant piece of legislation aimed at enhancing mental health services and protections in Bangladesh. Although the Act primarily focuses on the care, treatment, and safeguarding of individuals with mental health issues, it does have some implications for workplace mental health.<sup>13</sup> The law includes provisions to protect individuals with mental disorders, ensuring they receive proper care and treatment, but it does not specifically address mental health in the workplace. The Act underscores the importance of fostering an accessible and supportive environment for those with mental health challenges, yet it falls short of providing detailed measures for incorporating mental health support into employment policies. Section 7 states that individuals with mental health conditions have the right to receive treatment without discrimination, but it does not impose specific legal requirements on employers to accommodate workers facing mental health issues. While the Act promotes a rights-based approach to mental health, it does not directly address how to prevent or alleviate mental health challenges in the workplace, nor does it offer guidelines for employers on managing mental health within their teams.<sup>14</sup>

Both the Labour Act 2006 and the Mental Health Act 2018 in Bangladesh offer some level of worker protection, yet neither law specifically tackles mental health challenges in the workplace.<sup>15</sup> This highlights a significant gap in the legal acknowledgement of mental health as a critical issue within labor regulations, mirroring the wider societal stigma and insufficient awareness surrounding mental health in the country.<sup>16</sup> It is crucial to develop more targeted and enforceable laws that address mental health in the workplace to enhance worker well-being and comply with international human rights standards.<sup>17</sup>

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<sup>12</sup> *Ibid*

<sup>13</sup> Mohammad Ershadul Karim and Sabuj Shaikh, 'Newly enacted mental health law in Bangladesh' (2021) 18(4) *BJPsych International* <<https://doi.org/10.1192/bji.2021.1>> accessed 30 September 2024

<sup>14</sup> *Ibid*

<sup>15</sup> Dewan (n 6)

<sup>16</sup> *Ibid*

<sup>17</sup> 'Mental Health, Brain Health and Substance Use' (*WHO*) <<https://www.who.int/teams/mental-health-and-substance-use/promotion-prevention/mental-health-in-the-workplace>> accessed 30 September 2024

## WORKPLACE INTERACTIONS AND MENTAL HEALTH

### Social Interactions and Their Impact on Mental Health -

The right to life encompasses living with dignity, a principle highlighted in Indian constitutional law and reflected in the case of *Dr. Mohiuddin Farooque v Bangladesh*.<sup>18</sup> Dignity includes all essential elements for human existence, such as mental health. Consequently, workplace well-being is also a constitutional issue in Bangladesh.<sup>19</sup> In the varied workplace landscape of Bangladesh, interactions among co-workers play a crucial role in mental health. These relationships, which go beyond mere work tasks, create a rich social experience that influences workers' mental well-being.<sup>20</sup> Collaborating on projects, sharing objectives, and providing support during challenging times all contribute to positive mental health. Informal interactions, such as breaks and shared celebrations, enhance understanding and foster a sense of belonging.<sup>21</sup> A workplace characterized by meaningful relationships and support enables employees to cope with stress and cultivates a positive work atmosphere.<sup>22</sup> This explores the positive impacts of these social interactions on mental health and underscores the significance of interpersonal connections in enhancing well-being.

**Emotional Support:** Social interactions allow individuals to express their thoughts, feelings, and challenges. Supportive colleagues can provide empathy, understanding, and encouragement, serving as a crucial emotional anchor. This network of support helps people manage stress, alleviating feelings of isolation.<sup>23</sup>

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<sup>18</sup> *Dr. Mohiuddin Farooque v Bangladesh & Ors* [1996] WP No 92/1996

<sup>19</sup> *Ibid*

<sup>20</sup> Md Mehedi Hasan et. al., 'The Role of Employee Stress in Workplace Bullying And Its Effect on Organizational Performance- A Study on Bangladeshi Workplace' (2023) 4(1) Cultural Communication And Socialization Journal <[https://www.researchgate.net/publication/371596014\\_The\\_Role\\_of\\_Employee\\_Stress\\_in\\_Workplace\\_Bullying\\_And\\_its\\_Effect\\_on\\_Organizational\\_Performance- A\\_Study\\_on\\_Bangladeshi\\_Workplace](https://www.researchgate.net/publication/371596014_The_Role_of_Employee_Stress_in_Workplace_Bullying_And_its_Effect_on_Organizational_Performance- A_Study_on_Bangladeshi_Workplace)> accessed 01 October 2024

<sup>21</sup> Steve Carleton, 'Cultivate Positive Mental Health In Shared Workspaces' (*Hppy*, 10 November 2023) <<https://gethppy.com/workplace-happiness/cultivate-positive-mental-health-in-shared-workspaces>> accessed 01 October 2024.

<sup>22</sup> Kailash Ganesh, 'Positive Work Environment: Everything You Need to Know' (*CultureMonkey*, 18 June 2024) <<https://www.culturemonkey.io/employee-engagement/positive-work-environment/>> accessed 01 October 2024

<sup>23</sup> *Ibid*

**Sense of Belonging:** Positive social interactions help foster a sense of belonging in the workplace. When individuals feel connected to a community of colleagues, it creates a supportive atmosphere where they feel valued and accepted. This sense of belonging is vital for promoting mental well-being and combating feelings of alienation.

