



EMPLOYEE WELLBEING · REGULATION

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# The wellbeing *mandate*

How looking after staff went from a nice-to-have to the law — and the gap that opened.

GAPTIQ Signal Report · June 2026



# Wellbeing just became a *legal duty* — and most employers aren't ready.

What changed, what it costs, and where the opening is

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## The shift

For years, staff wellbeing meant perks — a gym pass, a meditation app, a helpline. None of it fixed burnout, because burnout comes from how work is run, not from a lack of perks.

Now the law has caught up. New rules — *already live* — make employers responsible for finding and removing the things at work that harm mental health, and for proving they did.

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## The cost

This stopped being a soft cost. Depression and anxiety wipe out **\$1 trillion** of work a year. In Australia, about 30% of all injury claims are now mental-health claims.

Get it wrong and the bill is concrete: lost staff, lost output — and, newly, legal penalties for ignoring the risk.

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## The gap

The fix isn't another wellness app. It's a system that turns the new duty into something a company can run: find the risks, act, and keep the receipts.

Whoever builds that — call it *RegTech for people* — owns the next decade of this market.



## THE STAKES

# \$1tn

**of work is lost to depression and anxiety every year.**

About 12 billion working days, gone — most of it from people who show up but can't function.



# The numbers behind the *mandate*.

Why regulators stopped treating this as optional

**1 in 5**

**employees report poor mental wellbeing at work**

OECD member countries

**12bn**

**working days lost to depression & anxiety each year**

globally – WHO/ILO

**\$4**

**returned for every \$1 spent treating it**

UN/WHO – the business case



# Five forces turned wellbeing into a *board-level* risk.

Why this is happening now

## Laws with teeth

- Australia, Canada & parts of the US now mandate psychosocial duties
- Penalties, not just guidance

## A countable cost

- \$1tn a year lost globally
- 30% of AU injury claims are mental health

## Investors watching

- 2,000+ listed firms must report social (ESG) metrics
- Wellbeing is now disclosed, not hidden

## Work changed

- ~70% of staff in hybrid or remote setups
- Old ways of spotting strain stopped working

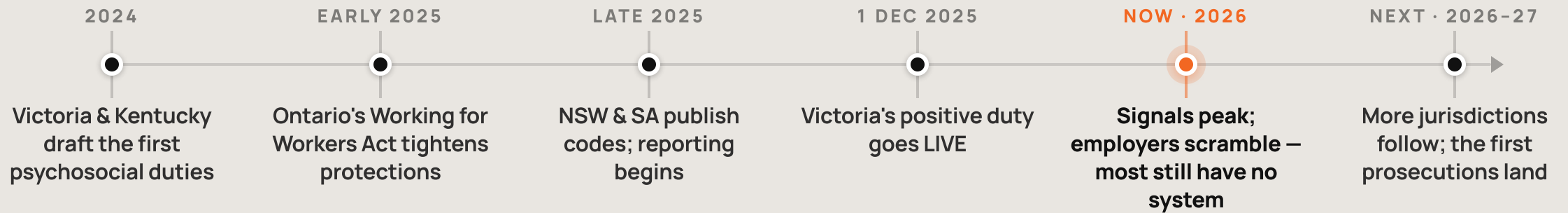
## Talent votes

- 42% cite mental health as a top reason they quit
- Retention now hinges on it



# The duty is *live now* – and the reckoning is just starting.

From first draft to enforced duty, 2024 → today





# Wellbeing used to be a *perk*. Now it's a duty you have to prove.

The old playbook vs the new rules

	The old way	The new duty	What it means
<b>Goal</b>	Make people feel cared for	Stop work from harming health	<b>From kindness to liability</b>
<b>Method</b>	Perks, apps, a helpline	Find & remove the hazards	<b>Risk management, not benefits</b>
<b>Timing</b>	After someone struggles	Before harm happens	<b>Proactive, by law</b>
<b>Proof</b>	A wellbeing survey	An audited risk assessment	<b>Keep records or face penalties</b>



# The duty is live in more places than most employers *realise*.

Psychosocial-safety regimes, mid-2026

Segment	Live since	Enforcement	Employer readiness	The read
Victoria, AU	Dec 2025	Notices → prosecution	 UNREADY      READY	• Positive duty now live; few have a system
NSW / SA, AU	2025	Codes + reporting	 UNREADY      READY	• Strategy documentation now expected
Ontario, CA	2025	Working for Workers Act	 UNREADY      READY	• Worker protections tightened
Kentucky, US	2024 draft	KOSHA citations	 UNREADY      READY	• Revised safety act in progress
EU	Proposed	Directive pending	 UNREADY      READY	• Work-stress directive not yet enacted



