

U.S. Department of Energy
Washington, D.C.

ORDER

HQ 3792.1

7-23-84

SUBJECT: EMPLOYEE ASSISTANCE PROGRAM

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1. PURPOSE. To establish the Headquarters Employee Assistance Program.
 2. SCOPE. The provisions of this Order apply to all Headquarters Elements, including the Office of the Inspector General (IG).
 3. REFERENCES.
 - a. Federal Personnel Manual (FPM) Chapter 792, Subchapter 5, "Alcoholism and Drug Abuse Programs," and Subchapter 6, "Employee Counseling Services Program," which establish Government-wide policies and requirements for employee assistance.
 - b. FPM Supplement 792-2, Subchapter 4, "Alcoholism and Drug Abuse Programs - Confidentiality," which establishes counseling confidentiality standards.
 - c. DOE 3792.1, EMPLOYEE ASSISTANCE PROGRAM, of 6-5-84, which sets forth policies and procedures for Department of Energy employee assistance program.
 4. POLICY. It is Headquarters policy to:
 - a. Provide prevention, treatment, and rehabilitation assistance to its employees who have alcoholism, drug abuse, and related behavioral/medical problems through the Headquarters Employee Assistance Program.
 - b. Recognize alcoholism, drug abuse, and related behavioral/medical problems as illnesses that can be treated successfully.
 - c. Refer individuals to the Headquarters Employee Assistance Program counselors when there is an appearance that such assistance may be helpful due to continuing unsatisfactory job performance.
 - d. Encourage employees who suspect they have an alcoholism, drug abuse, or a related behavioral/medical problem to obtain information and counseling on a voluntary, confidential basis from the Headquarters Employee Assistance Program counselors.
 - e. Take appropriate disciplinary action when there is failure on the part of an employee to accept the assistance offered through the program or to otherwise correct unsatisfactory job performance.

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All Headquarters Elements

INITIATED BY:
Office of Personnel

- f. Maintain the confidentiality of counseling records of employees with alcoholism, drug abuse, or related behavioral/medical problems in accordance with existing implementing regulations regarding the Federal civilian alcoholism and drug abuse program.

5. RESPONSIBILITIES.

a. Office of Personnel.

(1) Director of Headquarters Personnel Operations.

- (a) Administers the overall Headquarters Employee Assistance Program;
- (b) Ensures compliance with this Order and other applicable regulations throughout Headquarters; and
- (c) Issues instructions as necessary to administer the program.

(2) Chief of Operations Support.

- (a) Evaluates the effectiveness of the program;
- (b) Conducts training as needed to inform Headquarters employees, supervisors, and managers of the services offered through the program; and
- (c) Provides guidance and assistance to the appropriate servicing Headquarters personnel operations branches concerning any aspect of the program.

(3) Servicing Headquarters Personnel Operations Branches.

- (a) Advise employees and supervisors about the availability of counseling services;
- (b) Provide appropriate guidance in the referral of employees into the program;
- (c) Provide general guidance and advice in connection with disciplinary matters arising under the provisions of this Order; and
- (d) Maintain the confidentiality required in FPM supplement 792-2, subchapter 4.

(4) Employee Assistance Program Counselors.

- (a) Counsel any employee who seeks or requires assistance;

- (b) Provide advice and counsel to managers and supervisors on matters relating to the supervision of employees with social, psychological, alcohol, or drug abuse problems affecting work performance;
- (c) Provide, when appropriate, information to managers and supervisors regarding the progress of employees receiving counseling;
- (d) Refer employees to appropriate agencies or community counseling or treatment facilities as appropriate;
- (e) Provide treatment plans for employees and, to the extent possible, ensure employee compliance with these plans; and
- (f) Assist managers and supervisors in ascertaining employees' fitness for duty.

(5) Health Unit Staff.

- (a) Provide, as part of the Headquarters employee occupational health services, emergency diagnosis and first aid treatment of injury or illness;
- (b) Consult and advise supervisors as to employees' ability to return to work; and
- (c) Assist managers and supervisors in ascertaining employees' fitness for duty.

b. Managers and Supervisors.

