

EAP

Related Policy and Guidance

(https://employees.faa.gov/org/staffoffices/ahr/benefits/emp_assistance/eap_rel_pol/eap_super/)

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Prologue

(Updated: 3:49 pm ET October 20, 2006)

The Employee Assistance Program (EAP) is a confidential and voluntary program designed to help resolve personal problems. Licensed professional counselors provided by Magellan, Inc., under contract with the agency, offer information, consultation and brief, solution-oriented counseling services. Every region, center and headquarters has an agency employee, the agency EAP Manager, who handles program administration. These EAP services are free of charge to all agency employees and their immediate family/household members along with recent retirees and their family/household members.. No names or any identifying information can be provided to the agency unless the employee signs a written statement authorizing the counselor to do so.¹

The EAP can assist employees with a wide variety of problems: family issues (marriage counseling, child care, single parenting, care of aging parents, separation, divorce); medical concerns (smoking cessation, weight reduction, stress, chemical dependency-alcohol and other drugs), emotional problems (depression, anxiety, grief); and concerns with legal and financial issues. In addition, the EAP offers Critical Incident Stress Debriefings for employees and family members who have experienced a disaster or traumatic event. A family member includes dependents and household members of current and recently retired employees. The EAP can be called directly for assistance. Self-referrals are strongly encouraged.

At times an employee may be performing at an unacceptable performance level, or engaging in unacceptable conduct, and normal supervisory intervention has not improved the performance and/or conduct. In these circumstances a supervisory referral may be appropriate.

The rest of this guide focuses on supervisors using the EAP as an effective management resource by explaining the five steps that supervisors need to complete when making a supervisory referral:

1. observation
2. documentation
3. confrontation
4. referral
5. follow-up

The agency's EAP Managers, with first-hand knowledge and experience about the problems that you typically encounter as an agency supervisor, prepared this guide to help you, the supervisor.

The FAA Employee Assistance Program Managers

¹ No one will reveal information concerning counseling to anyone outside the EAP except in these circumstances:

1. you consent in writing;
2. you pose a serious threat to yourself or others (e.g., suicide or homicide); and
3. disclosure is required by law, (e.g., child or elder abuse).

In order for a safety/sensitive employee to receive help for alcohol or other drug abuse problems, the safety/sensitive employee would need to sign a release (See When Is a Release of Information Requested?). This release does not apply to a nonsafety/nonsensitive employee, any family/household member, or recent retiree.

What is the EAP?

(Updated: 4:00 pm ET October 20, 2006)

The EAP offers: short-term counseling to help discuss and define problems; crisis interventions; information about community resources; referrals to other services if needed; and supervisory consultations for troubled employees. The supervisory consultation usually consists of the supervisor and the counselor, or the agency's EAP Manager discussing whether a referral is appropriate or not after reviewing the employee's performance/conduct. If an EAP supervisory referral is appropriate, the counselor or the agency's EAP Manager will help the supervisor through the referral process.

Below are some typical employee problems that when brought into the workplace then can become the FAA's problem as well.

EMPLOYEE PROBLEMS	manifest as	EMPLOYER PROBLEMS
Family Problems		Absenteeism, Tardiness
Emotional Problems		Poor Judgment
Drug Abuse		Poor Performance
Financial Problems		Irritability, Negativism, Hostility
Stress		Unkempt Appearance
Untreated Physical Illness		Missed Appointments
Legal Problems		Complaints from Colleagues, Family, Friends
Alcoholism		Accidents
Preoccupation		Incidents

If you are uncertain about how to identify symptoms of a troubled employee, or about ways to confront your employee after reviewing this guide, call the EAP on 1-800-234-1EAP for a confidential supervisory consultation. (See Appendix 1 - "Ask Yourself.")

As a Supervisor, Why May I Need to Call on the Services of the EAP?

(Updated: 3:28 pm ET October 20, 2006)

You may find yourself pulled in opposing directions because of a poorly performing employee. You may be empathetic with the employee while concerned about his or her work performance, productivity, and conduct.

An unmanageable problem can manifest itself in the troubled employee's lowered work production and quality, increasing absenteeism and undesirable behavior. As the supervisor, you have the responsibility to ensure that your employees are working to their maximum capacity or ability.

The troubled employee can take four to five times of your time as a non-troubled employee does thereby frustrating you and demoralizing other workers which can impair productivity.

Dealing with a troubled employee is not easy. But with the right approach and intervention, the return of a troubled employee to previously acceptable standards can be remarkable. Everyone comes out a winner-the employee, you and the FAA.

