

**OFFICE OF ADMINISTRATION & FINANCE
ADMINISTRATIVE MEMORANDUM**



DATE:

NUMBER: HR-40

TITLE: State Employee Assistance Program (SEAP) Policy

PURPOSE

This is established to provide policy, responsibilities, and procedures for administering the State Employee Assistance Program (SEAP). It defines training and educational requirements for all University employees, confidentiality requirements, the use of employer-based referrals and the use of SEAP for other on-site services.

SCOPE

This policy applies to most employees of East Stroudsburg University of Pennsylvania, their family members, significant others, those living in the household and retired State employees.

POLICY

The University recognizes that personal problems can affect an employee's ability to perform job duties. Through intervention, an employee can return to acceptable functioning. Therefore, it is the intent and obligation of East Stroudsburg University to assist employees with alcohol, drug, emotional, family, marital, psychological and personal problems which can lead to deteriorating job performance that adversely affects the workplace.

DEFINITIONS

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| SEAP | A program designed to assist employees and their families with alcohol, drug, emotional, family, financial, marital, or personal problems. Policy and procedures are contained in <i>Executive Order 1996-10, Management Directive 505.22, and Manual M505.3, all titled State Employee Assistance Program.</i> |
| Condition of Continued Employment (COCE) | An agreement between the University, employee, and as appropriate the Union representative, whereby the employee agrees to participate in SEAP in order to retain employment. |
| Independent Psychological | A psychological evaluation provided by SEAP at the direction of the University to obtain an employee's fitness for duty, where concerns |

Evaluation (IPE) exist for an employee's ability to perform his/her duties safely, competently, without disruption to the workforce, and/or without harm to self or others.

State Employee Assistance Program Central Coordination (SEAP-CCO) A private nongovernmental service provider. This contractor is responsible for the coordination and delivery of professional services to the Commonwealth, including assessment, referral, follow-up, consultation, and critical incident stress debriefings.

GUIDELINES AND PROCEDURES

1. All employees, supervisors, managers, and union representatives will receive information and education on SEAP related policies, procedures, and available services. Supervisors and union representatives will receive specific training on how to identify, intervene, interview, refer, and monitor employees. SEAP related information, education, and training will be provided on a regular and periodic basis.
2. Notice and cooperation of unions will be actively sought in the referral process.
3. Through the contracted SEAP Central Coordinating Office (SEAP-CCO), employees will be helped by objectively identifying the nature and scope of the problem and by making the most clinically appropriate referral for treatment services. The SEAP-CCO will monitor each case to ensure quality care and to provide sufficient coordination between the employee, treatment/service providers, employer, and union, if appropriate.
4. Through SEAP, appropriate on-site services will be coordinated and provided in a timely manner to assist the University and employees when a traumatic event affects the workplace.
5. University SEAP Coordinator(s) will provide information, training, and technical assistance to all segments of the workplace.
6. Except for referrals made under a Condition of Continued Employment (COCE), participation in SEAP, or refusal to participate, cannot be held against an employee or jeopardize his or her employment. Any action taken against an employee will be job-related and consistent with University policies and procedures.
7. SEAP is considered a covered entity under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). This Act contains specific provisions that further protect the privacy of an individual's medical and mental health information.
8. SEAP will provide confidential consultation services. In addition to the HIPAA requirements, specific federal and state regulations exist that require all information related to an employee's involvement in SEAP or treatment be kept confidential.
9. Except for the COCE agreement, SEAP information shall not be maintained in the official personnel file. SEAP information will be kept separately, and maintained in a

locked area at all times. Access to this information is limited to the SEAP Coordinator or designate and in accordance with federal and state regulations.

10. Subject to Office of Administration approval, participation in SEAP may be required as an employer based referral. A COCE will not be considered unless all other levels of progressive discipline have been taken and/or the employee is currently subject to termination. A COCE may also be requested when an employee has violated *Executive Order 1996-13, Commonwealth of Pennsylvania's Policy on Substance Abuse in the Workplace*. A final reason for requesting a COCE is when an employee's behavior is posing a clear and present threat to self and/or others, or is so disruptive as to significantly affect the operations within the workplace and/or the functioning of the University.
11. An employee referred to SEAP as a COCE is required to successfully participate in SEAP. Failure to comply with the terms of the COCE will result in discharge from SEAP for noncompliance and the employee will be terminated from employment. *Manual M505.3, State Employee Assistance Program Supervisor's Guide*, contains more detailed procedures for implementing a referral as a COCE.
12. An employee may be referred for an Independent Psychological Evaluation (IPE) when the employee's behavior raises serious life safety issues or there is significant concern regarding the employee's ability to perform his/her duties in a safe and competent manner. This action is not considered discipline.
13. An employee referred for an IPE is not permitted to return to the workplace or perform duties until he/she is certified fit for duty by the SEAP-CCO.
14. The period of time from when the employee is removed from work until the SEAP-CCO makes the initial determination on the employee's fitness for duty based on the initial evaluation is considered work time and is not charged to leave.
15. If the employee is determined to be not fit for duty by the SEAP-CCO, and is required to undergo additional evaluations, tests, and/or a course of treatment prior to his/her return to duty, then the period of time from that determination until the point when the employee is certified by the SEAP-CCO as fit for duty and able to return to work can be charged the appropriate form of leave for which the employee is eligible (sick, annual, personal, or leave without pay). *Manual M505.3* contains more detailed procedures for implementing and monitoring a referral as an IPE.

