

# REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** GAA  
**Responsible Office:** Human Resources and Development

## Employee Assistance Program

### I. PURPOSE

To establish the responsibility and provide guidelines for the provision of a comprehensive Employee Assistance Program (EAP) to Montgomery County Public Schools (MCPS) employees.

### II. BACKGROUND

MCPS EAP is a workplace program designed to address personal as well as organizational problems that may interfere with optimal productivity. EAP provides assessment, counseling, and referral services to assist employees and their family members who have problems that can, and sometimes do, affect employee productivity. Included are those problems that are behavioral/medical in nature and may involve physical illness, mental and/or emotional disturbance, and chemical abuse or dependency involving alcohol and/or other drugs. In alignment with Board Policy GAA, *Positive Work Environment in a Self-renewing Organization*, EAP also is designated to help resolve organizational workplace issues that may impact employee well-being.

### III. PROCEDURES

#### A. Confidentiality

1. Federal and state laws and regulations, along with professional ethics, require that EAP staff members exercise the highest standards concerning client confidentiality. EAP staff members may only disclose client information with the written consent of the employee.
2. Federal and state laws and regulations require the disclosure of information with or without such consent in the following situations: If the EAP staff members believe that the client presents a danger to him/herself or another individual (which includes a Commercial Driver's License [CDL] holder self disclosing an alcohol or drug problem) the EAP staff members may disclose information to prevent harm. EAP staff

members are required by law to report suspicion of child abuse or neglect as well as the neglect, abuse, or exploitation of vulnerable adults.

3. Referral to and use of the EAP does not itself affect employment or promotional opportunities. An employee's job security, advancement, or any other benefit will not be adversely affected by the fact of participation in the EAP. Further, all employees are expected to comply with applicable MCPS policies and rules concerning employment without regard to participation in the EAP.
4. Records of employee participation in the EAP shall be maintained by staff members in the EAP on a strictly confidential basis as medical records, separate from employee personnel files, in accordance with applicable laws and professional ethics. Only EAP staff members will have access to these files and the information contained in them.
5. The only information available to MCPS administration without expressed client consent will be aggregate, anonymous data collected for statistical use, and these will be presented without any individual or identifying reference.

**B. Counseling Services**

1. EAP staff members shall identify and/or assess problems of an EAP client, develop an appropriate plan of action, and when necessary, provide referrals to appropriate resources for problem resolution.
2. Following an assessment of the client's problem, EAP staff members will recommend either short-term counseling within the EAP or referral to an outside resource as the best course of action.
3. EAP staff members will offer follow-up services and/or monitoring, as befits the assessed problem and subsequent treatment plan.
4. EAP staff members will maintain a current comprehensive list of available resources.

**C. Use of Leave**

1. Employees seeking assistance on their own are expected to use the EAP on their own time. Any time off from work to attend a counseling session is treated the same as any other absence. Arrangements should be made with the employee's supervisor in advance to schedule time away from

work or make up time lost. However, the employee is not required to disclose to a supervisor that he/she is seeking EAP assistance.

2. In cases when a supervisor is encouraging the use of the EAP, the supervisor may offer the employee work time or require the use of annual leave, personal illness leave, or personal leave to utilize the services.

**D. Program Cost**

1. There is no cost to the client for the services provided by the EAP.
2. Any cost associated with recommended treatment to a professional resource is the client's responsibility. EAP staff members will refer to services that are covered by the employee's health plan whenever possible.

**E. Program Eligibility**

Program services are available to all MCPS staff members, immediate family, significant others, and retirees.

**F. Educational and Promotional Services**

EAP staff members shall coordinate the development and use of promotional material and activities to encourage use of the program and/or provide information on issues of concern. This will include, but is not limited to, the following:

1. Workshops
2. Orientations
3. EAP website
4. Bulletin boards
5. Newsletters, brochures, and other written material
6. Meetings with employee groups

**G. Referrals**

1. General

- a) Any employee who has a problem is encouraged to seek help on a voluntary basis. In this way, he/she can obtain help before work performance is affected. Self referrals can be encouraged through a variety of educational programs, by a concerned family member, friend, coworker, or union representative.
- b) Coworkers and/or supervisors are encouraged to refer employees to the EAP if they have knowledge that the employee is experiencing personal problems.
- c) The action on the part of the employee to seek help for personal problems shall be viewed as a responsible action and shall be supported by management.

2. Supervisor

- a) Supervisors are encouraged to refer employees to the EAP for additional assistance when routine supervisory efforts fail to produce sustained improvement in previously identified work performance problems.
- b) Supervisors are encouraged to consult with EAP staff members regarding troubled employees.
- c) Supervisors are encouraged to observe employee performance and behavior such as attendance, relationships with coworkers, and general conduct. If the employee experiences performance and/or behavior problems or indicates personal problems, the supervisor may recommend or suggest contacting the EAP to the employee.
- d) If performance continues to deteriorate, the supervisor should consider discussing further disciplinary actions with staff members in the Office of Human Resources and Development. Any actions taken should be based on performance issues, and are not contingent on employee participation in the EAP or treatment.
- e) Supervisors are expected to maintain a strict level of confidentiality with regard to any employee referred to the EAP.
- f) Supervisors are expected to discuss performance problems with the employee in private.

- g) Use of the EAP is considered voluntary and confidential. EAP personnel are permitted to communicate with supervisors about an employee referred to the program only with the signed consent of the referred employee.

3. CDL Holders

- a) Holders of CDLs who believe they have a problem with drugs or alcohol are encouraged to self refer to the EAP.
- b) EAP staff members will meet with the employee and assess the severity of the problem and the need for treatment. If it is determined that the CDL holder has a problem with alcohol or drugs, the employee will be referred to an appropriate place for treatment and removed from his/her safety-sensitive position.

H. Crisis Response

- 1. The EAP is an integral part of the MCPS Crisis Response Team. When a critical incident occurs in the school system; e.g., the death of a student or staff member, using existing protocol, the EAP will be requested to respond as part of crisis team response.
- 2. The role of the EAP in a crisis is to support staff, and therefore EAP staff members may take a leadership role on the crisis team to the extent that the crisis impacts staff members.

I. Program Evaluation

- 1. EAP staff members will conduct evaluations of all EAP workshops and training sessions.
- 2. EAP staff members will gather data for all clients seen in order to track utilization rates, demographics, and other information necessary to evaluate and measure program performance.
- 3. EAP staff members will offer client satisfaction surveys to all clients in order to assess satisfaction with the service and perception of impact on work performance.

**J. Organizational Consultation and Collaboration**

When possible, EAP staff members will participate in planning and provide input regarding organizational issues that may impact employee well-being.

**K. MCPS Drug Testing Program**

1. EAP staff members have responsibility for providing federally mandated supervisory training on the Federal Drug and Alcohol Testing regulations for CDL holders.
2. EAP staff members will maintain updated guidelines for supervisors and employees on the MCPS drug testing program and federal regulations.

*Regulation History:* New Regulation December 20, 2007; revised November 21, 2011.