

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 267

Short Title: Mental Health Workers' Bill of Rights. (Public)

Sponsors: Representative Bell (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Rules, Calendar, and Operations of the House.

March 10, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE MENTAL HEALTH WORKERS' BILL OF RIGHTS.
3 The General Assembly of North Carolina enacts:
4 **SECTION 1.** Chapter 122C of the General Statutes is amended by adding a new
5 Article to read:

6 "Article 8.
7 "Mental Health Workers' Bill of Rights.

8 "**§ 122C-35. Findings.**

9 The General Assembly finds that mental health workers employed to carry out the
10 provisions of this Chapter provide care for people with special needs and that to provide quality
11 care there must be some basic rights and standards that every mental health worker has a right
12 to expect.

13 "**§ 122C-36. Mental Health Workers' Bill of Rights.**

14 It is the policy of this State that the core elements of the Mental Health Workers' Bill of
15 Rights for workers employed to carry out the provisions of this Chapter shall include all of the
16 following:

- 17 (1) The right to a safe workplace, including protecting oneself from harm with
18 consideration for the safety of the patients, and the right to refuse work that
19 poses a danger to one's health and safety.
20 (2) The right to adequate staffing levels.
21 (3) The right to adequate and updated equipment and techniques to insure safer
22 working conditions and quality care for the patients.
23 (4) The right to family-supporting wages so that mental healthcare workers can
24 devote their time to the care of their patients and not have to take on second
25 jobs.
26 (5) The right to refuse excessive overtime.
27 (6) The right to a timely briefing about the behaviors of patients that workers are
28 assigned to care for.
29 (7) The right to be treated with respect and dignity regardless of job
30 classification.
31 (8) The right to fair and equal treatment and opportunities regardless of race,
32 gender, age, national origin, immigration, sexual orientation, disabilities,
33 physical abilities, or religion.



- 1 (9) The right to a grievance procedure, which includes the right to grieve all
2 matters that can impact safety, evaluations, raises, transfers, and promotions
3 with representation of one's choices at all levels.
- 4 (10) The right to have input in decisions impacting working conditions in the
5 facilities where one works and at the departmental and legislative levels.
- 6 (11) The right of workers to evaluate the performance their supervisor as one of
7 the criteria for their raises and ongoing duties.
- 8 (12) Notwithstanding any provision of law to the contrary, the right to belong to a
9 union and engage in collective bargaining over terms and conditions of
10 work."

11 **SECTION 2.** This act is effective when it becomes law.
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