

### **D.5.2.2 (Procedure) Employee Assistance Program**

Responsible Department: Human Resources

Based on Board Policy: [D.5.2](#) - Benefits

Approved: 10-26-10

Last Amended: 9-11-14

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#### **Employee Assistance Program**

The College District recognizes that situations not directly job-associated may affect the job performance of College District employees. The employee will usually overcome these personal problems independently or with normal supervisory assistance. When job-impairing problems resist both individual and supervisory solutions, the College District believes that it is in the best interest of the employee and the College District to provide access to resources to deal with the problem. Therefore, the Chancellor designates the Human Resources department to design and manage an Employee Assistance Program (EAP) to provide assistance to employees in an effective and confidential manner.

All counseling services for employees will be provided by the Employee Assistance Program. The campus-based counseling services of faculty and staff counselors exist for students and should not be utilized by employees. If an emergency arises on campus, Human Resources, an Administrator or ACPD may request the assistance of a campus-based counselor until other professional counseling support can be secured.

#### **Definitions**

**EAP Benefits:** Confidential assessment, counseling and referral services provided to eligible participants suffering depression, anxiety, tension, divorce adjustment, marital problems, alcohol/drug related problems, debt or legal problems, child rearing and single parenting problems, and other personal or family problems.

**Emergency EAP Assistance:** Emergency EAP support available on a 24-hour basis to participants involved in a crisis situation. Emergency assistance may be required when a participant is confronted with an emotional crisis requiring immediate intervention, needs emergency psychiatric hospitalization, or is an immediate danger to self or others.

**EAP Provider:** A third party counseling service contracted by the College District to provide confidential assistance to eligible participants.

**Self-Referral:** Participant initiated consultation with the EAP provider.

**Mandatory Referral:** EAP appointment, initiated by management, which the employee is required to keep.

#### **Eligibility**

Benefits eligible employees, and their dependants, are eligible to access EAP services through the Alamo Colleges

#### **EAP Benefits and Delivery**

Each eligible employee or dependant may receive up to ten (10) free EAP visits per year for assessment, counseling, and any necessary referral support. Assessment, counseling, and referral services will be provided by licensed counselors.

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Eligible participants are encouraged to contact the EAP provider directly, at 210-615-8880, for a confidential appointment. EAP services will be available at a variety of locations and hours in English and Spanish.

Emergency services will be available on a 24-hour basis. Callers should clearly and immediately state any need for crisis intervention or emergency care when contacting the EAP.

The EAP provider will assist participants in securing benefits and support resources within the community and the College District.

The EAP provider will assist participants in locating specialized services if medical, psychiatric, legal, or financial counseling services beyond the scope of EAP capabilities are required.

The employee's ability to pay for services will always be considered when making a referral.

EAP benefits terminate when an eligible employee separates from employment or transfers into a position which is not benefits eligible.

The contract for EAP services is administered by the Associate Vice Chancellor of Human Resources.

Questions regarding EAP benefits should be directed to the Benefits Manager at 210-485-0200.

#### **Confidentiality / Privacy**

The EAP provider may only release information with the participant's written consent, when ordered by a court, when the participant is an immediate danger to himself or others, in cases of suspected child abuse, or as otherwise required by law.

Records created by the EAP provider remain the sole property of the EAP provider.

#### **Coordination with Other Benefits**

The EAP provider will help participants access other needed benefits and assistance within the participant's means.

When physician care is needed and the participant is a member of a HMO, PPO or other managed care plan, the EAP provider will help the participant access qualified providers within the applicable network.

The EAP provider is permitted to assist employees in making requests to the College District for needed leave of absence and/or status changes that may help the employee remain in good standing.

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The EAP is not authorized to provide notes to excuse employees from work, to return to work or to receive disability or leave benefits. This kind of certification can only be provided by a physician.

The EAP will provide services during normal business hours, evenings and on weekends. Planned EAP visits should be scheduled during the employee's off hours. Employees may not leave work for EAP visits unless use of applicable leave is authorized.

#### **Disciplinary Process**

EAP services are provided as a helping resource to employees experiencing difficulties that, if unresolved, may negatively affect standing with the College District or continued employment. Employees experiencing difficulties should seek EAP assistance before their good standing or employment is jeopardized.

