

Mental health and company organization: what are the challenges for France?

OCTOBER 28TH, 2022



SUMMARY



Team presentation



Presentation of the context

- Situation in France



Our research project

- Research project goals:
in general / visit in Japan
- First achievements

A top-down view of a meeting table with various items including papers, a laptop, and hands. The scene is dimly lit, with the central text being the most prominent feature.

TEAM PRESENTATION

- **Assistant Professor, Univ Montpellier, France**
- **Research area: French Labor and Employment Law**
 - industrial health
 - social security law
 - disability in companies
 - mobility in corporate groups



SELUSI Sophie

- **Assistant Professor, Univ Montpellier, France**
- **Research area: French Labor and Employment Law**
 - corporate social responsibility
 - future of the workplace
 - triangular employment relationship
 - social dialogue



ENJOLRAS Laurianne

- **PhD, Univ Montpellier, France**
- **Thesis subject: Collective agreement's conflict (2021)**
- **Research area:**
 - Collective bargaining
 - Trade union law
 - Norms and laws conflicts
 - Supplementary social protection



LUCCHINI Arnaud

- **PhD student, Univ Montpellier, France**
- **Thesis subject: occupational health and employer's powers**
- **Research area:**
 - Safety & occupational health
 - Quality worklife
 - Employer's powers / subordination link



MARANT Elise



MASTER'S DEGREE
STUDENTS

PRESENTATION OF THE CONTEXT

SITUATION IN FRANCE

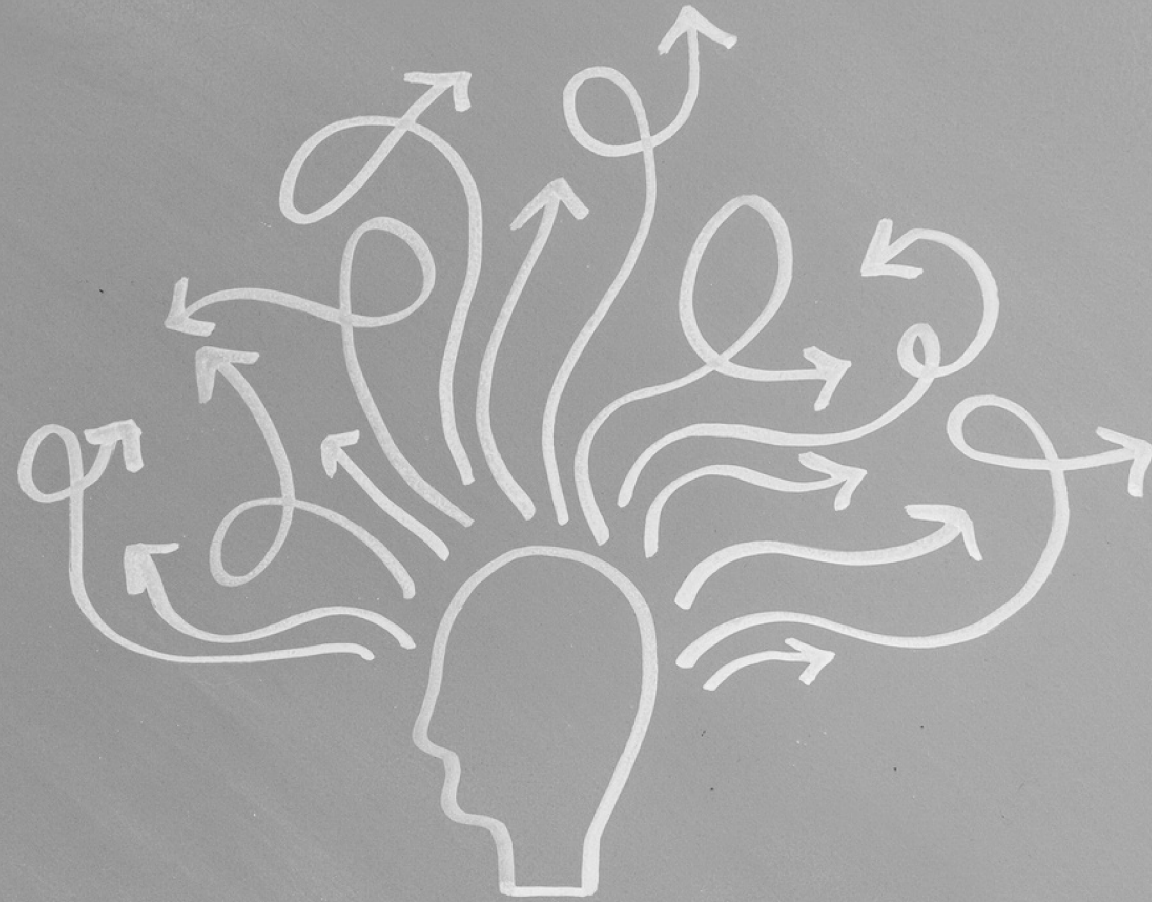
SITUATION IN FRANCE

GENERAL FRAMEWORK

- Concepts in mental health: WHO / French public health code
- Interactions with work organization
- Multifactorial approach
- Topics of interest: work-related suicide, psychosocial risks, prevention of these risks
- French reforms

SITUATION IN FRANCE

CONCEPTS IN MENTAL HEALTH (WHO)



- « Mental health is a state of mental well-being that enables people to cope with the stresses of life, realize their abilities, learn well and work well, and contribute to their community. It is an integral component of health and well-being that underpins our individual and collective abilities to make decisions, build relationships and shape the world we live in. Mental health is a basic human right. »
- Mental health is more than the absence of mental disorders. It is a complex reality.
- The French public health code has integrated this definition.