- (1) Be alert for any deterioration in work pattern or behavior that adversely affects employee performance.
- (2) Make note of specific instances where an employee's behavior on the job or attendance pattern appears to interfere with his or her ability to meet performance standards or where the pattern of performance or attendance appears to be deteriorating.
- (3) Consult with the Employee Assistance Program counselors for advice on working with an employee who appears to have a problem that adversely affects performance.
- (4) Advise employees who perform unacceptably that they will be held accountable for their performance.
- (5) Refer troubled employees to the program.

- (6) Promptly seek advice and assistance from the appropriate servicing Headquarters personnel operations branches as to appropriate action to take regarding a troubled employee including disciplinary action when the employee denies the opportunity to obtain assistance or fails to carry through with a program of assistance and performance becomes or remains unacceptable.

c. Employees.

- (1) Seek advice and assistance from supervisors or the Employee Assistance Program counselors when they encounter a problem of the kind addressed by this Order that adversely affects their ability to perform in their jobs.
- (2) Comply with the provisions of the plan designed for their performance improvement or rehabilitation.
- (3) Cooperate with the counselors or other professional assistance individuals to gain maximum benefit from the program.

6. DEFINITIONS.

- a. Social, Psychological, Alcohol, and Drug Abuse Problems. These are personal difficulties such as the experiencing of anxiety, stress, depression, or any other mental or emotional discomfort; the abuse of, or addiction to, alcohol or other drugs or substances, any of which adversely affect one's health, interpersonal relations, economic functioning, or social standing.
- b. Counseling. Guidance by personal interview to facilitate a meaningful understanding of self and environment so as to establish or clarify goals and values for future behavior.
- c. Alcoholism. A chronic disease characterized by repeated excessive drinking of alcoholic beverages to the extent that they interfere with the person's health, interpersonal relations, or economic functioning. If untreated, alcoholism becomes more severe and may be fatal. It may take several years to reach the chronic phase.
- d. Drug Abuse. A health problem characterized by the use of a drug in a manner or to a degree which interferes with the person's health, interpersonal relations, or economic functioning.

7. PROGRAM FEATURES.

- a. Location. The Employee Assistance Program counselors are housed in the Department of Energy (DOE) Headquarters health units. Employees, supervisors, and managers who wish to contact a counselor may do so by visiting or telephoning their servicing health unit.

- b. Employee Counseling and Referrals. Employee Assistance Program counselors provide confidential employee counseling by appointment and on an emergency basis. Referrals for long term treatment are made at the request of the employee or based on the counselor's judgment.
 - c. Advice and Counsel to Managers and Supervisors. Employee Assistance Program counselors are available for consultation with managers and supervisors regarding the supervision of employees with problems affecting job performance.
 - d. Employee Assistance Seminars. The Employee Assistance Program staff conducts periodic seminars on such subjects as alcoholism, drug abuse, and stress with the aim of educating the work force in these and related subject matter areas. These seminars are announced throughout Headquarters for all-employee attendance.
8. GRANTING TIME FOR UTILIZATION OF COUNSELING SERVICES. To encourage employees to utilize the services of this program, Headquarters supervisors and managers will make time available for employees on the following basis:
- a. Duty Time. Employees will be permitted a reasonable amount of official time, as determined by the supervisor and consistent with workload needs, for visits to or communications with an Employee Assistance Program counselor.
 - b. Leave. Employees will be granted appropriate sick leave, annual leave, or leave without pay, in accordance with applicable regulations concerning the granting and use of such leave, for the purpose of seeking or participating in community facilities for counseling, therapy, or rehabilitation programs, such as local mental associations, self-help groups, clinics, and other treatment facilities.
9. RESPONSIBILITY FOR EXPENSES INCURRED. The Employee Assistance Program is a free advisory and referral service. In the event that the employee determines to seek outside assistance as a result of the advice received, the employee is responsible for any expenses incurred for the counseling or treatment obtained. Frequently such assistance is covered in the same manner as other professional services by the Federal Employee Health Benefits Program.
10. CONFIDENTIALITY OF INFORMATION.
- a. Medical information, counseling records, progress reports, and any information gained, used, or developed by any drug abuse prevention function are confidential records and are subject to the confidentiality laws and regulations.
 - b. Disclosure of information without the prior written consent of the employee is made only when such disclosure is to those Headquarters

employees who have a need for the record in the performance of their duties and to employees of other agencies who have a similar need to know. All such disclosures must be made in accordance with the governing laws and regulations.