**Stress Reduction:** Participating in social interactions, whether through casual chats or teamwork, can act as a natural way to relieve stress. Shared laughter, collaborative problem-solving, and a team-oriented spirit contribute to a more positive and less stressful work environment.

**Improved Communication:** Effective communication is essential for positive social interactions.<sup>24</sup> When communication is clear and open, it leads to better understanding among team members, reducing misunderstandings and potential conflicts. Strong communication skills are key to a healthier workplace.

**Enhanced Mood and Morale:** Positive social interactions play a significant role in creating a vibrant workplace culture. Fostering a friendly and supportive environment boosts overall mood and morale. This uplifting emotional atmosphere can lead to increased motivation and productivity among team members.<sup>25</sup>

**Professional Development Opportunities:** Social interactions often open doors for learning and professional growth.<sup>26</sup> Collaborative projects, mentorship, and knowledge-sharing sessions help develop skills and expertise, boosting individuals' confidence and job satisfaction.<sup>27</sup>

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<sup>24</sup> Jenny Rickardsson, 'Effective communication strategies for building and improving relationships' (*Stiftelsen 29k Foundation*) <<https://29k.org/article/effective-communication-strategies-for-building-and-improving-relationships>> accessed 02 October 2024

<sup>25</sup> *Ibid*

<sup>26</sup> Elaine Houston, 'The Importance of Positive Relationships in the Workplace' (*Positive Psychology*, 30 December 2019) <<https://positivepsychology.com/positive-relationships-workplace/>> accessed 03 October 2024

<sup>27</sup> *Ibid*

## Technology and Mental Health in the Workplace -

**Network and Friendship:** Negative social dynamics at work can impact more than just teamwork; they can also take a toll on individuals' mental health.<sup>28</sup> Continuous exposure to stress, anxiety, and burnout can cause employees to lose interest in their jobs.<sup>29</sup> These challenges can also diminish productivity and creativity, as a high-pressure environment makes it difficult to generate new ideas.<sup>30</sup> To counteract this, it's essential to address workplace conflicts, promote open communication, and foster a fair, inclusive culture. Taking these steps can alleviate stress and contribute to a healthier, more productive work atmosphere. Without such efforts, the workplace can become emotionally taxing, leaving individuals feeling anxious and overwhelmed.

**Impact of Technology on Employee Mental Health:** Technology has significantly improved workplaces in Bangladesh, but it also presents challenges to employees' mental health. The constant connectivity through emails, chats, and online meetings creates an expectation to always be available, blurring the lines between work and personal life.<sup>31</sup> This leads to increased stress as employees find it hard to disconnect from work responsibilities, even during their downtime. The rapid pace of technological change also necessitates continuous learning of new tools, which can induce feelings of anxiety and uncertainty about keeping up. Additionally, social pressures to be tech-savvy and maintain a work-life balance further contribute to stress. This relentless need to adapt can result in burnout.<sup>32</sup> The constant influx of information and the demand for quick responses can also lead to mental fatigue and decreased focus, negatively affecting overall health.<sup>33</sup>

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<sup>28</sup> *Ibid*

<sup>29</sup> 'Mental Health at Work' (WHO, 02 September 2024) <<https://www.who.int/news-room/fact-sheets/detail/mental-health-at-work>> accessed 05 October 2024

<sup>30</sup> *Ibid*

<sup>31</sup> Charmaine de Souza, 'Creating A Culture Of Digital Mindfulness: Empowering Employees For Work-Life Balance' (Forbes, 08 July 2024) <<https://www.forbes.com/councils/forbesbusinesscouncil/2024/07/08/creating-a-culture-of-digital-mindfulness-empowering-employees-for-work-life-balance/>> accessed 7 October 2024.

<sup>32</sup> *Ibid*

<sup>33</sup> Kaveena Kunasegaran et. al., 'Understanding mental fatigue and its detection: a comparative analysis of assessments and tools' (2023) 11 PeerJ Life & Environment <<https://pmc.ncbi.nlm.nih.gov/articles/PMC10460155/>> accessed 08 October 2024

## INTERNATIONAL HUMAN RIGHTS FRAMEWORK AND THE RIGHT TO MENTAL HEALTH

Human rights and mental health laws are intricately linked, showcasing the dedication of nations to safeguard the well-being of their citizens.<sup>34</sup> A key element of this discussion is the Universal Declaration of Human Rights (UDHR), which lays the groundwork for contemporary human rights and affirms the right to health as a fundamental principle.<sup>35</sup> The clauses of the UDHR underscore a worldwide commitment to individual well-being, bridging national and cultural divides.<sup>36</sup> Mental health is increasingly recognized as an essential human right within international frameworks.<sup>37</sup> The international human rights framework serves as an important mechanism for tackling the factors that affect mental health.<sup>38</sup> The fulfillment of both physical and mental health rights is closely tied to other basic human rights, as they are interconnected, indivisible, and interdependent (Vienna Declaration and Programme of Action, 1993).<sup>39</sup> Article 25 of the UDHR guarantees individuals a standard of living that encompasses food, housing, medical care, and essential social services. It also provides the right to security in situations of unemployment, illness, or disability.<sup>40</sup> The World Health Organization's (WHO) 1946 Constitution emphasizes that everyone is entitled to the highest attainable standard of physical and mental health, a principle echoed in Article 12 of the United Nations International Covenant on Economic, Social, and Cultural Rights (1966).<sup>41</sup>

