

DHHS POLICIES AND PROCEDURES

Section V:	Human Resources
Title:	Safety and Benefits
Chapter:	Employee Assistance Program
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Purpose

The purpose of the department's Employee Assistance Program (EAP) is to combine sound management principles with a humanitarian approach to assist troubled employees in resolving personal problems that may adversely affect job performance and productivity.

Policy

It is the policy of the Department of Health and Human Services (DHHS) to maintain an EAP to help employees' secure professional guidance for personal/health problems that may adversely affect performance. It is the intent of the department to assure its employees careful consideration in resolving such problems effectively. Because a family member's problem may impact upon the employee's work performance and general well being, the program is also available to an employee's immediate family.

Implementation

1. The program is both remedial and preventive.
 - A. It is designed to:
 1. Identify the problem at its earliest stages of development
 2. Encourage voluntary participation and self-referral
 3. Motivate the employee to seek help
 4. Make a referral to EAP in order to obtain the most appropriate assistance available
 - B. Job performance will be the basis for the operation of the program. Managers or supervisors are not expected to become knowledgeable about the employee's personal problems and are not to attempt a diagnosis. Assessment and referral will be handled by professional consultants.
 - C. Voluntary participation is encouraged. An employee who is experiencing a problem which the employee feels may be impairing their job is encouraged to voluntarily seek assistance.

- D. Confidentiality is to be a major aspect of the use of the program. Self-referral, which is initiated by the employee, is encouraged. Supervisory referral, which is referral to the program by supervisors and managers, is expected.
 - E. No employee will have either job security or career opportunities jeopardized, or guaranteed by active participation in this program.
 - F. The EAP will not require or result in any special regulations, privileges, or exemptions from standard administrative practices applicable to job performance requirements. It is the employee's responsibility to both cooperate in the designed recovery plan and to record leave in accordance with State Personnel leave policies and departmental procedures. After a reasonable period of time, a satisfactory improvement in job performance must occur or applicable disciplinary action will be implemented or continued as appropriate.
2. Operational and Referral Procedures - The EAP complements departmental policy and procedures for dealing with job performance and work habits that are deemed unacceptable by the supervisor. Because there are basic and fundamental differences in the referral process, two (2) mechanisms are available for employees to get assistance - self-referral and supervisory referral. Each is explained in detail below.
- A. Self Referral
 - 1. Any time a referral to the EAP is made in the absence of formal disciplinary action that referral is considered to be a self referral. That is true even if the employee is responding to a suggestion by the supervisor or someone in the Human Resources (HR) Office. Supervisors should strongly consider encouraging employees to refer themselves to the EAP in the absence of formal disciplinary action if circumstances warrant it.
 - 2. Any information concerning a self-referral will be released only at the request of the employee. The management of the department will not have access to this information.
 - 3. To initiate a self-referral, the employee may call the EAP Office directly and/or may request information from the division/facility/school program coordinator. The program coordinators will provide additional information on the program and, upon request, assist in scheduling an appointment.
 - 4. No approval from the supervisor is required except to schedule the leave from work, when needed. The employee is under no obligation to disclose the problem when requesting leave.
 - 5. Following the assessment visit with the EAP consultant, the employee will normally have a scheduled meeting with a resource suggested by

the EAP consultant. The EAP consultant, whenever possible, will try to offer several options to the employee.

6. Should follow-up meetings be necessary and vacation or sick leave be needed for this purpose, the EAP consultant can help the employee verify the need for leave to attend counseling. The scheduling of leave will be coordinated between the employee and supervisor.

B. Supervisory Referral

1. If disciplinary action (written warning) is in process, then any referral to the EAP will be considered a supervisory referral. Unlike self-referrals, which are strictly confidential, certain information from supervisory referrals can be released to the department with the written consent of the employee. This consent will be obtained by the EAP staff. The only information that will be released to management and/or supervisor, however will be:
 - a. The date and time of appointments,
 - b. Whether or not the employee has kept such appointments, and
 - c. Whether services have been completed.
2. The supervisor has a key role in a supervisory referral. Because of the strong commitment toward ensuring that all troubled employees are given every opportunity to use the resources of the EAP, it is the supervisor's responsibility to consider that option each time an employee is disciplined for unsatisfactory job performance or personal conduct.
3. All supervisory referrals are to be made through the program coordinator. In any urgent/difficult situation when the program coordinator is not available, supervisors may set the appointment and then notify the program coordinator of arrangements and why the referral was made.

