

# “Supporting Your Staff’s Mental Health in Trying Times,” Community Association Management Insider

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The stress experienced by community association managers can pose serious problems for their employers, including reduced productivity and staff levels. “We’ve had managers quit because they were burned out,” says Paul Grucza, director of education and client development at the Seattle-based management company CWD Group, Inc.

Are you taking the steps you should to understand and help your employees deal with their mental health issues?

## **What You Can Do**

One positive development is that mental health issues are slowly but surely becoming less stigmatized, in the workplace and elsewhere.

“There’s an awareness of mental health; people are talking about it,” says Jamie Dokovna, a shareholder in the Florida law firm Becker & Poliakoff who practices employment law.

“It’s becoming a jumping-off point for more employers to take initiatives. You don’t have to be a big employer to have a mental health policy that creates awareness about mental health and lets people know the employer has resources if any employee needs it.”

## **Legal Considerations**

Beyond the business motivations to try to help your employees, Dokovna says there are legal reasons.

“Depending on the number of employees, there are certain legal parameters you need to be aware of, including the Americans with Disabilities Act (ADA),” she says. While the ADA generally applies only to employers with at least 15 employees, local disabilities laws may have lower thresholds.

The reasonable accommodations mandated by disabilities laws can come in many forms.

“Someone can say they’re seriously burnt out and don’t know if they can come back to work,” Dokovna says. “The most conservative thing you can do is engage

in an interactive process. Maybe they need a few days off. I've had managers tell me they haven't taken a vacation in more than a year and a half. They haven't had the opportunity to disconnect."

Gender discrimination is another legal risk. According to the SHRM survey, working women have experienced burnout at significantly higher rates than men.

"The pandemic has been an extraordinary burden for a lot of working women," Dokovna says.

"If you have a universal policy — even it's not intended to discriminate — you could have disparate impact claims if it affects women differently. For example, if you're not flexible with employees who have to care for sick family members, that might impact your female employees more than your male. You have to be mindful of what it looks like."

One law that you don't need to be concerned about? The oft cited and misunderstood Health Insurance Portability and Accountability Act (HIPAA). "HIPAA rarely impacts employers because they're not covered entities," Dokovna says.

To read the complete Community Association Management Insider article, please [click here](#).

An experienced litigator, [Jamie Dokovna](#) focuses her practice on employment law and community association law. She regularly represents employers navigate claims of wrongful termination, harassment, discrimination, retaliation; enforce covenants not to compete; and address allegations of housing discrimination. She is well-versed in all aspects of Title VII, the Americans with Disabilities Act, the Family Medical Leave Act, the Age Discrimination in Employment Act, Florida Civil Rights Act, the Fair Labor Standards Act. To learn more about Jamie, please [click here](#).