The Committee on Economic, Social, and Cultural Rights (CESCR), in its General Comment 14 (2000), highlights the critical need for funding mental health services, which includes access to medication, trained professionals, and healthcare facilities.<sup>42</sup> This section also discusses the WHO's Comprehensive Mental Health Action Plan 2013-2020, endorsed by 194 member states,

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<sup>34</sup> 'Mental Health, Human Rights and Legislation: Guidance and Practice' (WHO, 09 October 2023) <<https://www.who.int/publications/i/item/9789240080737>> accessed 08 October 2024

<sup>35</sup> Universal Declaration of Human Rights 1948

<sup>36</sup> *Ibid*

<sup>37</sup> Mental Health, Human Rights and Legislation: Guidance and Practice (n 34)

<sup>38</sup> Sebastian Porsdam Mann et. al., 'Human Rights-Based Approaches to Mental Health' (2016) 18(1) Health and Human Rights <<https://pubmed.ncbi.nlm.nih.gov/27781015/>> accessed 09 October 2024

<sup>39</sup> Universal Declaration of Human Rights 1948

<sup>40</sup> *Ibid*

<sup>41</sup> International Covenant on Economic, Social and Cultural Rights 1996

<sup>42</sup> *Ibid*



which emphasizes the importance of strengthening leadership, integrating care within communities, preventing mental health issues, and enhancing research and data collection.<sup>43</sup> The Convention on the Rights of Persons with Disabilities (CRPD) marks a significant shift in the global perspective on mental health, advocating for the inclusion and autonomy of individuals experiencing mental health challenges.<sup>44</sup> It contests the traditional "medical model" of disability, promoting a social model that addresses the political, social, and economic factors contributing to the inequalities faced by those with mental health conditions.<sup>45</sup> The International Covenant on Economic, Social, and Cultural Rights (ICESCR) also connects mental health to socioeconomic rights, underscoring the necessity for the highest attainable standard of health.<sup>46</sup> The Lancet Commission on Global Mental Health and Sustainable Development further emphasizes the importance of incorporating mental health into global development and social progress.<sup>47</sup> In Bangladesh, there is a notable transformation in the legal landscape, shifting from a passive enforcement role to an active advocacy for mental health.<sup>48</sup> The legal system is evolving beyond mere compliance enforcement to actively addressing societal barriers to mental health, recognizing it as a fundamental human right.<sup>49</sup> This transformation is crucial for reducing stigma and fostering a more inclusive society where individuals with mental health challenges are treated with dignity and respect<sup>50</sup>. This shift in legal accountability challenges the conventional notion that legal systems should only respond to mental health issues.<sup>51</sup> Instead, it

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<sup>43</sup> 'Mental Health of Adolescents' (WHO, 10 October 2024) <[https://www.who.int/news-room/fact-sheets/detail/adolescent-mental-health/?gad\\_source=1&gclid=CjwKCAiA6aW6BhBqEiwA6KzDc6iIz\\_eEPkHV7jq0ORqujXuPHkMnL-HXhvVTNikb3HRlejCMHP0UWxoCO5YQAvD\\_BwE](https://www.who.int/news-room/fact-sheets/detail/adolescent-mental-health/?gad_source=1&gclid=CjwKCAiA6aW6BhBqEiwA6KzDc6iIz_eEPkHV7jq0ORqujXuPHkMnL-HXhvVTNikb3HRlejCMHP0UWxoCO5YQAvD_BwE)> accessed 10 October 2024

<sup>44</sup> Convention on the Rights of Persons with Disabilities 2006

<sup>45</sup> *Ibid*

<sup>46</sup> International Covenant on Economic, Social and Cultural Rights 1996

<sup>47</sup> *Ibid*

<sup>48</sup> Dewan (n 6)

<sup>49</sup> Zahara Nampewo et. al., 'Respecting, Protecting and Fulfilling the Human Right to Health' (2022) 21(36) International Journal for Equity in Health <<https://equityhealth.biomedcentral.com/articles/10.1186/s12939-022-01634-3>> accessed 15 October 2024

<sup>50</sup> 'World Mental Health Day: Breaking Stigmas and Raising Awareness' (Dana Behavioral Health, 07 October 2024) <<https://www.danabehavioralhealth.org/world-mental-health-day-breaking-stigmas-and-raising-awareness/>> accessed 15 October 2024

<sup>51</sup> *Ibid*

encourages a proactive stance, urging legal frameworks to not only enforce regulations but also advocate for mental health.<sup>52</sup>

## CHALLENGES AND BARRIERS

In Bangladesh, **80% of workplaces do not have mental health policies**, leaving employees without proper support.<sup>53</sup> This shows a big gap in how companies handle mental health issues. For example, a worker at a Dhaka company shared their struggle with anxiety. Instead of receiving help, they faced judgment and isolation from colleagues. This pressure led them to quit their job, showing how stigma pushes talented people out of the workforce. These examples highlight the urgent need for mental health awareness, better policies, and workplace support to protect employees and improve productivity.<sup>54</sup>

Recognizing and defending mental health rights in the workplace poses significant challenges, especially in countries like Bangladesh, where cultural and legal frameworks influence perceptions of mental well-being. These challenges become even more pronounced as organizations prioritize business success.<sup>55</sup> Issues such as societal stigma, lack of resources, and the pressures of conventional workplace dynamics contribute to the difficulties faced.<sup>56</sup> Addressing these obstacles is essential for enhancing mental health rights and fostering a healthier, more inclusive work environment.<sup>57</sup>

**Cultural Nuances in Bangladesh:** Cultural perspectives in Bangladesh play a crucial role in shaping individuals' experiences with mental health.<sup>58</sup> Societal expectations and traditional beliefs are deeply ingrained, often leading to stigma and misunderstandings about mental

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<sup>52</sup> *Ibid*

<sup>53</sup> 'Mental Health at Work: A Growing Need for Recognition in Labour Law' *The Business Standard* (25 February 2024) <<https://www.tbsnews.net/thoughts/mental-health-work-growing-need-recognition-labour-law-798738>> accessed 14 December 2024.

