

Great Kei Local Municipality



EMPLOYEE ASSISTANCE POLICY

2016/17

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1. DEFINITIONS

- [A] Alcoholism means the chronic abuse of alcohol, where the employee is unable to control the condition by his/her own ability to resist such abuse.
- [B] Referral is any means by which an employee is encouraged to seek professional intervention and includes self-referral, formal referral and informal referral.
- [C] Confidentiality means 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.
- [D] Significant others means boyfriends/girlfriends, sexual partners or people in a relationship with the employee who might have a direct influence on the condition of the employee.
- [E] Chronic illness means illness that is of an ongoing nature and where there is no prognosis for a complete cure.
- [F] Sexual Harassment means unwanted sexual attention or any unwanted pressure involving one's sexuality and/or unwanted, unsolicited and unreciprocated conduct of a sexual nature which substantially interferes with an employee's work performance, and/or has a detrimental effect on the terms and conditions of employment, and/or creates an intimidating, hostile or offensive work environment.
- [G] Family Violence means any physical or psychological abuse that occurs within the family environment.
- [H] Inadequacy means that the normal employee benefits as provided for in the HR Policies and Procedures fails to meet the employee's needs.

2. PREAMBLE

Great Kei Local Municipality (GKLM) is committed to the health and well being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives.

3. OBJECTIVES OF THE EMPLOYEE ASSISTANCE PROGRAMME

- 3.1. To offer confidential assistance to employees who have the potential to be adversely affected by personal problems and work related problems.
- 3.2. To lay a foundation for sustainable, participatory and penetrating Employee Assistance Programmes (EAP) and Employee Wellness Programmes (EWP).
- 3.3. To Provide a customized, accurate and cost-effective EAP and EWP toolkit
- 3.4. To improve employee morale and stimulate better work performance.
- 3.5. To increase employee loyalty to the employer

3.6. To provide a general framework for management of EAP and EWP in the Municipality

4. **BASIC PRINCIPLES**

- 4.1. Early intervention is desirable in dealing with any personal, family or work-related problems.
- 4.2. Management and Unions shall work co-operatively through the EAP in order to help employees deal with personal problems.
- 4.3. In the event of informal referrals, the employer's concern with employee problems shall be limited to efforts to address deteriorating work performance.
- 4.4. The supervisor or manager shall be responsible for identifying the problem with the employee when job performance does not meet required standards.
- 4.5. The supervisor shall not be responsible for diagnosing the nature of a personal problem and the EAP shall not be used to interfere with an employee's private and social life.
- 4.6. The EAP shall apply equally to all employees and the categories of persons mentioned in section 5.
- 4.7. The EAP is designed to encourage employees to voluntarily seek help (self-referral) for personal problems.
- 4.8. The EAP shall be strictly voluntary.
- 4.9. Confidentiality shall be the cornerstone of the EAP.
- 4.10. There shall be equal access to the EAP.
- 4.11. Information related to an employee's participation in the EAP shall not be released to anyone without the employee's written consent.
- 4.12. Information pertaining to an employee shall be legally confidential.
- 4.13. An employee's current position and opportunity for promotion or advancement shall not be jeopardized by using the services of the EAP.
- 4.14. The EAP shall constitute an additional form of assistance to employees for issues or problems that fall outside the scope of the Human Resource Division.
- 4.15. The EAP shall not alter management's responsibility to maintain discipline or the employer's right to take disciplinary measures within the framework of the disciplinary procedure and code, nor shall it alter the union's prerogatives to seek any desirable remedies in terms of the law.

4.16 The EAP is not designed to assist in "conflict resolution" between employees and/or managers.

4.17 The EAP may be used to help the employee deal with personal consequences of conflicts which may be work-related.

5. ELIGIBILITY TO USE THE EAP

The following categories of people shall be eligible to participate in the programme:

5.1 Employees

5.2 Casuals or temporary employees with over six months of accumulated service

5.3 Retirees

5.4 Councillors

5.5 Any of the above who are on long-term disability

5.6 Other groups might be added, due to mobility of departments, with approval of the EAP committee.

5.7 To be included in the category of family members for the purpose of inclusion in the EAP are the following:

⌚ Spouses (including common law spouse and significant others);

⌚ Dependent children, as defined under the benefits plan.

