

SECTION 8

EMPLOYEE SUPPORT AND DEVELOPMENT

8.05 EMPLOYEE ASSISTANCE PROGRAM

AUTHORITY: JOINT UNION/MANAGEMENT EMPLOYEE
ASSISTANCE AGREEMENT

ADMINISTRATION: PEI PUBLIC SERVICE COMMISSION

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1. PURPOSE

- 1.01 This policy is based on a Joint Union/Management Agreement and is designed to give employers and employees a basic understanding of how the program works.
- 1.02 The mission of EAP is to contribute toward the total health of employees in order to have a productive and satisfied workforce. This is accomplished in a two-fold manner:
- (i) through confidential counseling offered to employees whose job performance is (or has the potential to be) adversely affected by personal or work-related stress; and
 - (ii) through timely group sessions focusing on wellness programming delivered in the worksite.

2. APPLICATION/ELIGIBILITY

- 2.01 The program is available to all probationary and permanent employees, contract employees, interns, as well as all other employees with six months continuous service, and retirees, within all provincial government departments, agencies and commissions and the regional education and health boards and immediate family members.

3. PRINCIPLES

- 3.01 Management and Union working together can help employees deal with personal or work-related stressors which can lead to deteriorating work performance.
- 3.02 The Employee Assistance Program applies equally to all employees as defined in Section V of the handbook. The Employee Assistance Handbook can be found at <http://iis.peigov/dept/psc/index.html>.
- 3.03 The Employee Assistance Program respects confidentiality and privacy of information.
- 3.04 EAP encourages employees to voluntarily seek help for personal and work related problems which may affect job performance.

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- 3.05 EAP offers assistance for a wide range of problems which may include physical, emotional, marital or family distress; legal or financial problems, stress, various addictions, issues of harassment, job-related stress or job conflict.
- 3.06 The supervisor or manager is responsible for identifying with the employee when job performance is below standard, not for diagnosing a personal problem. EAP works with management and unions to offer early intervention in workplace well being.
- 3.07 The Employee Assistance Program recognizes the need for granting of leave for the purpose of counseling and/or treatment.

4. POLICY

4.01 Program Operation

- (a) The program acts as an assessment, treatment and short-term service and referral system, if necessary. Early recognition of a problem is the goal to enable an employee to receive help before a crisis develops.
- (b) The program is not a method of avoiding discipline, nor is it to be used by management as a disciplinary measure. The intent is to allow employees the chance to voluntarily seek help with personal and work related problems which may affect work performance.
- (c) Any employee can consult with EAP concerning access to the program, how to raise a concern regarding a co-worker or supervisor experiencing problems, or to ask general information, (i.e., resources available in the community).

Any worksite can request a group session on wellness programming.

- (d) There shall be an Advisory Committee composed of representatives from: The Government of Prince Edward Island; Health PEI; Public Schools Branch; the Union of Public Sector Employees; the PEI Teachers' Federation; the Canadian Union of Public Employees; the PEI Nurses Union; the International Union of Operating Engineers, as well as EAP Coordinator/staff as advisors.

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The Advisory Committee Chair is held by the Director to the EAP Program.

4.02 **Rights and Responsibilities**

(a) Employee Rights and Responsibilities:

- (i) Personal information concerning participants is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file. Only coded files are used by the personnel of EAP. An employee may review his/her EAP file at any reasonable time. The EAP file is destroyed after seven years of inactivity or at the request of the employee.
- (ii) Participation in the Employee Assistance Program shall not prejudice any opportunity for promotion or advancement.
- (iii) The employee shall have the right to leave with pay for the assessment with EAP. Additional leave may be granted in accordance with respective collective agreements and/or terms and conditions of employment.
- (iv) It is the responsibility of the employee to maintain satisfactory job performance. If personal problems cause work deterioration, the employee has a responsibility to obtain the necessary help to bring job performance up to an acceptable level. The EAP provides the means to obtain this help.

(b) Supervisor's Responsibilities:

- (i) Address performance problems through normal supervisory procedures.
- (ii) Be consistent and treat employees fairly.
- (iii) Do not diagnose personal problems of the employee.
- (iv) Make employees aware of EAP, in instances where declining job performance has been determined, if appropriate.

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- (v) Provide follow-up and support to employees upon return to work.
 - (vi) Do not require the employee to divulge the nature of problems when requesting leave for an appointment with EAP. If necessary, the employee can provide verification of attendance through the EAP counselor with written or verbal consent of the employee.
 - (vii) Maintain a strict level of confidentiality with all cases.
- (c) Joint Advisory Committee Responsibilities:
- (i) Review established guidelines to ensure agreement and understanding of rules and procedures.
 - (ii) Develop and implement changes in guidelines when necessary and receive input from interested parties.
 - (iii) Develop and implement strategies in conjunction with EAP staff to ensure that employees are aware of the Employee Assistance Program.
 - (iv) Be involved in evaluation(s) of the Program.
- (d) Union Representative's Responsibilities:
- (i) Be knowledgeable about the program and the referral procedure.
 - (ii) Encourage members to use the Employee Assistance Program.
 - (iii) Maintain a strict level of confidentiality with all cases.
- (e) EAP Staff's Responsibilities:
- (i) Oversee the Employee Assistance Program to ensure effective and consistent application of the policy and procedures.