Early intervention with a troubled employee saves everyone time and unpleasantness. Postponing constructive and positive intervention will only result in further deterioration. Eventually, you will have to intervene in a more drastic and negative manner. The EAP provides an alternative to this negative intervention.

You have become a supervisor because of your ability to lead and to exercise sound judgment. Ultimately how you solve a problem situation reflects the skillful use of these qualities. There are limits to your expertise and seeking professional assistance from the EAP concerning a troubled employee reflects good management practice on your part.

How Can the Supervisory Referral Help the Employee or Me?

(Updated: 3:27 pm ET October 20, 2006)

Supervisors are responsible for the effective performance of their employees in the work setting. Consequently supervisors are in a critical position to observe and intervene in a preventative capacity, i.e., before the employee becomes overwhelmed by his or her problems and the work becomes seriously impaired. Supervisors, by their formal relationships with their employees, are in excellent positions to motivate employees to acknowledge the existence of work-related problems and seek help through the EAP when appropriate.

The EAP counselors are able to utilize their knowledge, skills and experience to help employees identify their problems and develop plans of action to resolve them.

As a supervisor you are concerned about your employees' job performance/ conduct. Despite good intentions you have neither the right nor the training to counsel an employees's personal life. To do so infringes on your supervisor/ employee role.

EAP Professionals Can Help By

(Updated: 3:27 pm ET October 20, 2006)

- Diagnosing the problem and determining its severity.
- Detecting early signs of potentially serious problems.
- Helping people to gain an understanding of their problems.
- Providing information about their problems via brochures, books, workshops.
- Finding the best community resources for appropriate referrals.
- Finding the most cost-effective community resources in conjunction with the employee's individual health plan.
- Outlining alternatives for treatment.
- Teaching skills that can help employees solve their problems in the future.
- Helping supervisors to cope with and refer troubled employees to the EAP.
- Helping supervisors with their problems. You, the supervisor, are an employee too!

After contacting the EAP, the counselor may suggest various options to you. In some cases this advice may lead directly to a solution to the problem without further involving the EAP. In other cases the EAP counselor can assist you during each phase of the constructive intervention process.

This constructive intervention process involves:

1. Identifying an employee's job-related problem.
2. Documenting the job problem.
3. Confronting the employee about the job problem.
4. Referring the employee to the EAP.
5. Follow-up.

The Five Steps of Constructive Intervention

Updated: 3:27 pm ET October 20, 2006)

Step 1. Identifying An Employee's Job-Related Problem

(Updated: 4:02 pm ET October 20, 2006)

The following can serve as a guide to identifying a troubled employee. Any continuing and repeated behavior pattern should be noted and documented.

Absenteeism

- Use of unauthorized leave
- Excessive sick leave
- Frequent Monday absences, Friday absences, or Monday and Friday absences
- Excessive tardiness, especially on Monday mornings, or, in returning from lunch/breaks
- Leaving work early

On-the-Job Absenteeism

- Continued absences from post more than job requires
- Frequent trips to water fountain or bathroom and long coffee breaks
- Malingering

High Accident Rate

- Accidents on or off the job with more OWCP claims

Generally Lower Job Efficiency

- Difficulty in recalling instructions, details, etc.
- Increasing difficulty in handling complex assignments
- Difficulty in recalling own mistakes
- Hand tremors when concentrating
- Assignments take more time
- Misses deadlines
- Mistakes due to inattention or poor judgment
- Makes bad decisions
- Wastes material
- Complaints from co-workers, general public

Spasmodic Work Patterns

- Alternate periods of very high and very low productivity

Coming to Work in an Obviously Abnormal or Impaired Condition

Poor Work Relationships

- Overreacts to real or imagined criticism
- Wide swings in morale
- Borrows money from co-workers
- Serious financial difficulties
- Unreasonable resentments
- Begins to avoid associates

Supervisors are human too and may show signs of unmanageable personal problems. However in addition to the above indicators, there are other indicators which are largely dependent on the level and type of management position involved. On the first management level, a supervisor may:

- begin to let safety standards slip
- begin to issue conflicting instructions to employees
- use employees' time and skills inefficiently
- submit incomplete reports and data
- become lax in supervisory duties, etc.

On higher management levels patterns of declining job performance are more subtle:

- budgets may begin to be mismanaged
- schedules fail to be coordinated
- the FAA fails to deliver proper service

The decision making aspect of higher management positions is crucial in this regard. Managers who begin to make decisions on the basis of insufficient data and poor judgment can significantly impair the efficiency of an organization.