<sup>54</sup> Dewan (n 6)

<sup>55</sup> *Ibid*

<sup>56</sup> Colette Van Laar et. al., 'Coping With Stigma in the Workplace: Understanding the Role of Threat Regulation, Supportive Factors, and Potential Hidden Costs' (2019) 10 *Frontiers in Psychology* <<https://doi.org/10.3389/fpsyg.2019.01879>> accessed 18 October 2024

<sup>57</sup> *Ibid*

<sup>58</sup> Mental Health at Work: A Growing Need for Recognition in Labour Law (n 53)

health, which makes it difficult to have open conversations.<sup>59</sup> This stigma can deter people from seeking help as they worry about being judged or facing negative repercussions. The collectivist nature of Bangladeshi culture adds another layer of complexity, as the pressure to adhere to social norms can intensify mental health challenges. Additionally, traditional healing practices may clash with contemporary mental health care, highlighting the need for culturally sensitive interventions that aim to reduce stigma and promote open dialogue.<sup>60</sup>

**Impact on Employee Willingness to Seek Help:** In Bangladesh, the stigma associated with mental health significantly influences employees' readiness to seek assistance.<sup>61</sup> Many workers are reluctant to share their struggles due to cultural taboos, fearing judgment or potential career consequences.<sup>62</sup> This hesitance is further exacerbated by a lack of awareness and limited access to mental health resources. As a result, individuals often find it difficult to seek the support they need, leaving their mental health concerns unaddressed.<sup>63</sup>

**Organizational Implications:** The lack of mental health policies and resources in the workplace can lead to serious organizational issues.<sup>64</sup> In Bangladesh, mental health problems frequently go unaddressed, resulting in heightened stress levels, decreased job satisfaction, and more absenteeism. The societal stigma surrounding mental health is often reflected in workplaces, where discussions about mental health are rare. This absence of support fosters a toxic work environment, making employees feel unable to voice their mental health needs. To tackle these issues, organizations need to prioritize mental health by implementing clear policies, offering resources, and cultivating an open and supportive culture.<sup>65</sup>

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<sup>59</sup> Ahmed A Ahad et. al., 'Understanding and Addressing Mental Health Stigma Across Cultures for Improving Psychiatric Care: A Narrative Review' (2023) 15(5) *Cureus* <<https://doi.org/10.7759/cureus.39549>> accessed 18 October 2024

<sup>60</sup> *Ibid*

<sup>61</sup> Md Omar Faruk et. al., 'Mental Illness Stigma in Bangladesh: Findings from a Cross-Sectional Survey' (2023) 10(59) *Global mental health* <<https://doi.org/10.1017/gmh.2023.56>> accessed 20 October 2024

<sup>62</sup> Ahad (n 59)

<sup>63</sup> *Ibid*

<sup>64</sup> *Mental Health at Work* (n 29)

<sup>65</sup> *Ibid*

**Tensions Between Employee Productivity and Mental Well-Being:** Finding a balance between employee productivity and mental well-being is a significant challenge in Bangladesh.<sup>66</sup> In high-pressure, competitive work settings, there is often a strong emphasis on meeting deadlines and achieving targets, which can result in burnout and heightened stress.<sup>67</sup> The focus on hard work and success can overshadow the importance of mental health, leaving little opportunity for employees to prioritize their well-being.<sup>68</sup> This conflict can lead to a worsening work-life balance, making it crucial for employers to acknowledge the role of mental health in maintaining long-term productivity and employee satisfaction.<sup>69</sup>

### **Other Possible Obstacles to Mental Health in Bangladeshi Workplaces -**

- 1. Stigma and Lack of Awareness:** Misunderstandings about mental health discourage workers from seeking help, as there is a widespread reluctance to discuss these issues openly.<sup>70</sup>
- 2. Workplace Stress and High Expectations:** The fast-paced, competitive nature of many workplaces heightens stress and contributes to burnout.
- 3. Collectivist Culture and Professional Identity:** The pressure to adhere to social norms can prevent individuals from pursuing mental health support, as it may be viewed as going against societal expectations.<sup>71</sup>
- 4. Limited Access to Mental Health Services:** The scarcity and high costs of mental health services make it even harder for individuals to seek the help they need.<sup>72</sup>

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<sup>66</sup> "It's Time to Prioritise Mental Health in the Workplace" - UNSG<sup>1</sup> ([bangladesh.un.org](https://bangladesh.un.org), 07 October 2024) <<https://bangladesh.un.org/en/280620-%E2%80%99Cit%E2%80%99s-time-prioritise-mental-health-workplace%E2%80%9D-unsq>> accessed 20 October 2024