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- (ii) Maintain all information on employees participating in the EAP in a confidential, secure manner.
- (iii) Provide information sessions to management and union personnel in the effective implementation of the Employee Assistance Program.
- (iv) Provide feedback to management as to areas where special attention or training is required.
- (v) Conduct assessment and short-term counseling with employees who have requested assistance under the Employee Assistance Program. Provide full information regarding participation in the program.
- (vi) Advise the employee of community based services and arrange for referral for assessment or treatment, as required.
- (vii) Refer to a licensed professional counselor for further assessment and treatment as appropriate.
- (viii) Liaise with service providers to assure service standards are acceptable and meet the requirements of clients.
- (ix) Maintain all information on employees participating in the Employee Assistance Program in a confidential, secure manner. Ensure that EAP files are destroyed after a period of seven years of inactivity, or when requested by the employee.
- (x) Provide progress reports to the Joint Committee on the status of the program.
- (xi) Follow-up as appropriate with the individual to assure assistance was beneficial.

5. PROCEDURES (FOR ACCESS AND OFFERS OF ASSISTANCE)

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5.01 Access to EAP can either be self-initiated or employer initiated. The decision to participate in EAP must always be **Voluntary**. When an offer of assistance is made, it is neither compulsory nor mandatory to accept the offer.

(a) Self-Initiated

An employee recognizes that a problem exists and seeks assistance by calling EAP office directly. This may have resulted from a co-worker, family, friend, or supervisor sharing concern for the employee and informally suggesting the use of the Employee Assistance Program.

(b) Employer-Initiated

(i) An employee is responsible for keeping job performance at an acceptable level. If job performance shows continuing deterioration, and informal offers of assistance have not been accepted, then the supervisor may initiate a formal offer of assistance.

(ii) Prior to initiating a formal offer of assistance, the supervisor should consult with the EAP office concerning the appropriateness of the offer.

(iii) The following steps shall govern an employer-initiated offer of assistance:

- Informal - the supervisor shall ensure that the employee receives an informal offer of assistance prior to initiating a formal offer of assistance. Such offers shall be documented. Certain behavior could result in an employer-initiated offer(s) without there being previous informal offers.
- Formal - the formal employer-initiated offer of assistance is to be in writing on the prescribed form (Appendix I of the Employment Assistance Handbook <http://iis.peigov/dept/psc/index.html>) with a file number only (do not include the employee name on Appendix I), including an appointment time with the EAP

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counselor. A formal offer of assistance is to be hand delivered to the employee, with a copy to the EAP Counselor and a copy retained in a confidential departmental/health/ school unit EAP formal offer of assistance file in the H.R. Manager's office. A copy shall not be placed in the employee's personnel file.

(c) Assessment/Short-term Counseling

- (i) An employee who contacts the EAP office will be given an appointment at the earliest possible time. During this initial interview, the counselor will explain EAP, including the confidentiality of the program and the employee's rights and responsibilities, according to the Employee Agreement as outlined in Appendix III of the Employee Assistance Handbook.
- (ii) During the assessment, the counselor and employee will take a detailed look at the nature and severity of the problem. (This could involve meeting with family members if warranted.) Upon completion of the assessment, the counselor and the employee will discuss the options which appear to be most realistic for the employee in resolving the problem. The employee will choose the treatment service; and a referral, if necessary, will be arranged.

(d) Referral and Treatment

The EAP counselor will be involved in assessment and short-term counseling, and will be knowledgeable about the appropriate services available in the community. The counselor will have the responsibility for making the referral arrangements with the employee.

(e) Co-ordination and Follow-up

- (i) The counselor will work with the employee to ensure appropriate services are received in a timely manner.
- (ii) The EAP counselor will maintain an informal but planned follow-up procedure.

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- (iii) If the referral is self-initiated, follow-up will only be with the employee. Contact with any treatment agency or employer would only be at the request of the employee.
- (iv) If the referral is employer-initiated, the counselor will maintain contact with employee, and maintain contact with treatment agency to obtain information on type of treatment (in/out patient), approximate length of time away from work, when sessions finished, if the treatment plan is not working, if the employee drops out of treatment and follow-up supports are needed.
- (v) If the employee is participating in the EAP as a result of a formal employer-initiated offer of assistance, then the employer will be informed of the employee's participation level and the duration of the program as per the agreement in Appendix II of the Employee Assistance Handbook with consent of the employee.
- (vi) If an employee has been absent from work due to treatment, then the EAP counselor may facilitate and plan the return to the worksite, where necessary, in order to help the employee return successfully to the workplace.
- (vii) The counselor will maintain regular contact with community agencies to provide feedback on how services are being received and obtain feedback on how EAP is being delivered.

6. CONFIDENTIALITY

6.01 A primary principle of EAP is to maintain confidentiality throughout every level of the program. Legally, "confidentiality" refers to the obligation to refrain from willingly disclosing information that has been received in confidence and not to situations in which a court or statute compels a person to disclose information. Consistent with the principle of confidentiality, every reasonable effort will be made to maintain the EAP office away from major worksites.

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- 6.02 EAP files will contain the minimum amount of information required. Files will be available for review by the employee at any reasonable time.
- 6.03 When an employee is referred to a community agency, only relevant information to enable that agency to help the employee shall be shared. In an employer-initiated offer of assistance, the employer will be advised only of the employee's participation level in the program, through a prescribed form (Appendix II of the Employee Assistance Handbook).
- 6.04 All persons employed within the EAP and the Advisory Committee are bound by the conditions of confidentiality of the EAP.
- 6.05 EAP files shall be closed after two years of inactivity and deleted after seven years.

7. CONCLUSION

- 7.01 The employers and unions are committed to the maintenance of EAP as a service for employees requiring help. In order to maintain this commitment, EAP must have support from managers and union representatives as well as the willingness of employees to participate in the program.
- 7.02 EAP can benefit everyone. The employees obtain help with problems that can/are affecting work, family and their well-being. The employer benefits by retaining employees with valuable skills and knowledge. Early use of the program can contribute to the prevention of serious problems for the individual employee, family and employer.