# Most employers can name the duty. *Few* can meet it.

Share of employers missing the basics

■ %

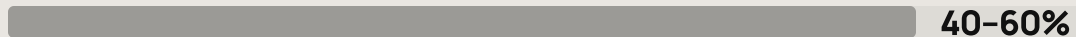
Don't disclose any leader wellbeing metric



Have managers unsure how to be accountable



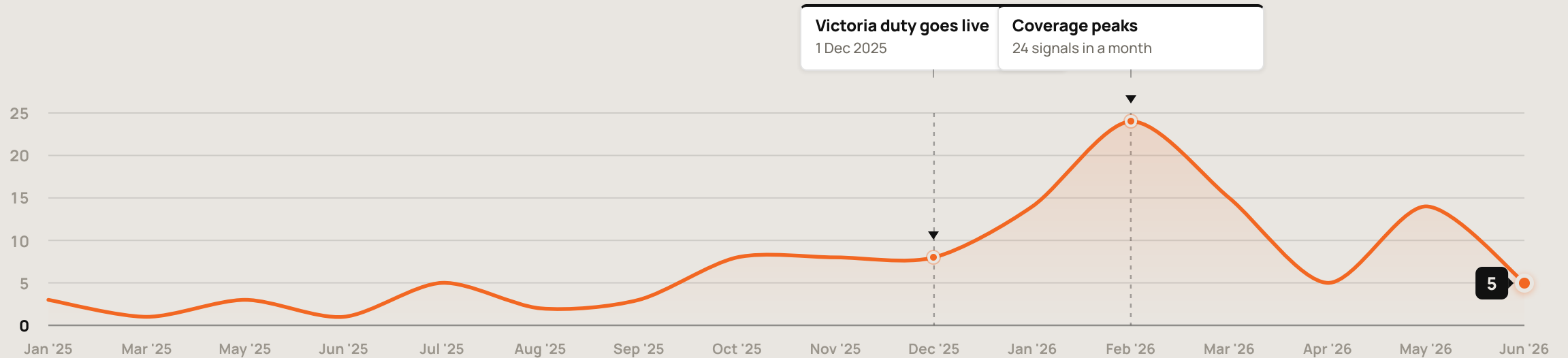
Lack a structured mental-health program





# The conversation *spiked* – right as the rules landed.

GAPTIQ signals on workplace psychosocial risk, by month



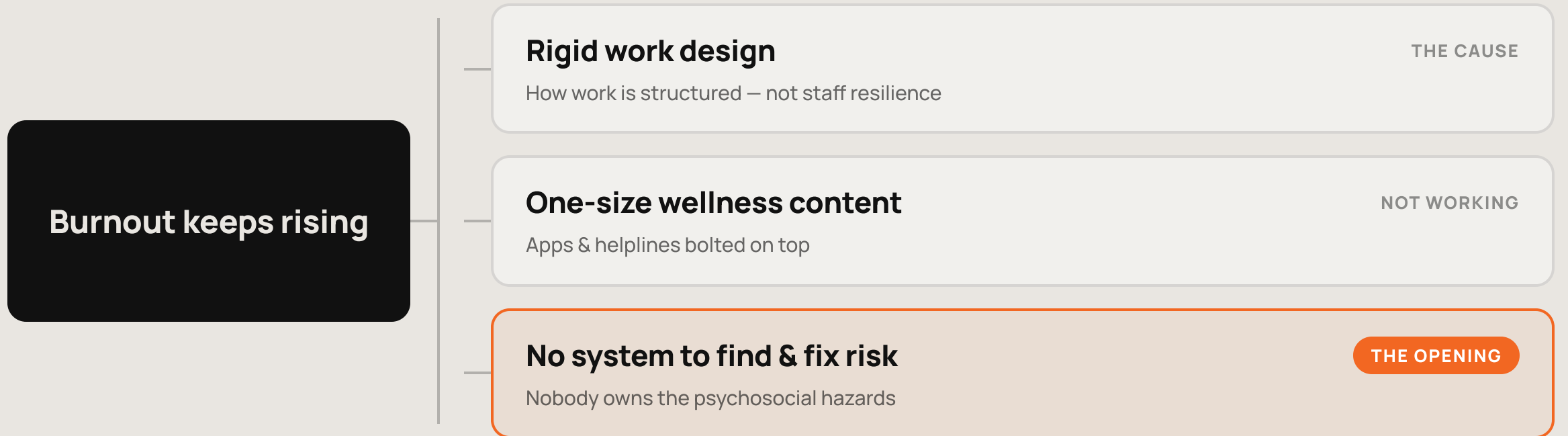
— INSIGHTS

- Signal volume was flat through mid-2025, then climbed as deadlines neared.
- The spike tracks regulation, not fashion – news, academic and clinical all rose together.
- Early 2026 is the loudest this topic has ever been.



# Perks never worked because they treat the *symptom*.

Why traditional wellness keeps failing