11. EMPLOYEE BEHAVIOR.

- a. The Department of Energy has a legitimate concern with employee behavior that:
 - (1) Interferes with the safe or efficient performance of an employee's assigned duties;
 - (2) Interferes with the safe or efficient performance of a coworker's duties;
 - (3) Reduces employee work dependability and productivity;
 - (4) Reflects discredit upon the Department; or
 - (5) Results in criminal conduct directed towards, or potentially harmful to, the employee or property of others (such as selling drugs or stealing to support a habit).
- b. Managers and supervisors have both the right and duty to confront employees with deficiencies in performance and provide employees with the opportunity to correct such deficiencies.
- c. Managers' and supervisors' roles can be the key to early intervention and correction. Managers and supervisors should:
 - (1) Be alert to changes in behavior that impact the work of the employee or others at the work site;
 - (2) Make note of the specific instances of deteriorating behavior that affect performance of the employee or others;
 - (3) Seek advice from the appropriate servicing Headquarters personnel operations branch and/or the Employee Assistance Program counselors;
 - (4) Confront the employee with the instances of deteriorating performance caused by behavior at the work site;
 - (5) Advise the employee of the availability of the Employee Assistance Program if the performance appears to be caused by a personal or health problem; and
 - (6) Refer the employee to the Employee Assistance Program counselor for assistance in obtaining diagnosis and treatment.

12. APPROPRIATE DISCIPLINARY ACTION.

- a. If an employee refuses help and performance continues to be unacceptable, the employee must be provided a firm choice between accepting assistance or the consequences for unsatisfactory work performance. An employee must be cautioned that continued unsatisfactory performance may be cause for removal from the job. The servicing Headquarters personnel operations branch will guide the supervisor through the requirements of preparing and issuing any disciplinary notices to the employee.
- b. When a supervisor believes an employee is involved in illegal activities, the facts known to the supervisor must be reported through the Office of the Inspector General to the law enforcement officials. The employee must then be confronted with the facts if it is determined that this action will not interfere with the efforts of the law enforcement officials. The appropriate servicing Headquarters personnel operations branch will assist the supervisor through requirements for documenting and taking appropriate action concerning illegal activities.
- c. When an employee does not appear to be in control of his or her behavior, the supervisor should inquire about the employee's physical condition and refer the employee to the health unit for initial diagnosis and any emergency treatment. The health unit will inform the supervisor whether the employee can return to work, is being retained in the health unit, is being sent home, or is being referred directly to an outside medical facility. Sick leave, annual leave, or leave without pay will be granted to an employee who is not able to return to full duty.

13. COMMUNITY RESOURCES AND COOPERATIVE PROGRAMS. The Employee Assistance Program is closely linked to community resources. Employees may begin counseling with the Headquarters Employee Assistance Program counselor and be referred for additional professional help outside the Department. Liaison with outside resources will be the responsibility of the Headquarters Employee Assistance Program counselors. Outside resources may include:

- a. State alcoholism and drug abuse authorities;
- b. State mental health authorities;
- c. Alcoholics Anonymous, AL-ANON;
- d. Hospitals, clinics;
- e. Family counseling services; or
- f. Private practitioners.

14. EMPLOYMENT CONSIDERATIONS.

- a. In considering for employment an applicant who has a history of alcoholism

or drug abuse, the steps taken by the applicant to obtain treatment are more important than the length of time since the last abuse. No person may be denied or deprived of employment solely on the grounds of prior alcohol or drug abuse, or alcoholism.

- b. In considering an employee for promotion, the ability of the employee to perform the duties of the job are of paramount importance.
- c. Pre-employment and fitness-for-duty examinations are available to management for ensuring the health fitness of an employee to perform the duties of a job.

15. RETIREMENT ELIGIBILITY. The program does not jeopardize an employee's right to file for a disability retirement if the employee's physical condition so warrants.



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