

July 30, 2015

TO: County Personnel Policy Board Members

SUBJECT: Personnel Policy Board Meeting
Thursday, August 6, 2015
1:30 p.m., Human Resources Conference Room,
Room 302
County-City Building

NOTE: New Location

A G E N D A

ITEM 1: Election of Chair

ITEM 2: Election of Vice-Chair

ITEM 3: Request to revise the Employee Assistance Program Personnel Policy Bulletin

ITEM 4: Request to revise the Drug-Free Workplace Act Personnel Policy Bulletin

ITEM 5: Miscellaneous Discussion

PC: Department Heads

Human Resources Policy Bulletin

Number: 2000-32015 - 2

Lancaster County

Date: August, 2000

August 2015

Reference:	Title:
Contract signed with Continuum Supercedes: Personnel Policy Bulletin 97-1 2000-3	Employee Assistance Program

In accordance with County Board Resolution, Lancaster County recognizes that there is a need for the Employee Assistance Program, hereinafter referred to as EAP, to aid in counseling employees who have personal problems which affect their job performance. EAP offers counseling in such areas as alcohol and drug abuse, family, marital, emotional and legal concerns. This policy bulletin is intended to establish guidelines for participation in this program and is fully supported by the County Board.

I. POLICY

- A. Lancaster County, as an employer, recognizes a wide range of personal problems that may affect job performance. It shall be the policy of Lancaster County to encourage employees to seek assistance for their personal problems which may affect job performance. Job security or promotional opportunities will not be jeopardized by requesting or receiving assistance for personal problems. These EAP resources are intended to help retain and rehabilitate valuable County employees. To the extent possible, the County will encourage self-referral. Enlightened attitudes and acceptance of human problems is acknowledged and endorsed by Lancaster County to encourage an employee to take advantage of this service.
- B. In accordance with the Drug Free Workplace Act of 1988 the Employee Assistance ~~p~~Program will be utilized to facilitate employee rehabilitation and preventive educational training, in accordance with Personnel Policy Bulletin ~~97-2~~2015-2. In addition, the Employee Assistance Program will provide Substance Abuse Professional services in accordance with ~~Department of Transportation (DOT)~~ mandated drug and alcohol testing and non-DOT programs: the following Lancaster County policies:
- 1) Federal Department of Transportation, hereinafter referred to as DOT,
 - 2) Federal Motor Carrier Safety Administration, hereinafter referred to as FMCSA,
 - 3) Non-DOT Drug and Alcohol

II. PROCEDURE

A. Internal EAP Resource

Services provided by Continuum (~~formerly the Lincoln EAP, Inc.~~) will be coordinated and monitored by the City/County ~~Personnel~~Human Resources Department.

The City/County Personnel Department will designate an internal EAP liaison. This person may be the initial contact for the employees and families in need of assistance and may provide ongoing support and follow-up, as appropriate, to meet the needs of the employee and the County.

B. External EAP Resource

Continuum will provide professional EAP counseling services for County employees and their family members. Continuum services include initial assessment, motivational counseling, referral to an appropriate community resource for continued care, consultation and follow-up as needed.

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Lancaster County

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C. *Types of Referrals*

Referrals to both the internal and external EAP resources may be as 1) self-referral by the employee; 2) a supervisory referral by the supervisor because of unsatisfactory job performance; ~~or~~ 3) a self-referral by an immediate family member of the employee; or 4) a referral to ensure compliance with the DOT and non-DOT Drug and Alcohol programs.

D. *Confidential*

All information given to the internal EAP liaison regarding personal problems will remain confidential. All information given to Continuum will be kept confidential within statutory guidelines. Information from Continuum may only be obtained by the County with written permission from the employee.

E. *EAP Orientation for Employees*

Orientation programs for employees covering services offered by Continuum will be coordinated and scheduled by the City/County ~~Personnel~~Human Resources Department as part of an ongoing in-service training program.

F. *Supervisory Training and Ongoing Consultation*

Assistance is available from the internal EAP liaison and Continuum to all supervisory personnel involved with an employee with job performance problems. Formal EAP training shall be provided to all supervisory personnel on how to work effectively with employees with unsatisfactory work performance, when to take internal disciplinary action, and how to refer to Continuum. Ongoing consultation services include assistance in documenting job performance problems, preparing for a corrective interview and monitoring job performance after an EAP contact. Formal EAP training sessions will be a joint effort of the City/County Personnel Department and Continuum.