Remember that all employees including yourself exhibit some of these job performance problems occasionally. You should note and document a **PATTERN** of performance/conduct over a period of several weeks or months. (See Appendix 2 - Employee Documentation Identification Sheet.)

Also remember:

- the supervisor is not expected to be a diagnostician
- identification and referral is based strictly on poor job performance/conduct
- the responsibility to correct unsatisfactory work performance or behavior resulting from personal problems rests with the employee. Failure to do so, for whatever reason, will result in appropriate corrective or disciplinary action. However, you are responsible for noting deficiencies, working with the employee in trying to improve these deficiencies and referring the employee to the EAP when appropriate.

Step 2. Documenting the Job Problem

(Updated: 4:03 pm ET October 20, 2006)

Objective documentation allows you to focus on observable facts and avoid subjective judgments that can lead to various interpretations later on. When you are faced with declining or erratic performance and/or conduct problems, you need to document observable, verifiable facts. Where is your objective proof of the employee's declining job performance and/or conduct problem?

The following are meant to serve as guidelines.

Guidelines for Documentation

1. Write down specifics: the place, date, time, exactly what was the poor job performance and/or the inappropriate conduct
2. Write down what you observed (not your opinions, conclusions, or evaluations)
3. Include good as well as poor performance
4. Keep notes confidential-share only with employee
5. Document on a daily basis
 1. Focus on performance/conduct issues, not on personal problems. A troubled employee will often try to draw you into accepting excuses for his or her behavior
 2. Provide objective, factual information that shows the job performance picture over a period of time
 3. Support action to be taken by the employee to correct the problem. Documentation is a necessity if you discipline an employee
 4. BE OBJECTIVE, FAIR AND CONSISTENT (See Appendix 3 - Examples of Appropriate and Inappropriate Documentation)

Step 3. Confronting the Employee About the Job Problem

(Updated: 4:05 pm ET October 20, 2006)

People for the most part are reluctant to confront. Sometimes people view confrontation as a negative action that only results in bad feelings and damaged relationships. A positive confrontation can immensely help in improving a negative situation. Generally supervisors don't know how to conduct a constructive confrontation and an unsuccessful one can make supervisors feel guilty. A constructive confrontation is advisable with an employee who has a long-standing work performance, attendance and/or conduct problem. The key lies in being prepared: contacting your EAP resource person, getting yourself ready, setting the stage and anticipating the employee's reactions.

By contacting your EAP counselor, you can receive invaluable professional advice about how to prepare yourself for the confrontation with the troubled employee. The counselor can coach you on effectively communicating the need for the employee to improve his or her performance/conduct and dangerous pitfalls and potential troublesome areas for you to avoid.

Your discussion with the employee will be based on objective performance data, such as job elements and performance standards contained in the appraisal process, rather than vague references to the employee's unsatisfactory job performance. In addition your discussion should indicate what is acceptable work performance. Such a discussion can prove to be motivational for the employee. Some helpful hints are:

1. Realistic Preparation
 1. Select a place and time for the discussion which affords privacy. No one enjoys criticism, however appropriate, but criticism in the presence of coworkers and interruptions can cause more difficulties than it resolves.
 2. All absenteeism, tardiness, and poor job performance must be documented. Have this documentation in hand during your discussion with the employee.
 3. Be consistent. Do not be more tolerant with one employee than you would with another.
 4. Be aware of your expectations. What is acceptable or unacceptable?
 5. Attempting to label or diagnose the employee's problem is not your responsibility. Your concern is only with correcting poor job performance/ conduct.
2. Details of Discussion
 1. Try to prepare your discussion of performance deficiencies by pointing out that the agency recognizes the employee's value including years of service, past performance, technical skills, previous level of competence and dependability.
 2. Honesty and firmness are a must: Don't hedge, use your documentation outline and tell the employee exactly what performance standard/conduct is unsatisfactory.
 3. Remember your goal is to restore this person as a productive member of your department. Base your job performance/conduct discussion on just that.
3. Follow-Through
 1. All agency employees are expected to follow agency standards. Make sure your employee understands fully what to expect when indifference or abuse of these standards exists.
 2. A plan for improvement should be realized. Get a commitment from the employee.
 3. Scheduled meetings for further discussions to monitor improvement in the employee's work/conduct standards.