6. AREAS OF ASSISTANCE

The EAP shall provide assistance in a broad range of personal concerns, including, but not limited to:

6.1 Marital, family and relationship problems.

6.2 Substance abuse (alcohol, drugs, prescription medication) and other addictive behavior such as gambling

6.3 HIV / AIDS counselling and treatment

6.4 Workplace Violence, Trauma counselling and after care

6.5 Workplace discrimination or victimization, for example, discrimination against people with disabilities or from designated groups;

6.6 Personal debt and financial management problems

- 6.7 Stress (family, social, and work related)
- 6.8 Family violence
- 6.9 Psychological problems
- 6.10 Sexual harassment
- 6.11 Injury
- 6.12 Chronic illness
- 6.13 Any other area of personal concern approved by the EAP advisory committee.

7. EMPLOYEE ASSISTANCE AND WELLNESS PROGRAMME OPERATION

- 7.1 Referrals will be made to specialized agencies and services in the community to provide ongoing appropriate and required assistance to employees.
- 7.2 Whenever possible, public community services shall be used initially.
- 7.3 All referrals shall be based on voluntary participation in the EAP.
- 7.4 Any employee shall be free to consult, on a confidential basis, with the EAP Practitioner concerning access to the programme and general information.
- 7.5 There shall be no cost for employees to consult with the EAP Practitioner.
- 7.6 If further counselling or any other assistance is necessary, the EAP Practitioner will outline community and private services available.
- 7.7 Any costs associated with private or public services are the responsibility of the employee unless otherwise advised.
- 7.8 Employer funding for any service is not automatic, shall be based on the merits of each case as determined by the EAP advisory committee.

8. RIGHTS AND RESPONSIBILITIES OF STAKEHOLDERS

8.1 GENERAL NORMS

- 8.1.1 Maintenance of acceptable job performance shall be a shared responsibility of concerned stakeholders.
- 8.1.2 Performance goals and targets shall be set by the manager/supervisor along with the employee and achievements measured against these goals.
- 8.1.3 The employee shall accept responsibility for maintaining satisfactory job performance.

- 8.1.4 Declining job performance shall be addressed by monitoring performance standards and through on the job coaching.
- 8.1.5 The Municipality shall use appropriate policies and procedures to set standards for measuring performance and apply incentives and discipline
- 8.1.6 The Municipality shall acknowledge exemplary performance of individuals and groups of employees.

8.2 EMPLOYEE RIGHTS AND RESPONSIBILITIES

- 8.2.1 Personal information concerning employee participation in the EAP shall be maintained in a confidential manner.
- 8.2.2 No information related to an employee's participation in the programme shall be stored on personnel files.
- 8.2.3 Access to employee's EAP information shall be limited to EAP staff.
- 8.2.4 An employee may review his or her EAP file at any reasonable time.
- 8.2.5 The EAP file is destroyed after seven years following closure of the case, subject to compliance with the law.
- 8.2.6. Participation in the EAP shall not jeopardize an employee's job nor prejudice any opportunity for promotion or advancement or employment benefit.
- 8.2.7 Extended leave of absence may be granted in accordance with the leave policy and/or terms and conditions of employment. Such conditions may be recommended by the EAP Committee and approved by the Municipal Manager for recovery, professional assessment counseling and treatment.
- 8.2.8 It shall be the responsibility of the employee to maintain satisfactory job performance.
- 8.2.9 In the event that personal problems cause deterioration of work performance, it is the employee's responsibility to obtain the necessary help to bring job performance up to an acceptable level.
- 8.2.10 The EAP shall offer a means to obtain this help.

8.3 MANAGER/SUPERVISOR'S RESPONSIBILITIES

The Manager/Supervisor shall:

- 8.3.1 Address work performance problems through normal performance management procedures.
- 8.3.2 be consistent and treat employees fairly.
- 8.3.3 Make employees aware of the EAP in instances where declining job performance has been determined.
- 8.3.4 Refrain from diagnosing personal problems of employees or offering personal opinions.
- 8.3.5 Provide follow-up and support to employees upon return to work.
- 8.3.6 Refrain from requesting the employee to divulge the nature of the problem when requesting leave for an appointment with the service providers under the EAP.
- 8.3.7 Verify attendance of the employee through the EAP practitioner.
- 8.3.8 Maintain a strict level of confidentiality with all cases.