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*Wellbeing stopped being a  
perk the day it became a duty.*

**GAPTIQ – the read**



# \$18bn

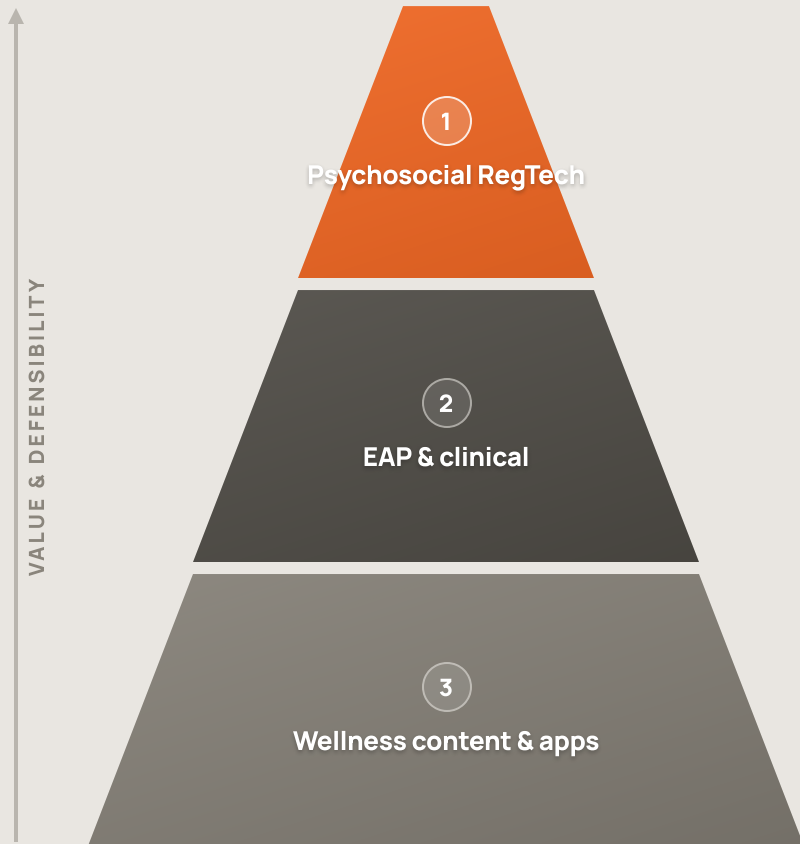
**the mental-health software  
market employers are about to  
fund – by 2033.**

Roughly \$6bn today, growing ~14% a year. Workplace-burnout tools are the fastest part.



# Money pools at the *bottom*. The duty is met at the top.

## The employee-wellbeing solution stack



Turns the legal duty into a running system: find hazards, act, audit, predict. Scarce – almost nobody does it.

VALUE ●●● High

VOLUME ●●● Low

Risk assessment Predictive analytics

Audit & reporting

Employee assistance and therapy. Useful, but reactive and hard to prove to a board.

VALUE ●●● Med

VOLUME ●●● Med

EAPs Tele-therapy Coaching

Meditation, steps, helplines. Cheap, crowded – and it doesn't move burnout.