You may feel hesitant about this process, but it is your job to intervene. You have a legitimate right to confront an employee when the employee's job performance/conduct is below standard. It is highly probable that a troubled employee's performance/conduct will improve if he/she is confronted constructively and consistently. On the other hand, if you ignore the employee, or warn the employee in an inconsistent and arbitrary manner, it is highly unlikely that the employee's performance/conduct will improve.

A Word of Caution

Stay in your role of supervisor and avoid these pitfalls:

Don't sermonize or pontificate.
Don't get into personal matters. Focus on job performance/conduct issues.
Don't diagnose the problem.
Don't judge.
Don't be put off by sympathy provoking tactics which could include crying.
Don't hesitate to seek advice from your EAP when in doubt, or in obtaining coaching for the confrontational interview.

Try to be as supportive as possible when encouraging the employee to seek help. You can do this by:

Explaining your legitimate concerns over job performance/conduct.
Making the offer to help through the EAP.
Reinforcing the confidentiality of the EAP.
Emphasizing the EAP professional approach.
Explaining the viewpoint of management in supporting the EAP.

YOU NEED TO CONVINCING THE EMPLOYEE OF JUST ONE THING: There must be no doubt in the employee's mind that the job performance/conduct is unsatisfactory and that the employee, regardless of personal problems, has a very real problem of job performance/conduct which must be faced now.

THERE SHOULD BE NO DISCUSSION OF THE UNDERLYING CAUSE OF JOB PERFORMANCE/CONDUCT PROBLEMS even if you are certain as to its nature. The employee should simply be offered a firm, fair choice: accept the help which is offered by the EAP for whatever is causing poor job performance/conduct, or accept the consequences that will accompany continued poor job performance/conduct problems. During your meeting you need to be aware of, and ready for the fact that the employee may try to use defense strategies or traps to sidetrack you.

EMPLOYEES' DEFENSE STRATEGIES OR TRAPS: Employees may feel threatened when confronted with their performance/conduct deficiencies and could use various defenses to protect themselves. Some of these defenses and your recommended actions are described in Appendix 4.

Step 4. Referring the Employee to the EAP

(Updated: 4:06 pm ET October 20, 2006)

After you have documented the employee's performance/conduct and reviewed your findings with the employee during the confrontational interview, you are ready to make the referral to the EAP. The purpose of the referral is to offer help to the employee for improvement before disciplinary action becomes necessary.

The actual referral can be either informal or formal in nature. The informal referral is appropriate when good communications still exist between the supervisor and the employee, and there is a good expectation that the employee will follow through and contact the EAP.

The second type of referral is formal. The formal referral is appropriate when communication is poor and serious problems exist. This referral does not become part of the Official Personnel File (OPF). The formal memorandum of referral to the employee is notification of the existence of the EAP and how the employee can contact the EAP. Include:

- A clear statement of the purpose of the memo-referral to the EAP.
- Documentation of declining job performance/conduct.
- That use of the EAP is voluntary, not compulsory and is confidential.
- Mention of follow-up evaluation of the employee's performance within a specific time. (See Appendix 5 - Referral to the EAP.)

Step 5. Follow-up

(Updated: 3:27 pm ET October 20, 2006)

After having completed steps 1-4, you now are in the follow-up phase. You have observed the employee, documented his or her performance/conduct, confronted the employee with your objective documentation about the areas needing improvement and referred the employee to the EAP. During the follow-up phase you continue to monitor the employee to determine, if the performance/conduct problem improves.

You need to continue to observe and document all levels of performance/conduct; whether the performance/conduct is substandard, standard or exceptional.

You need to arrange follow-up meetings with the employee on a pre-scheduled basis in order to evaluate the employee's on-going job performance.

If job performance continues below acceptable levels, set in motion appropriate and progressive disciplinary action according to the "Conduct and Discipline Letter." Your EAP counselor is available anytime for consultation with you as you monitor the employee.

Now, What Kind of Feedback Can I Expect Once I Have Referred an Employee For Assistance?

(Updated: 3:27 pm ET October 20, 2006)

None. If the employee has asked for and been granted administrative leave by the employee's immediate supervisor to attend an EAP counseling session during duty hours, the supervisor can contact the EAP counselor to ask "did the employee keep his or her appointment?" A simple yes or no answer will be given after the employee has authorized the counselor to answer that question to verify that administrative leave was used accordingly. If the employee does not want the supervisor to know anything about the employee's involvement with the EAP, the employee can attend counseling sessions on his or her own off-duty hours or use leave.

No counselor can talk to any agency personnel unless the employee has signed a written release form authorizing the counselor to talk to the specified FAA official listed on the release. However your best indicator will be whether or not the employee's job performance/conduct improves.

