



## SCDC POLICY/PROCEDURE

**NUMBER: ADM-11.19**

**TITLE: EMPLOYEE ASSISTANCE PROGRAM**

**ISSUE DATE: JULY 1, 2004**

**RESPONSIBLE AUTHORITY: DIVISION OF HUMAN RESOURCES**

**OPERATIONS MANUAL: ADMINISTRATION**

**SUPERSEDES: ADM-11.19 (December 1, 2000)**

**RELEVANT SCDC FORMS/SUPPLIES: NONE**

**ACA/CAC STANDARDS: 4-ACRS-7E-07, 3-4069**

**STATE/FEDERAL STATUTES: Drug Free Workplace Act of 1988, as amended**

**THE LANGUAGE USED IN THIS POLICY/PROCEDURE DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS POLICY/PROCEDURE DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS POLICY/PROCEDURE, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

**PURPOSE:** To provide guidelines for the administration of an Employee Assistance Program (EAP) at the South Carolina Department of Corrections.

**POLICY STATEMENT:** To promote the well-being of Agency employees and the effective operation of the Agency, the SCDC will ensure that employees are aware of and have access to an Employee Assistance Program (EAP) designed to provide assistance to employees who may be experiencing emotional or physical problems/discomfort or other situations that may be affecting job performance. Participation in the EAP will be voluntary, but it may be highly recommended when a referral is made during an employee corrective action. An employee's participation in the EAP (whether voluntary or referred) will not result in special privileges or exceptions from any Agency policies/procedures. (4-ACRS-7E-07, 3-4069)

### **SPECIFIC PROCEDURES:**

#### **1. GENERAL PROVISIONS:**

**1.1** Use of sick or annual leave to participate in the EAP, if necessary, will conform to existing Agency employee leave policies/procedures.

**1.2** The Division Director of Human Resources or designee will monitor the EAP through quarterly status reports and quarterly meetings with Agency EAP Advisory Councils to ensure that quality service is given to employees and to the South Carolina Department of Corrections.

Minutes of these meetings will be prepared by the EAP provider. The EAP provider and the Division Director of Human Resources will meet annually with the Agency Director or designee to review the EAP Program and services provided to employees.

**1.3 The EAP Provider will prepare quarterly statistical reports on employee program participation and effectiveness. These reports will not, in any way, breach the confidentiality of employees who are participating in or have participated in the program. (4-ACRS-7E-07, 3-4069)**

## **2. REFERRALS:**

**2.1 Voluntary Self-Referrals:** The Agency encourages employees to participate in the EAP through a voluntary self-referral as early as possible. SCDC employees serving on the EAP Advisory Councils will promote the EAP program through distribution of the EAP Newsletter. EAP referral information will also be included in Agency publications. Procedures for voluntary self-referral are as follow:

- The employee will contact the EAP Provider directly to make an appointment;
- The employee and the EAP Provider will meet to discuss the problem or illness;
- The EAP Provider will assess the problem or illness and help the employee, if possible, or refer him/her to the community resource which can most effectively deal with the problem or illness; and
- The EAP assessment process will be at no cost to the employee; but if referral for treatment is necessary, the employee may then be responsible for any cost incurred, either personally or through group health insurance.

**2.2 Supervisory or Management Referrals:** Supervisory and/or management referrals may be made when an employee's job performance, to include interpersonal relationships, deteriorates to the point that it does not meet acceptable standards or otherwise disrupts effective workplace operations. The procedures and conditions concerning such referrals are as follow:

**2.2.1** The supervisor or manager will afford the employee the opportunity to participate in the EAP at each stage of the corrective action and/or performance appraisal process.

**2.2.2** The supervisor or manager will contact the EAP Provider, either in writing or by telephone. It is then the responsibility of the employee to seek assistance by visiting the EAP Provider within an agreed upon period of time. The supervisor or manager is responsible for identifying job performance deficiencies, not identifying or solving the employee's problem or illness. The employee's participation with the EAP Provider is voluntary.

**2.2.3** In cases of supervisory or management referral, the EAP Provider will notify the referring official to inform him/her as to whether or not the employee sought help, and whether s/he is actively participating with the EAP Provider and/or the community resource. Other details concerning the employee's problem or illness will not be released without the employee's written permission or where otherwise required by law.

**2.2.4** The employee's appropriate Warden or Division Director, in consultation with the Division Director of Human Resources or designee, will be responsible for determining whether the employee's job performance meets Agency requirements or if the employee's deficiencies are too disruptive for effective operations. Such judgments will be in accordance with other Agency policies/procedures.

**2.2.5** An employee participating in the EAP is expected to make progress in resolving work-related problems and to improve work performance to satisfactory levels within identified time frames.

**NOTE:** To protect the confidentiality of all employees, the Agency will prohibit the EAP Provider from furnishing any information concerning the employee's participation in the EAP without the employee's written consent or where otherwise required by law, except in supervisory or manager referrals where the referring official will be advised only if the employee sought assistance and is actively participating.

### 3. TRAINING:

**3.1** Training will be provided for all Agency employees regarding the EAP and methods of referral by the Division of Human Resources and the EAP Provider through the Training Academy. Information regarding the EAP will also be provided on a periodic basis in issues of the Agency's employee newsletter. Printed information will be available at all work sites.

**3.2** EAP training will be mandatory for Agency supervisors and managers and will be incorporated into regularly scheduled supervisory training and managers' workshops through the Training Academy.

**3.3** In compliance with the Drug Free Workplace Act of 1988 (as amended), the EAP training will include a drug/alcohol awareness orientation to inform employees about the dangers of drug /alcohol abuse in the workplace and the services available through the Agency's EAP. (See SCDC Policy/Procedure GA-03.02.)

### 4. DEFINITIONS:

**Employee Assistance Program (EAP)** refers to a program which offers employees professional, confidential services by community based providers that address a wide range of individual, family, financial, mental, physical, and chemical dependency situations. Family life enrichment and educational groups are also available through the EAP.

**Employee Assistance Program Provider** refers to an organization or company, i.e., a community service provider, contracted by the SCDC that is responsible for helping employees deal with a problem, illness, or situation, or, if necessary, for further referring employees to an appropriate provider that would be more beneficial to the employee.

**Voluntary Self-Referral** refers to cases where the employee, on his/her own initiative, contacts the EAP Provider. In such cases, the Agency will not be given any information concerning such contacts unless the employee voluntarily chooses to release details. All employees (permanent, probationary status, and pink slip) will be eligible for the voluntary self-referral program.

**Supervisory or Managerial Referral** refers to situations where an employee's problems or illness may be seriously affecting the employee's work performance and/or the Agency's operations, including interpersonal relationships. In such cases, where the employee is unable or unwilling to solve the problem with normal Agency assistance, supervisors or managers may refer the employee to the EAP as a prerequisite to or in addition to corrective actions. All employees (permanent, probationary status, and pink slip) may be referred by their appropriate supervisor or manager to the EAP.

**SIGNATURE ON FILE**

---

**s/Jon E. Ozmint, Director**

ORIGINAL SIGNED COPY MAINTAINED IN THE DIVISION OF POLICY DEVELOPMENT.