VALUE ●●● Low

VOLUME ●●● High

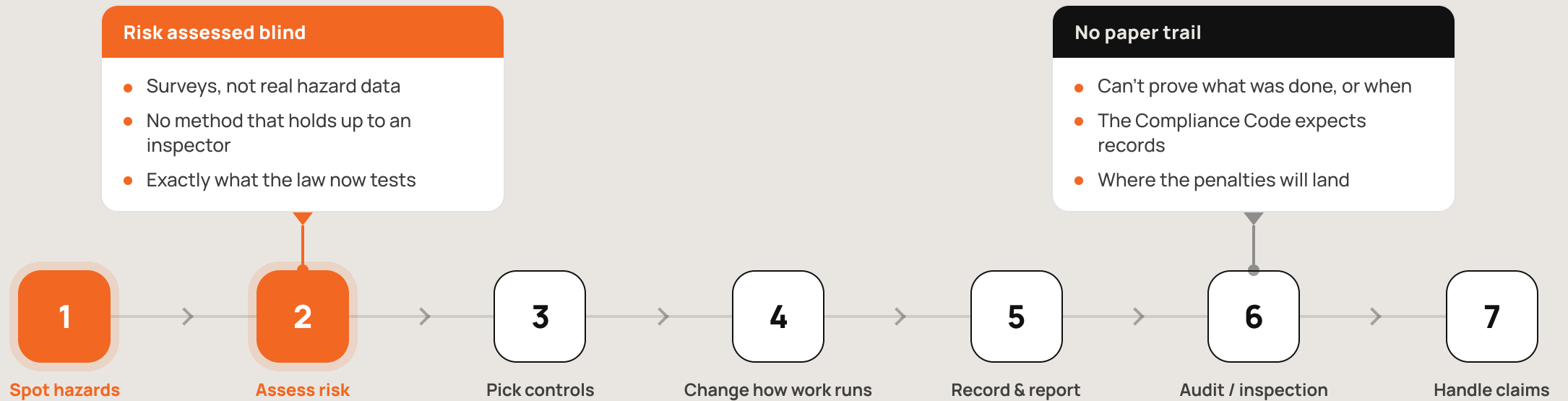
Meditation apps Step challenges

Webinars



# Employers leak at the steps the new duty actually *grades*.

## The psychosocial-safety workflow





# Two things changed at once – and that's why this is *different*.

## The legal shift and the data shift

### THE LEGAL SHIFT

For decades, safety law was about the body – guards on machines, hard hats. The mind was left to HR and goodwill.

That line is gone. Victoria's rules, live since **December 2025**, put a *positive duty* on employers to find and fix what harms mental health – the way they'd handle a physical hazard.

### THE DATA SHIFT

At the same time, the cost stopped being a guess. Regulators can now point to hard claims data: in Australia, about 30% of injury claims are mental-health claims.

And new tools can *predict* who's at risk before they break – shown across cohorts of tens of thousands of workers. Awareness isn't enough once prevention is possible.

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*The law now expects what the data finally makes possible: prevention, on the record.*

GAPTIQ INNOVATION INTELLIGENCE



# The duty lands on *managers* – and most have no idea how to carry it.

**T**he new rules don't fall on a wellness team in head office. They fall on the line manager – the person who sets the workload, the deadlines, and runs the one-to-ones. That's where the risk is created, and where it has to be managed.

Yet more than 60% of managers say they're unsure how to be accountable for their team's mental health. They were never trained for it, and they have no tool that shows where the strain is building.