SEAP BENEFITS

Counseling

Up to three free assessment sessions with SEAP counselor for each issue or problem; benefit renews each calendar year;
Unlimited number of issues;
Brief therapy after assessment;
Total free sessions not to exceed three;
SEAP must approve all visits.

Legal	<p>Free unlimited phone consult Free referral to local attorney Free 30-minute in-person consult Free unlimited phone consult Free referral to local attorney Free 30-minute in-person consult 25% discount for ongoing services; legal <u>or</u> mediation Free online legal info, including common forms and will kits.</p>
Financial	<p>Free unlimited phone consult with credentialed financial counselors Referrals to local professionals Free document review by fax/email- budget/loans/taxes</p>
Interactive Website	<p>liveandworkwell.com; Password “Pennsylvania” Check SEAP benefits information Request services online Search for providers Resource information such as elder care services and other social services Financial calculators- budget tools self-assessment tools Join interactive discussions, chats and message boards Read health facts and work/life articles</p>

RESPONSIBILITIES

The Office of Administration, Workplace Support Services Division

1. Implement, monitor, and evaluate the independently contracted SEAP-CCO.
2. Monitor and evaluate the effectiveness of agency implementation of SEAP.
3. Provide policy guidance to the University on SEAP related issues.
4. Develop, implement, and coordinate procedures to accommodate the sharing of information, determine the need for services and other activities between the SEAP-CCO and the University.
5. Provide and/or coordinate on-site intervention and consultation services for management, supervisors, and employees, when a critical situation occurs which could adversely affect the workplace.
6. Develop, implement, and/or coordinate educational and other training programs on SEAP, substance abuse, and other behavioral health programs
7. Review, approve, and coordinate all employer referrals made as a COCE and as IPEs.

Department of Human Resource Management

1. Designate a management level staff person(s) to serve as the agency SEAP Coordinator. actions. The University SEAP Coordinator will implement SEAP within the University and will coordinate with the OA. All SEAP Coordinators will complete the OA's SEAP Coordinator training program.
2. Ensure that all employees receive information, education, and the required training on SEAP and the substance abuse policy requirements, using an OA approved curriculum.
3. Ensure that all supervisors and union representatives receive the required training using an OA approved training curriculum.
4. Ensure that all employees, supervisors, and union representatives receive ongoing refresher training every two years, at a minimum, appropriate to their positions using an OA approved curriculum.
5. Ensure that SEAP and related policies are administered consistent with this policy and *Executive Order 1996-10*.

SEAP Coordinator

1. Ensure that supervisory personnel and union representatives are trained to identify, intervene, and refer employees, and are knowledgeable of SEAP related policies and procedures.
2. Ensure that all employees are made aware of SEAP and related policies and procedures.
3. Provide supervisors with information and materials on SEAP and related issues for distribution at work sites and ensure that the information is posted and/or distributed.
4. As required, provide consultation and/or assistance to supervisors, union representatives, and employees in accessing SEAP, monitoring performance and participation in SEAP, and in resolving problems between the workplace and the use of SEAP.
5. Coordinate with the SEAP-CCO and/or the OA for those situations involving employer referrals.
6. Maintain confidential records on SEAP referrals, as required by this policy. SEAP records include, but are not limited to, progress reports, SEAP summary evaluations, follow-up contacts, treatment attendance reports, etc. Records shall be kept locked and separate from all other records and accessible only to the SEAP Coordinator or other individuals to whom the employee has provided consent/authorization for disclosure. Any disclosure of information requires the informed written consent/authorization of the employee.

7. Participate in OA or SEAP sponsored training, discussion groups, and requests for information and comment.

This policy will become effective immediately.