

# REGULATION

## MONTGOMERY COUNTY PUBLIC SCHOOLS

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

### 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 School (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 *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 exercise the highest standards concerning client confidentiality. EAP staff 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: when the person is assessed by an EAP specialist to be potentially harmful to self or others (which includes a Commercial Driver's License (CDL) holder self disclosing an alcohol or drug problem); suspicion of child or disabled adult abuse; court order; or medical necessity.

3. Referral to and use of 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 EAP. Further, all employees are expected to comply with applicable MCPS policies and rules concerning employment without regard to participation in EAP.
4. Records of employee participation in EAP shall be maintained by staff in 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 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 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 will recommend either short-term counseling within EAP or referral to an outside resource as the best course of action.
3. EAP staff will offer follow-up services and/or monitoring, as befits the assessed problem and subsequent treatment plan.
4. EAP staff will maintain a current comprehensive list of available resources.

**C. Use of Leave**

1. Employees seeking assistance on their own are expected to use 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 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 EAP.
2. Any cost associated with recommended treatment to a professional resource is the client's responsibility. EAP staff 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, immediate family, significant others, and retirees.

**F. Educational and Promotional Services**

EAP staff 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 Web site
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 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 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 regarding troubled employees.
- c) Supervisors are encouraged to observe employee performance and behavior such as attendance, relationships with co-workers, and general conduct. If the employee experiences performance and/or behavior problems or indicates personal problems, the supervisor may recommend or suggest contacting EAP to the employee.
- d) If performance continues to deteriorate, the supervisor should consider discussing further disciplinary actions with staff in the Office of Human Resources. Any actions taken should be based on performance issues, and are not contingent on employee participation in EAP or treatment.
- e) Supervisors are expected to maintain a strict level of confidentiality with regard to any employee referred to EAP.
- f) Supervisors are expected to discuss performance problems with the employee in private.
- g) Use of 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 EAP.
- b) EAP staff 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, EAP will be requested to respond as part of crisis team response.
2. The role of EAP in a crisis is to support staff, and therefore may take a leadership role on the crisis team to the extent that the crisis impacts staff.

I. Program Evaluation

1. EAP staff will conduct evaluations of all EAP workshops and training sessions.
2. EAP staff 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 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 will participate in planning and provide input regarding organizational issues that may impact employee well being.

**K. MCPS Drug Testing Program**

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

**Regulation History:** New Regulation December 20, 2007.