What If The Employee Does Not Accept My EAP Referral?

(Updated: 3:28 pm ET October 20, 2006)

The EAP is based entirely on voluntary contact. You, the supervisor, can refer an employee to the EAP, but use of the service is up to the employee. You cannot take disciplinary action against an employee for not going to the EAP. Regardless of whether the employee goes or not to the EAP, the employee is still responsible for improving his or her performance/conduct.

The EAP is not a safe harbor whereby the employee is no longer responsible for his or her performance/conduct deficiencies. If the performance/conduct does not improve within the time specified in the Opportunity to Demonstrate Performance (ODP), progressive discipline begins. This ODP and progressive discipline are separate and independent programs from the EAP.

How Do I Deal With An Employee Who Returns To Work After An Extended Absence For Treatment?

(Updated: 4:08 pm ET October 20, 2006)

In rare cases an employee may require hospitalization. When the employee returns to the work site, the supervisor and the employee share the uneasiness of apprehension. Since the employee has been away for treatment, the anxieties experienced can be testing to all concerned. There is ambivalence on the part of those in positions of authority. Should you be sympathetic and protective? Should you overlook problems and performance/conduct deficiencies for the initial period upon the employee's return? The employee will also have his or her doubts and anxieties. The employee could be experiencing feelings of guilt, low self-esteem and considerable concern for how others view him or her.

In some treatment procedures counselors refer to this process as reentry. Each employee returning to work experiences these transitional pressures to a greater or lesser degree. What should you, a supervisor do, or how should you conduct yourself and your duties during this period? We think some of the following guidelines would be useful:

1. Keep feelings of sympathy and protectiveness to a minimum. The individual already feels different and sometimes these feelings are intensified by such an approach.
2. Sometimes you will notice an immediate and significant improvement in performance. Sometimes the recovery process will be slower and gains will be less evident. The trend in performance is more important than isolated incidents of either extreme. A word of encouragement for a job well done is important and provides reinforcement.

3. There can be subtle changes later on. Be sensitive to mood swings, difficulty in handling routine situations, lack of interest and sometimes a return to old behavioral patterns. These could be signs of a relapse. Discuss possible relapses with the EAP counselor and seek advice on the matter on how to handle it.
4. Be sure you understand completely the advice given and follow it explicitly.
5. Encourage the employee to follow through with EAP recommendations for after/continuing care. If long-term therapy, i.e., individual counseling sessions, group therapy, etc., or a twelve-step program such as Alcoholics Anonymous has been suggested, be supportive of that solution throughout your involvement with the employee if the employee questions you.
6. You are not expected to know everything. And remember, the passage of time plays an important role. Give it time. GOOD LUCK.

When Is A Release Of Information Requested?

(Updated: 3:28 pm ET October 20, 2006)

If a safety/sensitive employee comes to the EAP seeking help for an alcohol or drug abuse/misuse problem, the EAP must ask the safety/sensitive employee to sign the release. If the safety/ sensitive employee comes to the EAP for a non-alcohol/non-drug abuse problem and the EAP counselor suspects that the safety/sensitive employee may have an alcohol or drug abuse/misuse problem, the EAP must ask the safety/sensitive employee to sign the release.

If The Employee Signs The Release, Is That A Self-Referral?

If the employee signs the release that is considered a self-referral as opposed to an agency initiated action. Agency initiated actions include confirmed positive drug tests, Report of Investigations, when employees know their drug test results will be positive and situations where the agency already knows, or is about to know that employees are involved with substance abuse/misuse which includes alcohol.

Is There Any Advantage To Self-Refer?

Yes. If the safety/sensitive employee self-refers, that employee is not placed into a last chance agreement. An employee who entered into a substance rehabilitation program as a result of an agency initiated action, for example a positive drug test result, Report of Investigation where the agency found out about the problem, would be placed directly into a last chance agreement. When in a last chance agreement, an employee who fails to abide by the rehabilitation conditions would be removed from the agency.

Whereas a self-referral would have a second opportunity for rehabilitation. If a self-referral has a relapse or fails to abide by his or her rehabilitation conditions outside of duty hours, a national committee would staff the case to determine if the failure warrants being placed into a last chance agreement or not. Therefore a self-referral has at least two or more opportunities for rehabilitation whereas a nonself-referral only has one.

What If The Safety/Sensitive Employee Does Not Sign The Release?