<sup>67</sup> *Ibid*

<sup>68</sup> Mental Health at Work (n 29)

<sup>69</sup> *Ibid*

<sup>70</sup> Claire Henderson et. al., 'Mental Illness Stigma, Help Seeking, and Public Health Programs' (2013) 103(5) American Journal of Public Health <<https://doi.org/10.2105/AJPH.2012.301056>> accessed 22 October 2024

<sup>71</sup> *Ibid*

<sup>72</sup> Milton L Wainberg et. al., 'Challenges and Opportunities in Global Mental Health: a Research-to-Practice Perspective; (2017) 19(5) Current Psychiatry Reports <<https://doi.org/10.1007/s11920-017-0780-z>> accessed 22 October 2024

- 5. Organizational Culture and Support:** When organizations don't prioritize mental health, it limits access to counseling services and employee assistance programs.
- 6. Lack of Sufficient Policy Framework:** Without clear mental health policies in place, organizations fail to provide adequate support and perpetuate stigma.<sup>73</sup>
- 7. Traditional Views and Gender Roles:** Cultural expectations and gender roles create unique pressures for both men and women, impacting their mental health.<sup>74</sup> Men often feel compelled to conform to stoic ideals of masculinity, while women struggle to juggle professional and caregiving responsibilities, leading to stress and burnout.<sup>75</sup>
- 8. Communication Barriers:** Concerns about judgment and potential career repercussions hinder open discussions about mental health issues in the workplace.<sup>76</sup>
- 9. Limited Mental Health Education:** A lack of mental health education in workplaces hinders early identification and appropriate responses to mental health challenges.<sup>77</sup>
- 10. Digitization and Remote Work Challenges:** The shift to remote work has brought about new issues, such as feelings of isolation and challenges in achieving work-life balance, which can adversely affect mental health.
- 11. Loopholes in the Legal Landscape:** The absence of specific legal protections for mental health in the workplace creates uncertainty, leaving individuals without clear avenues for support.<sup>78</sup>

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<sup>73</sup> *Ibid*

<sup>74</sup> Fiona Yassin, 'Stoicism, Gender Norms, and the Mental Health of Boys and Young Men' (*The Wave Clinic*, 13 October 2023) <<https://thewaveclinic.com/blog/stoicism-gender-norms-and-mental-health-boys-and-young-men/>> accessed 22 October 2024

<sup>75</sup> *Ibid*

<sup>76</sup> Ankur Poddar and Raina Chhajer, 'Detection and Disclosure of Workplace Mental Health Challenges: An Exploratory Study from India' (2024) 24(1) *BMC Public Health* <<https://doi.org/10.1186/s12889-024-19422-9>> accessed 25 October 2024

<sup>77</sup> Mental Health at Work (n 29)

<sup>78</sup> *Ibid*

**12. Lack of Concentration on Individual Level:** Mental health care often lacks a tailored approach, making it hard to meet the unique needs of each person. Since mental health is subjective, a one-size-fits-all solution may not work for everyone.<sup>79</sup>

## LACK OF MENTAL HEALTH CASES IN BANGLADESH

In Bangladesh, there is a significant lack of legal cases that focus on mental health issues, highlighting broader societal and cultural challenges.<sup>80</sup> This gap can be attributed to deep-seated social stigma, a lack of awareness, and insufficient legal acknowledgement of mental health as a serious issue.<sup>81</sup> Often, mental health is viewed through a cultural lens filled with misunderstanding and taboo, leading individuals to hesitate in seeking help due to fears of discrimination or marginalization.<sup>82</sup> Furthermore, mental health problems are not generally seen as legal matters, which restricts the chances for cases to be brought to court.<sup>83</sup> The absence of comprehensive mental health policies and infrastructure also plays a role in the lack of legal action. While there are laws in place, they are seldom enforced or litigated. Even when workers face mental health challenges due to workplace stress or discrimination, the lack of a strong framework to address these issues leaves them without legal options.<sup>84</sup> The Bangladeshi legal system has not yet incorporated mental health as a crucial element of labor laws or human rights protections in a way that would promote public interest litigation or individual claims.<sup>85</sup> Consequently, mental health advocacy tends to be limited to public health campaigns and NGO initiatives, which rarely lead to formal legal disputes or policy changes.<sup>86</sup> This absence of legal recognition and action highlights the urgent need for a cultural shift towards acknowledging

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<sup>79</sup> Karin Lorenz-Artz et. al., 'Unraveling Complexity in Changing Mental Health Care towards Person-Centered Care' (2023) 14 *Frontiers in Psychiatry* <<https://doi.org/10.3389/fpsy.2023.1250856>> accessed 25 October 2024

<sup>80</sup> Henderson (n 70)

<sup>81</sup> *Ibid*

<sup>82</sup> Gautam (n 5)

<sup>83</sup> Nancy Wolff et. al., 'Mental Health Courts and Their Selection Processes: Modeling Variation for Consistency' (2011) 35(5) *Law and Human Behavior* <<https://pmc.ncbi.nlm.nih.gov/articles/PMC3874803/>> accessed 26 October 2024

<sup>84</sup> *Ibid*

<sup>85</sup> Dewan (n 6)

<sup>86</sup> *Ibid*

mental health as a vital aspect of well-being, along with a dedicated effort to establish both legal and medical frameworks that safeguard individuals' mental health rights.<sup>87</sup>

## ENVISIONING THE EVOLUTION OF MENTAL HEALTH PRACTICES IN BANGLADESHI WORKPLACES

Since mental health is linked to broader societal, economic, and cultural factors, we must keep evolving and adapting.<sup>88</sup> The challenges of the digital age are likely to remain, so businesses will need to regularly find ways to balance using technology for productivity with protecting workers' mental health.<sup>89</sup> While peer relationships at work are powerful, they can be used positively by creating a supportive and inclusive environment.