SITUATION IN FRANCE

INTERACTIONS WITH WORK ORGANIZATION IN GENERAL (WHO)

- The need for action on mental health is indisputable and urgent.
- Mental health has intrinsic and instrumental value and is integral to our well-being.
- Mental health is determined by a complex interplay of individual, social and structural stresses and vulnerabilities.

SITUATION IN FRANCE

INTERACTIONS WITH WORK ORGANIZATION IN FRANCE

- A loss of meaning and fear of the future
- Social tensions
- A worldwide pandemic

➔ A multifactorial approach is required

SITUATION IN FRANCE

TOPICS OF INTEREST

Work-related
suicide



Psychosocial
risks



Prevention of
these risks



SITUATION IN FRANCE

FRENCH REFORMS

Reform of the
occupational
medicine in 2021



New prevention
tools



A privileged time
to integrate new
practices



SITUATION IN FRANCE

KEY OBSERVATIONS

- **Lack of reliable data**

- Minimization of the number of work-related suicides while the phenomenon has increased with the Covid pandemic.
- Approach focused on a compensation logic rather than a prevention logic
- Denial of companies responsibility in the rise of mental health issues

- **Limits of legislation**

- Legislation not suited for mental health risks
- An imprecise legislation

SITUATION IN FRANCE

SHIFT TO PREVENTION LOGIC

- The need for action on mental health is indisputable and urgent.
- Mental health has intrinsic and instrumental value and is integral to our well-being.
- Mental health is determined by a complex interplay of individual, social and structural stresses and vulnerabilities.

OUR RESEARCH PROJECT: OCCUPATIONAL HEALTH IN THE COMPANY ORGANIZATION

RESEARCH PROJECT GOALS



RESEARCH PROJECT GOALS

GENERAL PROJECT GOALS

- Research focused on risks prevention
- Analyses of the legislation's evolution and the deployment of tools by companies in France
- Study of the integration of health-related issues into the company's organization
- Analysis of the practices of companies and occupational medicine
- Particular focus on mental health (link with the Covid-19 pandemic)

Duration:
one year (2022)

Research project led by:
SELUSI Sophie



RESEARCH PROJECT GOALS

GOALS OF OUR VISIT IN JAPAN

- Need for comparative analyses between French and Japanese systems
- Focus on mental health risk prevention
- Approach focused on mental health more recent in France than in Japan: need for examples and tools that can be inspiring
- Methodology: interviews with several actors (scholars, company representatives, occupational doctors, Ministry of labour...)

A blurred background image of a meeting. In the center, a woman with dark curly hair stands behind a table, looking down at papers. To her left, a woman with dark hair in a bun is seated at the table, looking towards the center. To her right, a man with dark hair is seated, looking towards the center. In the foreground, the back of a person's head and shoulders is visible, looking towards the meeting. The table is covered with papers and a laptop. In the background, a corkboard is visible with several blue sticky notes pinned to it. The overall scene is dimly lit and out of focus.

FIRST ACHIEVEMENTS

LEGAL STATUS FOR WORK-RELATED ACCIDENTS AND OCCUPATIONAL DISEASES

SELUSI Sophie

TOOLS FOR THE MENTAL HEALTH RISKS PREVENTION IN THE COMPANY ORGANIZATION

Context and definition:

- Suicide due to working conditions is a difficult act to grasp
- The number of work-related suicides is underestimated
- A new approach is coming

1. Suicide or attempted suicide: a plurality of qualifications
 - a. Qualification of work-related accident
 - b. Qualification of occupational disease
2. Suicide and attempt are compensated in a unique way
 - a. A fixed compensation: almost automatic
 - b. An additional compensation: more difficult

➔ The analysis of case-law encourages companies to develop a real risk prevention policy to control litigation risk.

PSYCHOSOCIAL RISKS AND SUICIDE

LUCCHINI Arnaud

PSYCHOSOCIAL RISKS AND SUICIDE

- ≈ 10 % suicides are work-related suicides in France
- Work-related suicides can be qualified as work accidents
 - ➔ Cause of suicide ? – Compensation by Social security
- Work and employment are such a risk factor of suicide as such a protection against suicide
- Prevention of work-related suicide
 - ➔ Prevention of psychosocial risks – In and out work relationship – Well-being at work
 - ➔ Collective bargaining on work conditions
 - ➔ Staff representatives – Occupational physician

TOOLS FOR THE MENTAL HEALTH RISKS PREVENTION IN THE COMPANY ORGANIZATION

MARANT Elise

TOOLS FOR THE MENTAL HEALTH RISKS PREVENTION IN THE COMPANY ORGANIZATION

- Three main questions:
 1. How mental risk prevention plans are assessed ?
 2. How to implement a mental risk prevention plan ?
 3. Which limits of the mental health risks prevention obligation ?
- Judges expectations:
 - ➔ Sufficiency – relevance – effectiveness
- Four steps in a prevention plan:
 - ➔ Identification – estimation – selection of prevention tools – monitoring
- Analysis / Difficulties:
 - ➔ Lack of legal rule ⇒ paradoxe between expectations and resources