The safety/sensitive employee's decision not to sign the release will result in EAP services being terminated and no information will be disclosed to the FAA, except in those extremely rare cases where there is a clinical conclusion that the substance use directly affects the employee's ability to perform safety/sensitive related duties. Under these extremely rare circumstances the EAP may be required to disclose to the FAA without the safety/sensitive related employee's consent. Unless there is an imminent need to inform the FAA that the safety/sensitive related employee poses an immediate threat to the flying public, the EAP will not break confidentiality until an administrative review has occurred.

In these extremely rare cases (approximately four have occurred during the past ten years with about 25,000 safety/sensitive employees having gone to the EAP) the contractor counselor would review the case with the counselor's clinical supervisor, medical doctor and attorney. After these professionals conducted their review, and, if they still believed the situation to be potentially dangerous, would contact the FAA National EAP Manager. The FAA National EAP Manager would immediately staff the case with a representative from the FAA's Office of Chief Counsel, the Federal Air Surgeon and the Line of Business to which the employee belongs. Without providing identifying information, the contractor and the above mentioned FAA personnel would staff the case to determine if the danger to the flying public warranted breaking confidentiality.

If confidentiality is broken without just cause, the employee could sue the EAP contractor and the FAA. If the court decides in the employee's favor, i.e., that confidentiality did not warrant being broken, the employee could receive considerable compensation.

As confidentiality is very important, we have elaborated upon this topic. In reality people who are so distraught that they are possible threats to themselves or to others do not pick-up the telephone and make an appointment to see an EAP counselor. Generally these individuals display such agitation that their erratic behavior is noticeable to the general public.

When Can Confidentiality Be Broken?

(Updated: 4:11 pm ET October 20, 2006)

As noted earlier, confidentiality can be broken when the client poses a serious threat to him or herself (suicide), to others (homicide) or engages in child and/or elder abuse. In the case of safety/sensitive related employees (See When is a Release of Information Requested?).

What Happens If Confidentiality Has To Be Broken?

(Updated: 3:27 pm ET October 20, 2006)

In the case of a serious threat to self or others, the EAP will contact the proper authorities, i.e., security, medical, etc., who will escort the employee to a hospital for a psychiatric evaluation. In cases of suspected child and/or elder abuse, each state requires that the counselor contact the

appropriate State office (Protective Services, Health and Human Services, etc.). The FAA would not necessarily be informed.

In cases of possible suicide, homicide, or child/elder abuse all states require that any health professional, educator or medical personnel in the community inform the proper authorities.

These laws cover all service providers, not just the EAP counselors who provide services to the FAA.

Facts to Remember

(Updated: 4:12 pm ET October 20, 2006)

As a supervisor you are concerned with the performance/ conduct of your employees, not with your employees' personal problems. The EAP can help you to focus on performance/conduct issues while providing the employees with information and guidance to solve their own problems.

Supervisors can help make the EAP helpful for the employees by:

- Know the facts about the EAP and provide those facts to your employees and coworkers.
- Use the program to gain information on how to deal with employee problems.
- Supervise your employees according to Federal policies and practices.
- Refer employees with performance/conduct problems to the EAP when usual corrective measures have not been effective.

Supervisor's Bill of Rights

[What a supervisor can expect from EAP]

As a supervisor, I am entitled to the following services from my EAP:

- A patient understanding and professional consultation of my problems and feelings about the employees whom I supervise.
- Assistance in working out those problems and feelings in a productive way so my employees can do their job and I can do mine.
- Guidance and support in confronting the employees about their performance/conduct problems.
- Competent and professional handling (counseling and/or referral) of employees I refer for help.
- Follow-up with me to the extent permitted by confidentiality regulations.
- Continued assistance to both the employee and me in readjusting to a productive work relationship.

Appendix 1 - Ask Yourself...

Updated: 4:20 pm ET October 20, 2006)

1. Do you have an employee who is unable to assume the responsibilities required of the job?

YES NO

If the answer is **YES**, have you removed these responsibilities from the job and added them to your or to someone else's job?

2. Do you have an employee whom you can neither depend upon to be on the job, nor his or her job performance when at work?

YES NO

If the answer is **YES**, do you allow or require other employees to assume the duties of this employee?

3. Do you have an employee whom you know will not meet deadlines unless you remind him or her repeatedly, and then you or someone else must check the work?

YES NO

If the answer is **YES**, do you find yourself consistently warning your employee that he or she must improve, and his or her job performance continues to deteriorate?

And, would you agree that if this particular employee improved and met the job standards you have set, a large part of your supervisory problems would disappear?