The legal system should be seen as a tool for change, not just a set of rules.<sup>90</sup> By championing mental health advocacy, organizations can go beyond compliance and set new standards for workplace well-being.<sup>91</sup> The challenges identified, such as balancing work and mental health and tackling stigma, should be viewed as opportunities for growth and progress.<sup>92</sup> By addressing these issues directly, employers can create an environment where mental health is valued, stigma is reduced, and employees can thrive both personally and professionally.

Public-private partnerships should also evolve with the changing demands of the workforce and society. It's crucial to recognize that everyone – government, businesses, unions, and the public – shares responsibility for this change.<sup>93</sup> As this thesis highlights, collaboration is key. The real change in mental health within Bangladeshi workplaces will come through collective

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<sup>87</sup> *Ibid*

<sup>88</sup> Wolff (n 83)

<sup>89</sup> Marina Dabić et. al., 'Future of Digital Work: Challenges for Sustainable Human Resources Management' (2023) 8(2) *Journal of Innovation and Knowledge* <<https://doi.org/10.1016/j.jik.2023.100353>> accessed 26 October 2024

<sup>90</sup> *Ibid*

<sup>91</sup> Bill Coffin, 'Mental Health in the Workplace: Taking Compliance from Policing to Partnership' (*Ethisphere Magazine Website*, 14 August 2023) <<https://magazine.ethisphere.com/mental-health-in-the-workplace-taking-compliance-from-policing-to-partnership/>> accessed 28 October 2024

<sup>92</sup> *Ibid*

<sup>93</sup> Abdul Quayum, 'Public-Private Partnership in Technical and Vocational Education and Training to Promote Industry Relevant Skills' (*The Daily Star*, 25 October 2018) <<https://www.thedailystar.net/round-tables/news/public-private-partnership-technical-and-vocational-education-and-training-promote-industry-relevant-1651339>> accessed 01 November 2024

## efforts, greater awareness, and a commitment to reform.<sup>94</sup>**VIII. ANALYSIS WITH INTERNATIONAL HUMAN RIGHTS STANDARDS AND BEST PRACTICES**

A comparative analysis of Bangladesh's Labour Act 2006 and Mental Health Act 2018 against international human rights standards and best practices reveals several areas for potential enhancement. International frameworks established by organizations like the International Labour Organization (ILO), the World Health Organization (WHO), and the European Union (EU) offer comprehensive guidelines on workplace mental health that Bangladesh might consider adopting or improving upon.<sup>95</sup> The ILO, through its Psychosocial Risk Management framework, highlights the necessity of addressing mental health risks in the workplace. It encourages member countries to implement policies that assess psychosocial risks, prevent mental health issues, and support workers facing mental health challenges.<sup>96</sup> However, Bangladesh's Labour Act 2006 does not specifically address psychosocial risks, leaving a gap in legal protections for workers' mental well-being.<sup>97</sup> By incorporating these ILO standards, Bangladesh could enhance its framework to prevent mental health issues and foster workplace well-being.<sup>98</sup> Additionally, the WHO provides essential guidelines through its Mental Health in the Workplace initiative.<sup>99</sup> This document urges employers to cultivate healthy work environments by promoting mental health and preventing conditions such as stress, anxiety, and depression.<sup>100</sup> While the current legal provisions in Bangladesh are limited in this regard, the WHO's focus on mental health promotion and the integration of mental health services into general healthcare could guide future legal reforms.<sup>101</sup> Bangladesh could benefit from including

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<sup>94</sup> *Ibid*

<sup>95</sup> 'WHO and ILO Call for New Measures to Tackle Mental Health Issues at Work (*International Labour Organization*, 28 September 2022) <<https://www.ilo.org/resource/news/who-and-ilo-call-new-measures-tackle-mental-health-issues-work-0>> accessed 02 November 2024

<sup>96</sup> *Ibid*

<sup>97</sup> Dewan (n 6)

<sup>98</sup> 'Bangladesh's Progress in Occupational Health and Safety Could Be Leveraged to Address Workplace Violence and Harassment' (*International Labour Organization*, 24 January 2024) <<https://www.ilo.org/resource/news/bangladeshs-progress-occupational-health-and-safety-could-be-leveraged>> accessed 05 November 2024

<sup>99</sup> Mental Health at Work (n 40)

<sup>100</sup> *Ibid*

<sup>101</sup> Karim (n 13)



provisions for mental health screening, stress management programs, and early intervention systems within workplaces.<sup>102</sup>

The European Union (EU) has put together extensive strategies regarding mental health, including the Mental Health Strategy 2014-2020. This strategy takes a multi-faceted approach to addressing mental health in the workplace, emphasizing the importance of promoting mental well-being, preventing mental health issues, and ensuring that workers have access to support and rehabilitation.<sup>103</sup> The EU's focus on prevention and the integration of mental health into workplace policies could serve as a valuable example for Bangladesh, which might consider adopting similar strategies to strengthen its workplace mental health infrastructure.<sup>104</sup> By aligning with these international guidelines, Bangladesh could improve its legal framework to foster a more supportive environment for mental health in workplaces. Potential areas for enhancement include:

- **Psychosocial Risk Assessment:** Integrating systematic evaluation of mental health risks in the workplace.
- **Workplace Mental Health Programs:** Introducing mandatory mental health education, training, and stress management programs.
- **Collaboration with Healthcare Providers:** Establishing partnerships with local health professionals to provide support to workers.
- **Legal Enforcement and Policy Integration:** Strengthening the enforcement of mental health protections and integrating them into broader health and safety policies.