G. *Supervisory Referrals*

1. *Responsibility of Supervisory Personnel*

- a. Supervisory personnel throughout the County shall be responsible to promote the availability of the EAP resources to employees. It is recognized that supervisors do not have the professional qualifications to assess specific personal problems. Necessary referral to EAP will be based on documented unsatisfactory work performance.
- b. Continuum EAP is designated as the Substance Abuse Professional for employees who are in non-compliance with the County's Federal DOT and non-DOT policies.

2. *Procedures for Making a Supervisory Referral*

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Number: 2000-32015 - 2

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Date: August, 2000

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- a. When a notice of disciplinary action or unsatisfactory performance is completed, the supervisor may inform the employee of the availability of EAP. Depending upon the severity of the job performance problem, the supervisor or department head may require the employee to contact Continuum for assistance.
 - b. It is recommended that all supervisory referrals be routed first through the internal EAP liaison in the ~~Personnel~~ Human Resources Department.
 - c. A referral to Continuum will occur simultaneously with standard disciplinary action for unsatisfactory job performance or the notice of unsatisfactory job performance.
 - d. A mandatory supervisory referral to Continuum may occur as part of a corrective action plan to improve job performance. Such referral will not be considered disciplinary action.
 - de. The County will require the employee to sign a limited release form allowing Continuum to report back to the EAP liaison and the supervisor: 1) the dates of contact with Continuum; and 2) the verification that the employee is following through with the recommended course of action.
 - ef. Initial assessment/counseling time with Continuum will be considered "County time" for **supervisory** referrals only. Leave time for follow-up sessions with Continuum and/or referral agencies will be handled in accordance with standard leave policies.
3. *Responsibility of the Employee*

The employee has the responsibility to follow through with the supervisor's recommendation to contact the internal EAP liaison and/or Continuum to cooperate with the recommended course of action. Employees who refuse assistance or who do not respond to or fail to **successfully complete** the recommended course of action will be handled in accordance with standard disciplinary procedures for unsatisfactory job performance.

H. *Leave*

Employees are encouraged to seek assistance from the EAP in a manner which minimizes the interruption of their department responsibilities. Sick leave and/or vacation may be granted to employees (if available) for EAP consultation, or treatment by a certified alcohol and drug counselor, licensed mental health professional or a medical practitioner in accordance with standard leave policies.

I. *Fees*

Fees for services provided by Continuum will be paid for by Lancaster County. Lancaster County will not be obligated to pay fees of referral references beyond EAP except to the extent that employee health plans provide for insurance coverage.

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J. Dependents

Since an employee's work performance may be affected adversely by the problems of his or her spouse or other dependents; the program is available to families of the employee at no charge.

K. Contract Coverage

Renewal will be reviewed based on program performance and employee needs. This bulletin will be revised accordingly or as procedures require.

L. EAP Service Provider

Continuum (formerly Lincoln Employee Assistance Program)
1135 M Street, Suite 400
Lincoln, NE 68508
Phone: (402) 476-0186

M. Internal EAP ~~Provider~~ Resource

~~Personnel~~ Human Resources Coordinator
City-County ~~Personnel~~ Human Resources
Phone: (402) 441-7880

Douglas J. McDaniel, Human Resources Director
City-County Human Resources
Phone: (402) 441-7888

~~Georgia Glass~~ Douglas J. McDaniel
~~Personnel Administrator~~ Human Resources Director

Date

Roma Amundson, Chair
Board of County Commissioners

Date

Human Resources Policy Bulletin

Lancaster County

Number: 97-22015 - 3

Date: April, 1997
August 2015

Reference:	Title:
Drug-Free Workplace Act of 1988 - 41 USC 701 Personnel Policy Bulletin 97-12000-3 2015-2 Employee Assistance Program Supercedes 94-397-2	Drug-Free Workplace Act Policy

OBJECTIVE

It is the objective of Lancaster County to maintain a drug-free workplace for employees.

SCOPE OF PROBLEM

The use of illegal drugs and unauthorized controlled substances is a nationwide problem that takes a tremendous toll on individuals and their families. It has been estimated that ~~over~~approximately 10% of American workers regularly use cocaine, marijuana, heroin or some other illegal drug. Use of illegal drugs has been shown to lead to severe health problems, emotional disorders, financial hardships and the break-up of families.