8.4 UNIONS'S RESPONSIBILITIES

- 8.4.1 The Union shall be entitled to keep abreast with the programme and its referral procedure.

- 8.4.2 The Union shall encourage members to use the EAP.
- 8.4.5 The Union shall maintain a strict level of confidentiality in all EAP cases.

8.5 EAP PRACTITIONERS RESPONSIBILITY

The Practitioner shall be responsible for:

- 8.5.1 Overseeing the EAP to ensure effective and consistent application of the policy and procedures.
- 8.5.2 Providing information sessions to management and Union personnel regarding the EAP.
- 8.5.3 Promoting the EAP in the workplace.
- 8.5.4 Developing and maintaining an accurate, current data bank on wellness and counselling resources and services in the community including a brief description of services available and the cost, if any, of the service.
- 8.5.5 Liaising with service providers to assure service standards are acceptable and meet the requirements of clients.
- 8.5.6 Conducting screening and preliminary assessments for persons contacting the EAP for assistance.
- 8.5.7 Providing full information to employees regarding participation in the programme.
- 8.5.8 Making referrals to a professional counselor or/and service agencies for detailed assistance, assessment and treatment as appropriate.
- 8.5.9 Following up with the individual to ascertain whether or not assistance was beneficial.
- 8.5.10 Assisting the employee on his or her return to work as appropriate.
- 8.5.11 Providing consultation to managers regarding the EAP services.
- 8.5.12 Organizing and/or facilitating, on an ongoing basis, educational programs for employees regarding the EAP's services.
- 8.5.13 Maintaining all information on employees participating in the EAP in a confidential and secure manner.
- 8.5.14 Providing feedback to management on areas where special attention or training is required.
- 8.5.15 Providing confidential statistics of participation in the programme.

8.6 ESTABLISHMENT AND RESPONSIBILITIES OF THE EAP ADVISORY COMMITTEE

- 8.6.1 The EAP Advisory Committee shall be composed of one staff member from each Department, Two members from both SAMWU, and IMATU, and one dedicated Councillor.
The responsibilities of the committee will be as follows:
- 8.6.2 Review established policies to ensure agreement and understanding of procedures and practices.
- 8.6.3 Recommend changes in programme policy as necessary after receiving input from relevant stakeholders.
- 8.6.4 Develop strategies in conjunction with the EAP Coordinator to ensure that employees are aware of the EAP.
- 8.6.5 Oversee the evaluation of the programme.
- 8.6.6 Report on the activities of the committee as deemed necessary or required.

9. ACCESS, REFERRAL AND OFFERS OF ASSISTANCE

- 9.1 Participation in the EAP shall either be self-initiated or employer initiated.
- 9.2 The decision to seek assistance through the EAP shall always be voluntary.
- 9.3 When an offer of assistance is made by the employer, it shall not be mandatory for the employee to accept the offer.
- 9.4 The contact details of the designated EAP Practitioner and Committee members may be obtained from the Director: Human Resources.

10. SELF INITIATED EAP PARTICIPATION

- 10.1 An employee who recognizes that a problem exists and seeks assistance shall contact the EAP practitioner directly.
- 10.2
- 10.3 The self-referrals shall be treated with strict confidentiality.
- 10.4 The employee's supervisor shall not be informed of the nature of the problem without employee consent.
- 10.5 The employee shall be responsible for obtaining approval for any leave from work associated with the use of the EAP.

11. EMPLOYER INITIATED PARTICIPATION

- 11.1 The manager shall be responsible for addressing deteriorating work performance with the employee and providing guidance to help the employee improve work performance.
- 11.2 An employee shall accept responsibility for maintaining job performance at agreed-upon standards.
- 11.3 If job performance does not improve or shows continuing deterioration, it is the responsibility of the manager to initiate an informal offer of assistance. It shall however not be mandatory for the employee to accept this offer.
- 11.4 Prior to initiating an informal offer of assistance, the supervisor /manager shall consult with the EAP Practitioner concerning the appropriateness of the offer.
- 11.5 The supervisor/manager shall ensure that the employee receives an informal offer of assistance prior to initiating a formal offer of assistance.
- 11.6 Informal offers of assistance shall be documented
- 11.7 Certain workplace behaviour could result in an employer-initiated formal offer of assistance without there being previous informal offers.

