

CF OPERATING PROCEDURE
NO. 60-30, Chapter 4

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, April 10, 2018

Human Resources

EMPLOYEE ASSISTANCE PROGRAM

4-1. Purpose. This operating procedure describes the State's and the Department's Employee Assistance Program (EAP).

4-2. Scope. This operating procedure applies to all Department Career Service, Selected Exempt Service, Senior Management Service and Other Personal Services (OPS) employees.

4-3. References.

a. Section 110.1091, Florida Statutes (F.S.), Employee Assistance Programs.

b. Section 112.0455, F.S., Drug-Free Workplace Act.

c. Department of Management Services Policy Clarification 2011 – #004, The Employee Assistance Program – General Terms and Policies Governing Time Off.

4-4. Definition. For the purposes of this operating procedure, the term "EAP Provider" shall mean E4 Health, which is the contracted provider responsible for delivering the State's EAP services through the People First System.

4-5. Policy.

a. An employee's personal identifying information contained in records held by the Department relating to an employee's participation in EAP is confidential and exempt from the provisions of s. 119.07(1) F.S. and s. 24(a), Article I of the State Constitution.

b. An employee's participation in EAP during scheduled work hours will be considered work time under the conditions set forth in paragraph 4-8b of this operating procedure. Additional approved absences during scheduled work hours must be covered by the employee's accrued annual or compensatory leave.

4-6. General.

a. The State's EAP is a confidential counseling service. This program provides responsive, caring and effective counseling to help balance employees' personal and professional life.

b. Information on EAP services is available at:

http://mybenefits.myflorida.com/work_and_life/additional_benefits/employee_assistance_program

c. For services, contact E4 Health toll-free at:

(844) 208-7067
TTD (844) 246-9949
24 Hours a Day – 7 Days a Week

This operating procedure supersedes CFOP 60-30, Chapter 4, dated August 21, 2016.

OPR: ASHR

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d. Employees may self-refer to the EAP. Referrals that involve the supervisor generally fall into one of three categories as follows:

(1) Informal Referral. An employee is not currently experiencing a decline in job performance but the supervisor recommends the EAP as a resource. The employee makes the choice to follow through on the referral or not. There is no reporting to the employer by the EAP.

(2) Supervisor (Formal) Referral. An employee is not meeting performance expectations or minimal standards of conduct and the supervisor believes the EAP may be able to assist the employee to improve the job performance or comply with the minimal standards of conduct. The employee will be asked to sign a release allowing the EAP to report to the employer whether the employee is attending and cooperating in utilizing the EAP services. The employee makes the choice to follow through on this type of referral or not. However, declining the EAP referral does not absolve the employee from responsibility for correcting the deficiency in performance or conduct that is under question.

(3) Mandatory Referral. An employee is at the stage where termination of employment is imminent but the employer provides a final opportunity for the employee to resolve any performance or conduct problems. The employee is required to follow through with the EAP and failure to comply with the EAP's recommendations may be the basis for termination of employment. Managers are required to consult with the servicing human resources office for guidance prior to making this type of mandatory referral.

4-7. Supervisors and Managers. The EAP offers supervisors and managers an effective approach to motivating any employee whose job performance is declining.

a. It is the supervisor's or manager's role to become aware of changes in employees' work performance or behavior that negatively impacts the work unit. "Red Flag Behaviors" that could affect employees' job performance are found on the EAP Providers web page at:

<http://www.sofeap.com/>

b. Supervisors or managers may refer an employee to EAP where there is a recent noticeable decline in the employee's work performance that has not been proven to be correctable through intervention measures, or where there are specific on-the-job incidents which indicate the presence of a personal problem.

c. Supervisors and managers need authorization and support from management on any proposed course of action and should keep management and the servicing human resources office informed of the employee's progress if EAP is recommended.

d. Any performance reviews or disciplinary actions must conform to Department policy and be discussed with the servicing human resources office staff prior to implementing the intended action.

4-8. Employees.

a. Employees shall strive to perform at the highest level of efficiency and effectiveness, and at a minimum be able to produce work that consistently meets or exceeds expectations.

b. An employee's participation in the EAP shall be considered work time only for the initial assessment/consultation of a supervisory or mandatory referral. Any other time the employee must use his or her accrued leave or authorized leave without pay, or the employee may adjust his or her work schedule with the approval of the supervisor. Participation in the EAP is not reflected in the People First employee time entry system (work time or leave is recorded but the reason is not included

in the comments section). To receive work time credit in accordance with the above, an employee must provide documentation of participation in EAP and related appointments to their immediate supervisor. If an employee refuses or fails to provide documentation that he or she attended the EAP appointment then the employee is required to use accrued annual or compensatory leave, or leave without pay to cover any absence from work (or adjust the work schedule with the approval of the supervisor).

c. An employee has the right to refuse informal or supervisory (formal) referrals to EAP, or may discontinue participation in the program at any time. An employee's refusal of an informal or supervisory (formal) referral or discontinuing participation in EAP may be considered along with other factors, such as job performance or attendance, by the Department in determining the employee's suitability for continued employment.

d. Under the Florida Drug-Free Workplace Act, refusal by an employee to enroll in EAP or a rehabilitation program or the failure to complete such program following a confirmed positive drug test result could result in dismissal from employment.

e. The employee is responsible for all costs associated with care or treatment should the EAP Provider determine that an employee requires diagnostic evaluation or other professional care.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

SHELBY JEFFERSON
Acting Human Resources Director

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

No substantive changes have been made.