The use of illegal drugs and unauthorized controlled substances by employees jeopardizes the safety and health of themselves, their co-workers and the public that rely on our services. Illegal drug use also results in decreased productivity and quality and increased medical expenses, absenteeism, tardiness, accidents and turnover.

It is the responsibility of the County to maintain a productive work force in a safe work environment and to preserve the quality of services provided by the County.

POLICIES ON POSSESSION OR USE OF ILLEGAL DRUGS

Employees found to be involved in the use, manufacture, distribution, dispensing or possession of illegal drugs or unauthorized controlled substances while on County premises or in the course of conducting County business will be subject to disciplinary action up to and including termination.

Off-duty use of illegal drugs can also influence an individual's job performance. Employees must report to work in a fit condition for duty. Having used alcohol or drugs which may affect job performance is prohibited and is cause for disciplinary action as defined by Lancaster County's Department of Transportation (DOT) and Non-DOT Anti Drug and Alcohol Programs policies:

- 1) Federal Department of Transportation, hereinafter referred to as DOT
- 2) Federal Motor Carrier Safety Administrations, hereinafter referred to as FMCSA,
- 3) Non-DOT Drug and Alcohol.

Human Resources Policy Bulletin

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The County is concerned about alcohol and drug abuse as it affects job performance, the work environment, and as it undermines the public's confidence in the County.

EMPLOYEE ASSISTANCE PROGRAM

The County recognizes drug and alcohol use may affect job performance and is a major health and potential safety problem. Therefore, the County provides channels of help for personal problems; however, it is the employee's responsibility to seek and accept help. Employees needing help in dealing with such problems are encouraged to voluntarily use the Employee Assistance Program. To the extent possible, conscientious efforts to seek such help will not jeopardize an employee's job, provided the employee accepts the help, becomes rehabilitated and job performance meets expected levels.

Supervisors and employees can access the Employee Assistance Program in accordance with Personnel Policy Bulletin ~~97-12000-3~~2015-2.

REQUIREMENTS OF EMPLOYEES

In accordance with the provision of the Drug-Free Workplace Act of 1988, employees are required as a condition of employment to agree to:

- 1) Abide by the terms of the County's drug-free workplace policies.
 - a) All new employees shall read the Drug Free Workplace Act Policy bulletin and sign the receipt acknowledging the policy and forward the form to the Human Resources Department.
- 2) Advise the employer within five (5) days of any criminal drug statute conviction for a violation that occurred on County premises or in the course of conducting County business.

REQUIREMENTS FOR THE EMPLOYER

In accordance with the provision of the Drug-Free Workplace Act of 1988, employers are required to:

- 1) Establish a drug-free awareness program to inform employees about:
 - a) the dangers of drug abuse in the workplace;

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- b) the policy of maintaining a drug-free workplace;
 - c) available drug counseling, rehabilitation and employee assistance programs;
 - d) penalties that may be imposed upon employees for drug abuse violations.
- 2) The County has established a Drug Free Workplace Awareness Program and it can be found on the Human Resources Intranet forms file for administration.
- a) If required to complete the training program, the employee shall sign a receipt acknowledging the policy, and forward the form to the Human Resources Department upon completion of the training program.
 - b) All new employees shall read the Drug Free Workplace Act Policy bulletin and sign the receipt acknowledging the policy and forward the form to the Human Resources department.
- 23) Provide a copy of the policy to each employee engaged in the performance of a federal contract.
- 34) Notify the employee engaged in the performance of a federal contract that as a condition of employment, the employee will abide by the terms of the policy.
- 45) Notify the contracting agency within 10 days after receiving notice of any criminal drug statute conviction occurring in the workplace.
- 56) Impose a sanction on or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is convicted of a criminal drug statute occurring in the workplace.
- 67) Make a good faith effort to continue to maintain a drug free workplace.

SANCTIONS

Each contract awarded by a Federal Agency shall be subject to suspension, termination or debarment in accordance with the requirements of the Drug-Free Workplace Act of 1988 if it is determined that:

- 1) The County has made a false certification.

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- 2) The County violates the certification by failing to carry out the requirements.
- 3) Such a number of employees of the County have been convicted of violations of criminal drug statutes for violations in the workplace as to indicate that the County has failed to make a good faith effort to provide a drug-free workplace.

Ron Todd Douglas J. McDaniel
Personnel Administrator Human Resources Director

Date

Roma Amundson, Chair
Board of County Commissioners

Date