Baker McKenzie.

MENTAL HEALTH AND BURNOUT

An increasing priority for employers across Latin America

Burnout in the workplace has become more widely recognized throughout the region. While workforce transformation is not a new concept for global organizations, the pandemic has forced us to rapidly adapt our standard ways of working and how we engage with employees, to ensure employee retention and the long-term viability of the business.

Per a study recently developed by Gallup, 43% of the world's workers are experiencing daily stress and are, therefore, at risk of developing burnout. However, it was only recently that the World Health Organization (WHO) included it as an occupational disease, which means that companies must be even more prepared to address and manage burnout cases properly. Lack of policies and protocols may aggravate risks for lack of proper employee support. Furthermore, many Latin American countries have undergone complex legal changes, which in many cases resulted in new regulations to protect employees in these situations.

In this document we share some practical tips to help you prevent and navigate through this matter in your organization and protect your employees.





Build emotional-safe spaces



Work on prevention

- Invest in stress management and mental health programs.
- Provide employee mental assistance.
- Have a "disconnection" policy and make it part of your culture.
- Train managers on work stressors and on the importance of fostering a respectful and safe workplace.
- Invest in self-care programs (nutrition, exercise, sleep hygiene).
- Define and communicate a clear mental health protocol.
- Implement a clear and fair performance management process.
- Encourage the use of mandatory leave and provide flexible work patterns.
- Encourage social interaction to increase employee engagement



Empower employees

- Provide adequate job resources.
- Implement flexibility policies.
- Engage employees in decision making.
- Allow employees to be active crafters of their jobs.



Comply with legal obligations to protect employees'



Reserve a time during performance assessments to allow the individual to provide his feedback on the workplace





Embrace vulnerability



Take ownershin

- Be proactive with self -care.
- Stay grounded, be present.
- Work smarter, not longer.
- Free your mind, meditate.
- Stay healthy (exercise, nutrition, rest, sleep, hydrate)



Set limits & boundaries



Build support network



Align values & purpose

bakermckenzie.com

Your contacts in **Latin America**





ARGENTINA



Alberto Gonzalez-Torres Partner alberto.gonzalez-torres @bakermckenzie.com





Monica Pizarro Partner monica.pizarro @bakermckenzie.com



BRAZIL*



Leticia Ribeiro* Partner, Trench Rossi Watanabe leticia.ribeiro @trenchrossi.com



MEXICO



Ma. Rosario Lombera Partner mrosario.lombera-gonzalez @bakermckenzie.com



CHILE



Andrés Valdés Partner andres.valdes @bakermckenzie.com



VENEZUELA



Carlos Felce Partner carlos.felce @bakermckenzie.com



COLOMBIA



Tatiana Garcés Partner tatiana.garces @bakermckenzie.com

Copyright © 2022 Baker & McKenzie. All rights reserved. Ownership: This documentation and content (Content) is a proprietary resource owned exclusively by Baker McKenzie (meaning Baker & McKenzie International and its member firms). The Content is protected under international copyright conventions. Use of this Content does not of itself create a contractual relationship, nor any attorney/client relationship, between Baker McKenzie and any person. Non-reliance and exclusion: All Content is for informational purposes only and may not reflect the most current legal and regulatory developments. All summaries of the laws, regulations and practice are subject to change. The Content is not offered as legal or professional advice for any specific matter. It is not intended to be a substitute for reference to (and compliance with) the detailed provisions of applicable laws, rules, regulations or forms. Legal advice should always be sought before taking any action or refraining from taking any action based on any Content. Baker McKenzie and the editors and the contributing authors do not quarantee the accuracy of the Content and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the Content. The Content may contain links to external websites and external websites may link to the Content. Baker McKenzie is not responsible for the content or operation of any such external sites and disclaims all liability, howsoever occurring, in respect of the content or operation of any such external websites. Attorney Advertising: This Content may qualify as "Attorney Advertising" requiring notice in some jurisdictions. To the extent that this Content may qualify as Attorney Advertising, PRIOR RESULTS DO NOT GUARANTEE A SIMILAR OUTCOME. Reproduction: Reproduction of reasonable portions of the Content is permitted provided that (i) such reproductions are made available free of charge and for non-commercial purposes, (ii) such reproductions are properly attributed to Baker McKenzie, (iii) the portion of the Content being reproduced is not altered or made available in a manner that modifies the Content or presents the Content being reproduced in a false light and (iv) notice is made to the disclaimers included on the Content. The permission to re-copy does not allow for incorporation of any substantial portion of the Content in any work or publication, whether in hard copy, electronic or any other form or for commercial purposes.

^{*}Trench Rossi Watanabe and Baker McKenzie have executed a strategic cooperation agreement for consulting on foreign law.