3. Disciplinary Procedures

- A. The EAP, in addressing employee problems, is intended to work hand in hand with the department's Disciplinary Policy and Procedures. EAP shall not be offered as an alternative to disciplinary action.
- B. Supervisors are encouraged to seek help from the program coordinator on particular cases at an early stage in dealing with troubled employees.
- C. The supervisor is expected to offer EAP:

1. At any stage of documented disciplinary action related to deteriorating job performance or conduct, even if termination is expected, or
2. At any time an employee is determined to be using and/or impaired by alcohol or a controlled substance on department premises, workplaces and/or during work time. Employee participation is a condition of continued employment.

Note: In reference to item 2 above, it should be noted that the employee always has the right to accept or refuse the EAP service. However, in the case of the above mandatory referral, a decision by the employee not to exercise the option to use EAP services can result in termination based, not on EAP involvement, but on the employee's actions that led to the referral, be it matters of performance and/or conduct.

- D. When an EAP referral is made in conjunction with disciplinary action, the following steps should be taken:
1. If the employee accepts the offer of help, the supervisor shall immediately contact the program coordinator. The program coordinator, in turn, will help arrange an appointment with the DHHS EAP Office.
 2. If the employee declines the offer of help, there is nothing further to do at this time unless the participation is a condition of continued employment (Alcohol and Drug Free Workplace Policy). At this point, the HR Manager, the employee's supervisor, and management shall work to resolve the outcome. If the referral is not a condition of employment, the option of help can be repeated.
 3. The employee has the option of responding to one (1) or more of the key persons involved in the referral process without following the routine chain of command. The employee may even contact the EAP office directly without discussion or prior approval. The important objective is to get the employee help using any referral route that is acceptable.
 4. During a discussion with the employee, the supervisor may become aware of the personal problem that the employee is experiencing. Supervisors are not trained in professional counseling and are not expected to handle this type of personal problem. They should not attempt to identify the problem or to advise the employee on a solution. The desired result of a supervisory referral is to obtain the required job performance and work habits. Use of the EAP should result in improved job performance. If, within a reasonable length of time, this does not occur, the supervisor should continue the disciplinary process.

4. Supervisory Training and Employee Awareness

- A. Supervisory training is essential for the efficient implementation of the EAP. All new supervisors shall undergo EAP training. The training will emphasize recognition of the troubled employee and dealing with the troubled employee in the work setting, as well as the procedures for referral.
- B. Periodic employee awareness campaigns are essential to the program. Employees will be given the opportunity to attend an orientation of the EAP. Orientation will cover all new employees.
- C. The HR Office will include EAP information in employee orientation programs and materials.

5. Appointment Procedures

- A. Appointments with an EAP Consultant are called assessments. They can be expected to last between one (1) and two (2) hours. Sometimes follow-up visits with the DHHS EAP Office are needed.
- B. Following the assessment visit with the EAP Consultant, the employee will normally have a scheduled meeting with a resource suggested by the EAP Consultant. The EAP Consultant will, in offering resources, help the employee to explore what options are available. This will include the availability of services, costs, insurance coverage, skills of helping resources, etc.
- C. The EAP consultant will also help the employee to verify the need for leave to attend counseling at these professional resources.
- D. The scheduling of appointments is the responsibility of the employee. However the key persons involved may assist in obtaining an appointment.
- E. To initiate a self-referral, the employee may call the DHHS EAP Office directly or may request information from the program coordinator. The program coordinator is available to provide information about the program and to assist the employee in obtaining an appointment. No approval from the supervisor is required for a self-referral except to schedule leave from work.
- F. The supervisor shall schedule EAP appointments through the program coordinator if it is a supervisory referral. This will give the assurance of proper approaches with regard to both the needs of management and the rights of the employee. It will also help to identify problems that may have not been anticipated.