12. FORMAL OFFER OF ASSISTANCE

- 12.1 The formal employer-initiated offer of assistance shall be in writing on the prescribed form ("Appendix 1").
- 12.2 The employee shall reserve the right to refuse the offer.
- 12.3 A formal offer of assistance shall be submitted to the employee, and copies will be stored with the EAP practitioner and on the employee's personnel file.

13. REFERRAL BY THE EAP PRACTITIONER

13.1. Assessment

- 13.1.1 The employee shall be responsible for making contact with the EAP Practitioner.
- 13.1.2 During the initial contact, the EAP Practitioner shall explain the EAP, including confidentiality of the programme and the exceptions, the employee's rights and responsibilities and full information about participation in the programme.
- 13.1.3 The EAP Practitioner and the employee will conduct a preliminary assessment of the problem.
- 13.1.4 The Practitioner shall provide information and, if appropriate, encourage the employee to accept referral for counselling and treatment.
- 13.1.5 Upon completion of the preliminary assessment, the Practitioner and the employee shall discuss the options which appear to be most realistic and attainable for the employee in resolving the problem.
- 13.1.6 The employee shall choose the treatment service and a referral will be facilitated by the EAP Practitioner.

14 REFERRAL

- 14.1 The EAP Practitioner shall conduct a preliminary assessment of the problem with the employee.
- 14.2 The EAP Practitioner shall keep up to date about the appropriate services in the community and will assist the employee with referral arrangements.

15 CO-ORDINATIONS AND FOLLOW-UP

- 15.1 The EAP Practitioner shall maintain an informal but planned follow-up procedure.
- 15.2 The EAP Practitioner shall work with the employee to ensure appropriate services are received in a timely manner.
- 15.3 Contact with any service agency or the employer, shall only be at the request of the employee.

16 CONFIDENTIALITY

- 16.1 Maintenance of discipline and confidentiality shall be primary principles of participation in the EAP.
- 16.2 The EAP interaction shall be a matter of privacy.
- 16.4 An EAP practitioner who is subpoenaed to surrender records or to testify in court shall not be in breach of his or her confidentiality obligations.
- 16.5 An EAP practitioner shall not be in breach of confidentiality obligations by complying with the mandatory reporting provisions of child abuse legislation or the obligation to warn the intended victims of violence.
- 16.6 EAP Staff shall maintain the minimum amount of information required to assist the employee.
- 16.7 Access to files for review by the employee shall be made at any reasonable time.
- 16.8 The EAP Practitioner shall issue identity codes to participating employees for the purpose of enhancing confidentiality.

16.9 Notwithstanding clause No.11.8 Personal particulars may be required for legal identification purposes.

16.10 All persons employed within the EAP shall be bound by conditions of strict confidentiality, and shall sign an agreement to this effect.

17 **FORMS**

Appendix 1 Formal Offer of Assistance (Company Initiated)

Appendix 2 Formal Request for Assistance (Employee Initiated)

Form 1

CONFIDENTIAL FORMAL OFFER OF ASSISTANCE

TO:

DATE:

On _____ we discussed your job performance and the opportunities available with the EMPLOYEE ASSISTANCE PROGRAMME.

If you decide to accept this offer, an appointment is scheduled for you at _____ (time) on _____ (date).

SIGNATURE OF SUPERVISOR

Date

Read and Understood

SIGNATURE OF EMPLOYEE

This is not a mandatory referral and the employee is not obligated to attend. A copy of this form is to be delivered to the Employee Assistance Practitioner who will maintain a separate, confidential file for each case.

Form 2

CONFIDENTIAL REQUEST FOR ASSISTANCE

TO: Employee Assistance Programme Coordinator

DATE:

I, _____ hereby request an interview with the Employee Assistance Programme Coordinator.

I acknowledge that the matter I wish to address falls within the scope of the Employee Assistance Programme. I further undertake to make the necessary arrangements directly with my supervisor for time-off from work to attend the interview.

SIGNATURE OF EMPLOYEE DEPARTMENT

DATE SUPERVISOR'S NAME

A copy of this form is to be delivered to the Employee Assistance Practitioner who will maintain a separate, confidential file for each case.

Signature of the Municipal Manager.....

Signature of the Mayor