Participation in the EAP does not relieve an employee's responsibility for compliance with the policies and procedures of the College District, departmental policies and procedures or, job performance requirements, nor does it relieve a supervisor's responsibility to enforce policies, procedures or job performance requirements.

Participation in the EAP will not shield an employee from probation, discipline or discharge if policies or procedures are violated or performance requirements are not met.

Participation in the EAP will not adversely affect an employee's standing, future employment or career advancement.

The EAP provider is not authorized to participate in the disciplinary process or the employee concern procedure.

#### **Management Referrals**

Supervisors should inform and refer employees to the EAP (on a non-mandatory basis) as soon as a need becomes evident. Early intervention is important when personal problems begin to affect job performance. Employees are sometimes unable to admit that a problem exists or recognize that job performance is being affected. Employees may be unaware of the helping resources that are available. Referrals are initiated to help employees succeed on the job and should not be perceived as a punitive measure.

Supervisors may initiate a "Mandatory Referral," which requires an employee to visit the EAP one time, for the purpose of evaluation if the safety of the employee / others appears to be at risk, and/or if behavioral problems exhibited by the employee are disruptive to the operations of the College District.

Mandatory referrals must be approved by the Associate Vice Chancellor of Human Resources or designee. A time frame for completing the referral will be established. The personnel department will notify the EAP of the pending referral. When a mandatory

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referral is made, the EAP provider is authorized to confirm that an employee did **not** appear. Mandated employees will be asked to supply written consent for the EAP to release information pertaining to participation in the EAP.

An employee's failure to meet a mandatory referral requirement within the established time frame, or other non-compliance with the EAP referral participation, may be considered cause for discharge from employment.

#### **Drug and Alcohol Free Workplace**

The College District is committed to a drug-free workplace. (See Policy [D.4.7](#), **Drug and Alcohol Free Workplace**) Intoxication, paraphernalia, and/or drug/alcohol use in the workplace is strictly prohibited and cause for discharge.

Employees who feel they may be dependent on alcohol or drugs should contact the EAP or a physician before employment is jeopardized. The EAP provider can assist recovering employees in their return to work through a return to work agreement that supports the employee's recovery effort and this commitment to a drug-free workplace.

The Associate Vice Chancellor of Human Resources may authorize the EAP provider to refer a participating employee for voluntary drug/alcohol testing at a designated NIDA certified laboratory.

#### **Work Agreements**

The EAP provider is authorized to assist in the formulation and management of employee return to work and other work agreements. Work agreements established or managed with the assistance of the EAP provider do not negate any term or condition of a work agreement established by a court or other governmental entity such as a professional licensing board. Work agreements are not a guarantee of continued employment and may not be construed as a contract for continued employment.

#### **Management Consultations**

Members of the management team are encouraged to consult with the EAP provider when an employee's behavior, possible drug/alcohol abuse or other serious personal problem is affecting job success. The EAP provider will help supervisors identify effective means of addressing the matter with the employee and encouraging EAP participation.

The EAP provider is available to assist groups of employees who have suffered a work related trauma such as the death of a co-worker. Supervisor's can arrange assistance for groups through the Benefits Manager.

The EAP provider will offer on-site management education programs on employee assistance topics of interest to supervisors. These programs will be scheduled by the Human Resources Department.

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#### **Extended Services**

Participant families requiring assistance beyond ten visits may elect to continue to receive assistance through the EAP or another provider at established rates. The EAP provider can assist participants in determining the cost and any benefit coverage that may offset the expense of additional counseling.

Emergency EAP services may be authorized for employees by Associate Vice Chancellor of Human Resources.

EAP charges for services to authorized non-eligible clients will be submitted by the provider to the Associate Vice Chancellor of Human Resources for payment. The names of emergency service recipients will be maintained in full confidence, as required by law.

#### **American's With Disabilities Act**

The Alamo Colleges does not perceive EAP participants to be "disabled" as defined by the American's With Disabilities Act, as amended (ADA). Should an employee request an ADA accommodation for any health related reason, including any being treated by the EAP, the employee is instructed to contact the Director of Diversity, Employment and Equity at 210-485-0200 to initiate the accommodation request process.

*Legal Reference - TACC Policy Reference Manual*

CKC(LEGAL) - Insurance and Annuities Management: Deferred Compensation and Annuities

CKD(LEGAL) - Insurance and Annuities Management: Health and Life Insurance

CDDA(LEGAL) - Payroll Procedures: Salary Deductions