6. Confidentiality

- A. All information relative to an employee's participation in the program shall be treated in strict confidence. No records on an individual's participation will be maintained by the department.
 - B. Any information concerning a self-referral will only be released at the request of the employee. Otherwise, management of the department will not have access to information about self-referrals.
 - C. The specific nature of an individual participant's problem will not be reported to the department by the DHHS EAP Office or treatment resource. However, in the case of a supervisory referral, the EAP Consultant may report the following information with the employee's written consent:
 - 1. The frequency of appointments.
 - 2. Whether the employee is keeping appointments.
 - 3. Whether the services have or have not been concluded.
 - D. Supervisors shall emphasize to an employee referred to EAP that there is no obligation to discuss personal problems with anyone in the work setting. Employees should be aware that doing so leaves management in a position where personnel and regulatory action might become necessary. Management is limited to monitoring individual performance and completion of assigned duties.
 - E. Personnel files are confidential under state law and by good practice. Where disciplinary action is concerned, the fact that EAP was offered to an employee shall be documented in the personnel file. Any records or materials which indicate that the employee has agreed to participate shall not be kept in the personnel file.
7. Records and Reporting - The DHHS EAP Office shall maintain data and records necessary to the operation and periodic evaluation of the program. Data concerning program utilization will be maintained both for supervisory referrals and employee self-referrals. The DHHS EAP Office will screen such reports to assure that no identifying data is released through such demographic profiles.
8. Leave - An employee will not be charged leave for any EAP assessment or follow-up EAP sessions. Vacation or sick leave may be taken as appropriate for continued treatment or rehabilitation, or the employee may request leave without pay. It is important that the employee work with the supervisor to the extent possible when scheduling leave. If confidentiality is in question, the employee may work through the program coordinator. Requests for leave are the responsibility of the employee.
9. Program Costs. There is no cost to the employee for the initial assessment or follow-up sessions with the EAP consultant. However, any costs associated with additional

services of treatment are the responsibility of the employee. When additional services are recommended by EAP, the employee or family member will be given a choice among several agencies whenever possible. The EAP consultant will give special attention to the possible costs of available services in making referrals. Charges for some services may be provided by the State Comprehensive Health Plan, under the option which the employee has chosen for coverage.

10. Program Responsibilities

A. DHHS Program Administrator. The DHHS Program Administrator shall be the Manager of the Division of HR Employee Safety and Benefits. This person is responsible for:

1. Serving as the liaison to the DHHS EAP Office, to the Regional EAP Consultants and to the State EAP Office.
2. Determining the need for supervisory training sessions and monitoring the training schedules, including follow-up training.
3. Establishing procedures for periodic employee awareness events within the various work units of the department.
4. Directing management action with regard to supervisory referrals, especially urgent/difficult situations.
5. Discussing the benefits of an employee assistance program with management and employees in a manner that encourages appropriate use of the service.
6. Preparing written progress reports, at designated intervals, at the discretion of top management.

B. Division/Facility/School Program Coordinator. The Division/Facility/School Program Coordinator shall be the Division/Facility/School Human Resources Manager or a designee appointed by the HR Manager. The Division/Facility/School Program Coordinator is responsible for overseeing the development and maintenance of the EAP philosophy and procedures. This will include:

1. Working with EAP staff of the DHHS EAP Office.
2. Communicating of the program to unit supervisors and employees and maintaining an effective level of awareness.
3. Being accessible for supervisory referrals and/or self-referrals; discussing program benefits, procedures and alternatives available to the employee.
4. Making direct appointments for employees with the appropriate EAP staff.
5. Conducting all employee conferences in a timely, confidential, and professional manner.

6. Scheduling and coordinating supervisory training sessions (initial as well as follow-up), and employee orientation (as well as follow-up orientation efforts).
 7. Collecting and maintaining data indicating:
 - a. Number of supervisory training sessions/number of attendees
 - b. Number of employee orientations/number of attendees
 - c. Number and types of awareness efforts within the division/facility/school
 - d. Number of supervisory contacts, one-to-one
 - e. Number of employee contacts, one-to-one
11. DHHS Employee Assistance Program Office. The basic role of the DHHS Employee Assistance Program Office is to provide employees with an initial assessment to attempt to determine the troubled employee's problem and to refer the employee to the appropriate resources for help. DHHS EAP Office assessment and referral responsibilities will include the following:
- A. Providing initial assessment and evaluation of all referrals (supervisory, self-referrals, and employee's family members).
 - B. Referring the individuals to the most appropriate available resources in a timely and efficient manner.
 - C. Maintaining a network of community resources and being knowledgeable about most available services and their costs.
 - D. Being a liaison with the DHHS Program Administrator.
 - E. Monitoring employee's attendance and completion of services utilized.
 - F. Maintaining discretion and confidentiality of all personnel information concerning program participants.
 - G. Participating, as mutually determined, in the department's communication, employee awareness and supervisory training programs.

For questions or clarification on any of the information contained in this policy, please contact [Human Resources](#). For general questions about department-wide policies and procedures, contact the [DHHS Policy Coordinator](#).