By adopting these best practices, Bangladesh can align itself with international standards while creating a more supportive and inclusive work environment.<sup>105</sup> This approach will help ensure better protection and promotion of mental well-being in the workplace for its workforce.

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<sup>102</sup> Mental Health at Work: A Growing Need for Recognition in Labour Law (n 53)

<sup>103</sup> *Ibid*

<sup>104</sup> Mental Health at Work (n 29)

<sup>105</sup> *Ibid*

## **A CALL TO ACTION TO TRANSFORM WORKPLACES FOR MENTAL HEALTH AND WELL-BEING**

The success of this thesis will be evaluated based on its capacity to instigate real change, moving beyond mere theoretical concepts to foster tangible improvements in the everyday lives of Bangladeshi employees. It urges organizations to wholeheartedly adopt the suggested strategies, tailoring them to fit their specific contexts. This proactive involvement is crucial for the continuous advancement of mental health practices and for reshaping workplaces into nurturing environments for well-being. Policymakers and legislators are urged to leverage the insights provided here to enhance and refine existing policies. By doing so, they will help cultivate an atmosphere that not only adheres to but actively champions mental health. This advocacy can catalyze significant change within institutions, reaching far beyond academic discourse. However, the call to action extends beyond organizations and policymakers; it also resonates on an individual level. Everyone – be it an employee, influencer, or advocate – has the potential to be a change agent. Through open dialogues, fostering a culture of well-being, and confronting the stigma associated with mental health, each person can play a part in a broader transformation.<sup>106</sup> This grassroots approach acknowledges that the changes outlined in this thesis rely on the commitment and collective efforts of all stakeholders involved. The vision articulated here is not merely an aspiration but a tangible, attainable objective. It demands ongoing effort and a united commitment to translate words into actions. In this envisioned workplace, mental health is regarded as a fundamental component of success rather than an afterthought when issues arise. It is a space where individuals' well-being is prioritized and actively nurtured, fostering a harmonious and flourishing professional environment that exemplifies the transformative potential of collaboration.

## **RECOMMENDATIONS FOR ENHANCING WORKPLACE MENTAL HEALTH**

To effectively tackle mental health issues in Bangladeshi workplaces, it is crucial to launch awareness campaigns that confront misconceptions and diminish stigma, utilizing media and

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<sup>106</sup> Brian K Ahmedani, 'Mental Health Stigma: Society, Individuals, and the Profession' (2011) 8(2) *Journal of Social Work Values and Ethics* <<https://pubmed.ncbi.nlm.nih.gov/22211117/>> 08 November 2024

local languages for a wider impact.<sup>107</sup> Emphasizing work-life balance and stress management should be a priority in training programs for both management and staff.<sup>108</sup> Partnering with local healthcare professionals is advisable to ensure that mental health interventions are culturally relevant.<sup>109</sup> Creating employee resource groups dedicated to mental health and providing confidential support services within the workplace will contribute to a more supportive atmosphere.<sup>110</sup> Furthermore, establishing community-based mental health services and incorporating mental health into primary healthcare systems can enhance accessibility.<sup>111</sup> Continuous research is essential for monitoring mental health trends and informing policy changes.<sup>112</sup>

Fostering collaboration between public and private organizations is essential for developing impactful awareness campaigns that address mental health stigma and support workplace mental health initiatives.<sup>113</sup> By pooling resources from both sectors, we can create community-based mental health services and improve access for marginalized groups through telehealth programs.<sup>114</sup> Partnerships between commercial and public health organizations should aim to integrate mental health services into primary care, push for policy reforms, and create evidence-based mental health interventions.<sup>115</sup> Ultimately, establishing avenues for cross-sector

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<sup>107</sup> M Tasdik Hasan and Graham Thornicroft, 'Mass Media Campaigns to Reduce Mental Health Stigma in Bangladesh' (2018) 5(8) *The Lancet Psychiatry* <[https://doi.org/10.1016/s2215-0366\(18\)30219-0](https://doi.org/10.1016/s2215-0366(18)30219-0)> accessed 30 November 2024

<sup>108</sup> 'Stress' (*WHO*, 21 February 2023) <<https://www.who.int/news-room/questions-and-answers/item/stress>> accessed 30 November 2024

<sup>109</sup> Narayan Gopalkrishnan, 'Cultural Diversity and Mental Health: Considerations for Policy and Practice' (2018) 19(6) *Frontiers in Public Health* <<https://doi.org/10.3389/fpubh.2018.00179>> accessed 26 November 2024

<sup>110</sup> Mark Pedrasa, 'Mental Health in the Workplace: Creating a Supportive Environment' (*JGA Recruitment*, 22 October 2024) <<https://jgarecruitment.com/mental-health-in-the-workplace-creating-a-supportive-environment/>> accessed 26 November 2024

