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SECRETARIAL DIRECTIVE

SUBJECT: Employee Assistance Program

NUMBER: 2020-05

SUPERSEDES: New

APPLICABILITY: All Department of Corrections Employees

REFERENCE: Ark. Code Ann §§25-43-105,
25-43-108 and 25-43-403

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ISSUED BY: Signature on File

EFFECTIVE DATE: June 24, 2020

I. POLICY:

To ensure access of all employees and members of their immediate families to services for identification and resolution of problems that may adversely affect employee job performance, and to regulate referrals agreed upon between supervisor and employee in conjunction with, or in lieu of, disciplinary action.

II. Purpose:

To ensure that all Arkansas Department of Corrections employees are informed of free and confidential support services available to them through the Employee Assistance Program.

III. DEFINITIONS:

Employee Assistance Program (EAP) - a program of behavioral health and substance abuse services offered to employees and dependents at no charge. All services are rendered by EAP counselors and include assessments, counseling, and issue resolution.

Supervisor – refers to any Warden, Center Supervisor, Area Manager, Administrator, or their designee.

Any discussion between a provider of EAP services and an employee is to be private, unless a release of information is signed by the employee, or the employee makes a threat of imminent harm to self or an identifiable person, or as otherwise mandated by law.

IV. PROCEDURES:

1. All state employees are eligible for EAP benefits, even if not enrolled in a health plan. Family members can participate in couple or family sessions with the employee. Dependents enrolled in a health plan are eligible for assistance with managed care benefits. This includes problems related to family, marital, anger management, grief/bereavement, stress management, peer relationships, parenting, finances, legal, school, elder care, etc.
2. Voluntary requests for treatment, absent any ongoing related disciplinary action, are handled directly between the employee and the EAP and are not to be considered cause for disciplinary actions.
3. Counseling services may be made available to employees following a Critical Incident. The Department will make post-trauma counseling and support services available to all employees involved, affected, or impacted by a critical incident through the EAP.
4. Any supervisor may refer an employee for assessment and treatment of chemical dependency, or for assessment of other problems which may be impairing job performance, including conduct problems such as those outlined in the Employee Conduct Standards.
5. Supervisor referrals may be related to disciplinary action, short of termination, or may be made in lieu of disciplinary action.
6. Supervisor referrals can be mandatory. An employee's failure to comply with EAP requirements after a mandatory referral will result in disciplinary action up to and including termination. Supervisor referrals for treatment of chemical dependency or other issues will require a signed release of information that allows the treatment provider to apprise the supervisor of the staff person's participation in the treatment program, but otherwise protects the confidentiality of treatment records.

7. Any individual referred for drug/alcohol treatment is to go to the EAP for assessment but is not required to use the services to which the EAP makes referral. The individual may choose any provider of chemical dependency treatment certified by the Arkansas Department of Human Services, Division of Aging, Adult, and Behavioral Health Services, or operating in a hospital accredited by the Joint Commission on Accreditation of Healthcare.
8. The supervisor will require the employee to take leave to attend sessions with the EAP for the purposes of assessment or treatment.
9. Failure to complete drug or alcohol treatment programs, or treatment accepted in lieu of or in conjunction with disciplinary action for which the employee has been mandated by a supervisor, or failure to follow instructions for aftercare, will be considered a violation of the referral agreement and may be cause for disciplinary action, up to or including termination of employment.
10. Referral agreements between supervisor and employee for treatment will be documented and signed by both. A copy will be sent to the Central Human Resources Office.
11. Each Warden/Center Supervisor will designate the Unit Human Resources Manager to provide information to all employees of the unit/center regarding the services available through the EAP and the procedures for accessing those services. Locations without a Human Resources Manager will receive EAP information from the Human Resources Administrator, or their designee.