4. Do you have an employee you consider to be unsatisfactory?

YES NO

If the answer is **YES**, did you give him or her a satisfactory performance rating during the last rating period?

5. Does any employee continue to be unsatisfactory despite your action(s)?

YES NO

If the answer is **YES**, have you consulted your EAP?

Appendix 2 - Employee Documentation/Identification

(Updated: 4:34 pm ET October 20, 2006)

Think about the employees you supervise. Do any of them have any of the following characteristics? Go through the list below and place an "X" next to each characteristic you have noted in any of your staff members.

Part 1: Changes in...

1. Absenteeism

- a. Multiple instances of unauthorized leave
- b. Excessive sick leave
- c. Frequent Monday and/or Friday absences
- d. Repeated absences, particularly if they follow a pattern
- e. Excessive tardiness, especially on Monday morning or in returning from lunch
- f. Leaving work early
- g. Peculiar and increasing improbable excuses for absences
- h. Higher absenteeism rate than other employees for colds, flu, gastritis, etc.
- i. Frequent unscheduled short-term absences (with or without medical explanation)

2. On-The Job Absenteeism

- a. Continued absences from post more than job requires
- b. Frequent trips to water fountain or restroom
- c. Long coffee breaks
- d. Physical illness on the job

3. High Accident Rate (and, consequently, more accident claims)

- a. Accidents on the job
- b. Jobs take more time

4. Difficulty in Concentrating

- a. Work requires greater effort
- b. Jobs take more time

5. Confusion

- a. Difficulty in recalling instructions, details, et cetera
- b. Increasing difficulty in handling complex assignments
- c. Difficulty in recalling own mistakes

6. Spasmodic Work Patterns

- a. Alternate periods of high productivity with periods of low productivity

7. Reporting to Work

- a. Coming to/returning to work in an obviously abnormal condition

8. Generally Lowered Job Efficiency

- a. Poor quality of work
- b. Job takes more time and effort than usual
- c. Quality is less than acceptable
- d. Missed deadlines
- e. Mistakes due to inattention or poor judgment
- f. Wasting more material
- g. Making bad decisions
- h. Complaints from co-workers, others
- i. Improbable excuses for poor job performance
- j. Substandard performance affects work performance of coworkers and supervisor

9. Poor Personal Relationships on the Job

- a. Overreaction to real or imagined criticism
- b. Wide swing in morale
- c. Borrowing money from coworkers
- d. Unreasonable resentments
- e. Drastic change in physical appearance

10. Material Wastage

- a. Scrap that must be discarded
- b. Rework a job that was incorrectly or poorly done
- c. More materials and supplies than necessary are used to do a job

11. Grievances

- a. Increased use of grievance procedure
- b. Inappropriate requests for grievances

12. Worker's Compensation

- a. Frequent requests for worker's compensation
- b. Inquiries that are difficult to substantiate or do not seem work-related

13. Insurance Claims

- a. Higher than average amount of insurance medical claims
- b. Claims are for vague illnesses, intestinal disorders, backaches, et cetera

Part II

Now, go over the list and for each item marked "X" indicate in the right-hand margin how you felt about this type of employee behavior.

- A. I felt helpless.
- B. I was sad.
- C. I felt hurt.
- D. I felt let down.
- E. I was fearful about what might happen
- F. I felt guilty somehow.
- G. I was angry.
- H. I felt superior.

Part III

One last time go over the list and for each item marked "X", indicate in the right-hand margin what you did about this behavior.

- A. I did nothing, I ignored it.
- B. I covered up for him or her
- C. I gave him or her a good chewing out.
- D. I moved him or her to a less demanding job.
- E. I cut off communications with him or her.
- F. I complained to others (my boss, colleague, secretary, wife or husband, et cetera).
- G. I threatened him or her.
- H. I did his or her work.
- I. I promoted him or her
- J. I persuaded him or her to retire.
- K. I resigned or retired
- L. I did something else.