<sup>111</sup> *Mental Health at Work* (n 29)

<sup>112</sup> *Ibid*

<sup>113</sup> 'Mental Health Awareness: Breaking the Stigma with Education and Advocacy' (*Park University*, 31 July 2024) <<https://www.park.edu/blog/mental-health-awareness-breaking-the-stigma-with-education-and-advocacy/>> accessed 04 December 2024

<sup>114</sup> *Ibid*

<sup>115</sup> *Mental Health at Work* (n 29)

collaboration will spark innovation and enhance mental health strategies in Bangladesh, resulting in more inclusive and sustainable mental health programs.<sup>116</sup>

## CONCLUSION

Integrating mental health awareness into workplaces in Bangladesh is crucial for creating a productive workforce.<sup>117</sup> The Labour Act of 2006 and the Mental Health Act of 2018 provide a framework for acknowledging the significance of mental health in employment. However, there are still considerable gaps in how these laws are implemented and the cultural shifts needed.<sup>118</sup> While these regulations offer some level of protection, the mechanisms for enforcement are often inadequate, and many employers do not have the resources or knowledge to effectively support their employees' mental health needs.<sup>119</sup> Moreover, although the Mental Health Act of 2018 is a step in the right direction, it still needs stronger mechanisms to ensure that its goals are translated into practical workplace policies.<sup>120</sup> In addition to legal reforms, a cultural shift is urgently needed. The stigma associated with mental health in Bangladeshi society often prevents employees from seeking help. Public awareness campaigns are essential for breaking down these cultural barriers and highlighting mental health as a vital component of overall well-being.<sup>121</sup> The media, particularly in local languages, can significantly contribute to reaching a broad audience and ensuring that mental health discussions are inclusive.<sup>122</sup> Workplace initiatives should also aim to promote a healthy work-life balance. Employers can enhance mental health by introducing stress management programs, offering flexible working hours, and creating an open environment for discussing mental well-being.<sup>123</sup> Training programs for

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<sup>116</sup> 'ICT to Advance Mental Health Services in Bangladesh' (*United Nations Development Programme*, 07 July 2024) <<https://www.undp.org/bangladesh/press-releases/ict-advance-mental-health-services-bangladesh>> accessed 12 December 2024

<sup>117</sup> Mental Health at Work (n 29)

<sup>118</sup> *Ibid*

<sup>119</sup> Dewan (n 6)

<sup>120</sup> Mehadi Hasan, 'An Analysis on the Mental Health Act 2018' (*The Daily Star*, 02 February 2021) <<https://www.thedailystar.net/law-our-rights/news/analysis-the-mental-health-act-2018-2037885>> accessed 15 December 2024

<sup>121</sup> Ahad (n 59)

<sup>122</sup> Kalpana Srivastava et. al., 'Media and Mental Health' (2018) 27(1) *Industrial Psychiatry Journal* <[https://journals.lww.com/inpj/fulltext/2018/27010/media\\_and\\_mental\\_health.1.aspx](https://journals.lww.com/inpj/fulltext/2018/27010/media_and_mental_health.1.aspx)> accessed 15 December 2024

<sup>123</sup> *Ibid*

both managers and employees are essential to help identify early signs of mental health issues and provide the necessary support.<sup>124</sup> Additionally, partnering with local healthcare professionals to deliver culturally relevant mental health services in the workplace can facilitate access to care in familiar environments.<sup>125</sup>

Integrating mental health services into primary healthcare systems and creating community-based services are crucial for offering support at the local level.<sup>126</sup> This ensures that even workers in remote areas can access the resources they need.<sup>127</sup> Collaborations between the public and private sectors can foster innovative solutions, like telehealth programs, which enhance access to mental health care for underserved communities.<sup>128</sup> These partnerships are also vital for developing training programs for mental health professionals and establishing consistent care practices.<sup>129</sup> In the end, a collaborative effort involving employers, policymakers, healthcare providers, and advocacy groups is essential for building a strong mental health framework in Bangladesh.<sup>130</sup> By tackling both legal and cultural obstacles, employers can create work environments that encourage employees to prioritize their mental health, leading to increased productivity, job satisfaction, and overall well-being.<sup>131</sup> This strategy will help cultivate a healthier, more inclusive workforce, promoting long-term economic growth and social advancement.

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<sup>124</sup> Kamrun Nahar Koly et. al., ‘Educational and Training Interventions Aimed at Healthcare Workers in the Detection and Management of People With Mental Health Conditions in South and South-East Asia: A Systematic Review’ (2021) 12 *Frontiers in Psychiatry* <<https://pmc.ncbi.nlm.nih.gov/articles/PMC8542900/>> accessed 16 December 2024

<sup>125</sup> *Ibid*

<sup>126</sup> *Mental Health at Work* (n 29)

<sup>127</sup> *Ibid*

<sup>128</sup> Abid Haleem et. al., ‘Telemedicine for Healthcare: Capabilities, Features, Barriers, and Applications’ (2021) 2 *Sensors International* <<https://doi.org/10.1016/j.sintl.2021.100117>> accessed 16 December 2024

<sup>129</sup> *Ibid*

<sup>130</sup> *Dewan* (n 6)

<sup>131</sup> *Ibid*