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## 42%

of workers say mental health is a top reason they'd quit



*The gap*

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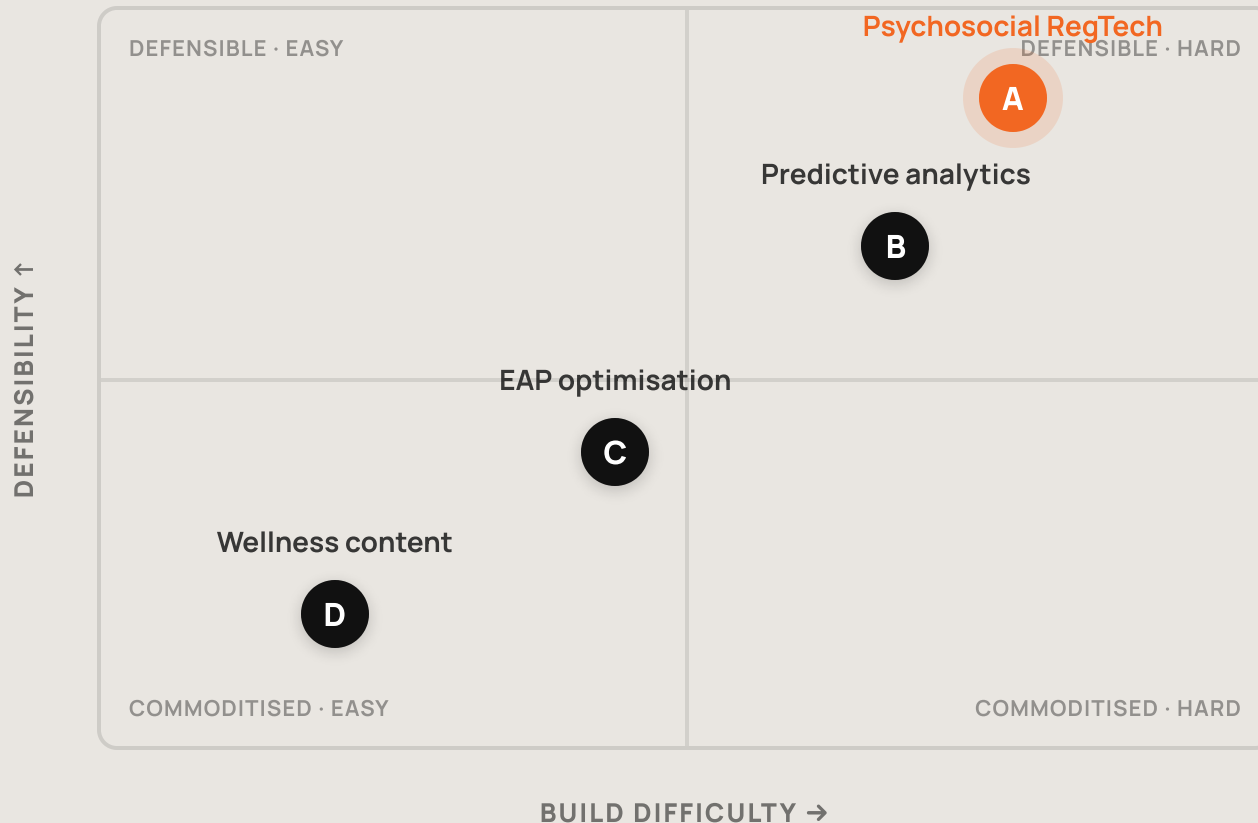
# The first mover isn't another wellness *app*.

It's whoever turns the legal duty into a system —  
find the risk, fix it, prove it — across every  
jurisdiction, for every manager.



# The value is in the *system*, not the content.

## Ways to play the wellbeing mandate



- Psychosocial RegTech**  
 The whole job in one system – find hazards, act, audit, report. Hard to build, hard to copy, and exactly what the law now grades. The opening.
- Predictive analytics**  
 Spot who's at risk before they break. Powerful – but it needs the workflow around it to matter.
- EAP optimisation**  
 Make existing helplines work harder. Useful, but reactive and crowded.
- Wellness content**  
 Apps and webinars. Cheap to make, easy to copy – and it doesn't move burnout.



# What makes a *human-capital RegTech* hard to dislodge.

## Value-creation levers

Lever	Why it matters	How
<b>Jurisdiction coverage</b>	<ul style="list-style-type: none"> <li>Each region writes its own duty. Cover them all and you're the safe default.</li> </ul>	<ul style="list-style-type: none"> <li>Multi-region rules</li> <li>Auto-updates</li> </ul>
<b>Audit trail</b>	<ul style="list-style-type: none"> <li>The duty is proven with records. Own the system of record and you own renewals.</li> </ul>	<ul style="list-style-type: none"> <li>Evidence log</li> <li>Inspector-ready</li> </ul>
<b>Predictive layer</b>	<ul style="list-style-type: none"> <li>Move from proving compliance to preventing harm – what leaders actually want.</li> </ul>	<ul style="list-style-type: none"> <li>Early warning</li> <li>Benchmarks</li> </ul>
<b>Manager workflow</b>	<ul style="list-style-type: none"> <li>The duty lives with managers. Win them and adoption sticks.</li> </ul>	<ul style="list-style-type: none"> <li>In-flow nudges</li> <li>Simple actions</li> </ul>
<b>Channel</b>	<ul style="list-style-type: none"> <li>Insurers and consultancies already sell to this buyer. Ride them in.</li> </ul>	<ul style="list-style-type: none"> <li>Insurer bundles</li> <li>Advisory partners</li> </ul>



# The team behind the **signal**.

Innovation intelligence, on the record

## — KEY CONTACTS

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## — ABOUT GAPTIQ

GAPTIQ is an *innovation-intelligence* practice. We turn dated, sourced signals into decisions leadership teams can act on — **before the market reprices them.**

### CAPABILITIES & OFFICES

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