Appendix 3 - Examples of Appropriate and Inappropriate Documentation

(Updated: 4:37 pm ET October 20, 2006)

	Appropriate	Inappropriate
8/5 10:00 a.m.	Conference Room: In meeting, Joe refused to participate in discussion of new policy when asked twice - loudly criticized Bill and Alice for their opinions, calling them both "stupid"	During the week of 8/3: Was rude in a meeting. What's his problem? or Joe looked like he was recovering from a hangover
8/6 8:15 a.m.	Work area: Joe arrived at work station at 8:15 - 45 minutes late. When I asked him why he was late, he said, "I've got some personal problems, gimme a break."	8/6: Joe was late for work by 15 to 30 minutes. His family must be harassing him.
8/11 9:00 a.m.	Conference Room: Jim made a thorough and factual presentation and proposed an acceptable budget policy change which resulted in a cost savings for the agency.	Jim made a good presentation

REMEMBER, "IF IT ISN'T WRITTEN DOWN AND DOCUMENTED, IT DIDN'T HAPPEN"

Appendix 4 - Employees' Defense Strategies

(Updated: 4:39 pm ET October 20, 2006)

Defense or Trap	Employee	Supervisor
Excuses and Sympathy	Employee will have a good reason for everything that happens. "You'd have the same problems I do if you had a wife/husband like mine."	"You may have problems at home. I am concerned about your performance, and my data here says you are not doing your job." Then, make the referral to the EAP.
Apologies and Promises	"I'm really sorry. You know that! I'll never do it that way again."	"I appreciate your apology, what you did is serious."
Switching	"I know about that, but look what a good job I've done on that AMRC job."	"You did well on AMRC. I want good work on all jobs. You've had more problem jobs than successful ones lately. Look at the record."
Anger	"Dammit!! One mistake and the roof falls in after 15 years of killing myself for this place."	"I think it's important that you listen. Getting angry won't help anyone. I'm concerned about your performance and I'm not talking about one mistake. Let's look at the record."
Tears and Helplessness	"I don't know what to do. I'll never get out of this mess." (crying)	"I appreciate and understand your sadness. I want you to know that I want to help, which is why I set up this meeting. You have been a valuable part of our organization. I want to tell you about our Employee Assistance Program."
Deflecting	"But everyone else is lax about that."	"Let's review this list of problems again. I'm talking with you now about your work performance."
Self-pity	"I knew this would happen. I've never been able to do anything right."	"I wouldn't be taking this time to talk with you if I didn't have faith in you. So let's move on to talk about what can be done to help you. You know, our Employee Assistance Program would be..."
Innocence	"It's not my fault. You let me down. I don't get any help at all around here."	"Be realistic. You have done excellent work in the past. I want more of that from you, which is why I set up this meeting. You know our Employee Assistance Program..."

One of the services that the EAP offers is to help you, the supervisor, with coaching and preparation for a constructive confrontation where everyone wins.

Appendix 5 - Sample Memo for Employee Referral to EAP

(Updated: 4:49 pm ET October 20, 2006)

Memorandum

Subject: Referral to Employee Assistance Program **Date:**

From: **Reply to Attn.**
of:

To:

The purpose of this memo is to express my personal concern for your welfare and to point out significant recent deficiencies in your performance and conduct. I would like to support you in correcting these deficiencies. This memo does not constitute a disciplinary action, nor will it become part of your Official Personnel Folder.¹

In the last two months you have been absent six out of eight Fridays, as well as another thirteen days. This constitutes excessive sick leave. You are using your leave faster than you earn it.

Another problem is that the last four reports you have submitted have been either incomplete, or have had several inaccuracies that required substantial rewrites. Additionally, two of these reports were submitted well after their scheduled deadlines. I now have to proofread everything you submit, due to the poor quality of these last reports.

I have coached you twice in the last two months regarding arguments you have had with coworkers in the office which have disrupted the work space. Yesterday I overheard you in yet another conflict.

You have been a valuable employee to the FAA throughout your career. Up until the last few months, your work has been of consistently high quality and an asset to our unit. I believe your work can be of high quality again. To that end I am strongly recommending that you seek assistance from the Employee Assistance Program. You should be aware that your use of this

Memorandum

service will be confidential and is voluntary. No information can be released to me or anyone else without your written consent.

You can contact the Employee Assistance Program at 1-800-234-1EAP. Previously I have spoken with you about other suggestions to help you improve on these deficiencies. I will be monitoring your performance/conduct and will reevaluate it with you in thirty days.

I am offering this referral as a result of my concern for you and my commitment to support you in improving your performance on the job. I believe that in taking advantage of the services offered by the Employee Assistance Program, you will be helping yourself and the continued success of our team.

NOTE: The sample memo is an example and should not be used exactly as shown when referring an employee to the EAP. This sample represents one good approach to a particular situation. Since each situation is somewhat unique, supervisors are encouraged to consult with an EAP counselor or EAP Manager in preparing the referral memo.

¹ This memo is not to go into the reading or correspondence files. Only the firstline supervisor generally needs to know about the referral. When necessary to ensure confidentiality, the supervisor may want to prepare the memo.