

# ***POLICY ON THE EMPLOYEE ASSISTANCE PROGRAMME FOR THE DEPARTMENT OF EDUCATION AND CULTURE***

## **1. INTRODUCTION**

The Department of Education and Culture cares about the health and social well-being of its employees and recognizes that there are a number of personal problems which impact negatively to the employees' personal and work lives. Personal problems can have to a detrimental effect on performance, productivity and behavior in the workplace.

## **2. PURPOSE**

To provide constructive assistance in the form of confidential counseling and referral to every employee who experiences personal as well as work related problems.

## **3. Definition of terms (Refer to Annexure A - attached)**

## **4. AUTHORISATION**

The following legislation underpin the contents of this policy:

- Section 8 (1) of the Labour Relations Act, Act 66 of 1995.
- Public Service Act, Act 103 1994.
- Employment of Educators Act, Act No. 76 of 1998.
- Public Service Regulations of 2001 as amended.
- Employment Equity Act as amended.
- Tobacco Products Control Act 83 of 1993.
- Department of Education and Culture Leave Policy - HRM Circular No. 96 of 2001.
- Resolution 7 of 2001 of the Public Service Co-ordinating Bargaining Council.
- Resolution 7 of 2001 of the Education Labour Relations Council
- Domestic Violence Act as amended.

## **5. SCOPE OF APPLICABILITY**

The provisions of this policy shall apply to all employees in the KwaZulu-Natal Department of Education and Culture who are employed in terms of the Employment of Educators Act, No. 76 of 1998 and the Public Service Act, No. 103 of 1994 as amended, respectively.

## **6. AREAS OF ASSISTANCE**

The programme will offer assistance in respect of the following:

- Marital, family and relationship problems.
- Substance abuse (alcohol, drugs, prescription/medication).
- HIV/AIDS and other dread disease.
- Workplace violence and trauma counseling, for example, car hi-jacking.
- Stress (family, social and job).
- Family violence.
- Sexual harassment.
- Psychological problems.
- Financial management problems.

## **7. PRINCIPLES**

### **a. Confidentiality on Consultation and Record Keeping**

The department shall ensure confidentiality of information/details revealed by employees during consultation and record keeping. Also, the Department shall neither victimize nor dismiss an employee on the basis of information revealed during consultation or receiving treatment.

### **b. Neutrality**

The Department shall ensure that EAP remains outside of traditional conflict areas between management and employee organizations, in other words, it may not be drawn to testifying or witnessing in any labour disciplinary proceeding.

EAP shall not be used as a disciplinary tool for management.

**c. Voluntarism**

The Department acknowledges that voluntarism is the most effective referral to the programme since it achieves the earliest intervention possible. On the other hand, at no stage can the Department force an employee to use EAP.

**d. Constructive Coercion**

After everything else has been done, that is, training-interventions, then the managers/supervisors can persuade the troubled employee to consult the EAP Practitioner for assistance.

**e. Accessibility**

The Department shall ensure that the programme is accessible to all employees regardless of their positions. The Department commits itself to developing a system of resources relevant and accessible to employees and their families, for instance, counseling.

The Department must further ensure that consultation rooms are accessible and conducive.

**f. Permanency**

The Department shall ensure the survival and sustainability of the EAP by providing visible support. The Department shall ensure thorough advocacy through consultation with all stakeholders including Labour Organizations.

**8. GUARANTEES**

This policy guarantees the following:

- ❖ that an employee identified as having personal problems shall not be discriminated against in respect of benefits such as promotions, training and others.
- ❖ that special leave will be granted to accommodate assistance.

- ❖ that confidentiality will be respected on giving feedback to referring supervisors. Supervisors may only obtain a prognosis report not diagnosis without the employee's permission.

## **9. TYPES OF REFERRALS**

### **a. Self-Referral**

An employee through a process of self-realization recognizes that a problem exists and seeks assistance by consulting the EAP Practitioner directly. Self-referrals are treated with strict confidentiality and employees who voluntarily seek assistance but do not want their supervisors to know of their participation can arrange appointments outside duty hours.

### **b. Informal Referral**

This is when an employee experiences personal or social problems and on advice of other people, for example, the supervisor, a colleague, friend, family; seek assistance from the EAP Practitioner.

### **c. Formal Referral**

A supervisor who is concerned about the decline in an employee's performance, attitude and behaviour may refer that employee, with the employee's consent, to an EAP Practitioner for assistance. The supervisor is required to complete the referral form and submit it to the EAP Practitioner at least three days prior to the interview.

## 10. RESPONSIBILITIES

In order for this programme to function, the following responsibilities have been assigned.

### 10.1 Management

The management must:

- buy into the programme, that is, their support must be visible.
- ensure that the location of the EAP Consulting Rooms is away from the workplace to help ensure privacy.
- Attend training sessions and be well-versed with EAP.

### 10.2 Supervisor

Supervisors must:

- Be alert and observe the performance of their supervisees so as to identify the change of behaviour and decline in performance.
- Document evidence in relation to deteriorating job performance, that is, must keep records of absenteeism, late coming, failure to meet deadlines, physical appearance or any other visible behavioural change.
- Inform their supervisees about the observed and documented behavioural change.
- Inform their supervisees about the value of EAP.
- After everything else has been done, that is, means to develop the employee; refer the troubled employee to the EAP Practitioner if there is no improvement on job performance.

- Attend training sessions and be well versed with EAP.

### **10.3 Supervisees**

It is the supervisee's responsibility to:

- Note his/her behavioural change and take initiative of utilizing EAP services.
- Ensure 100% co-operation in respect of appointments for consultation, treatment and avoiding relapse.
- Attend information sessions and be well versed with EAP.

### **10.4 EAP Practitioners**

EAP practitioners are responsible:

- Advocating EAP throughout the department.
- Ensuring links with authentic referral institutions.
- Conducting counseling sessions.
- Safe keeping of confidential records in respect of interviews and referrals.
- Monitoring and evaluation of the effectiveness of EAP.
- Identification and training of EAP co-ordinators at regional level.

## **11. COSTS**

### **a. Funding**

Expenses incurred during to the first treatment will be borne by the Department. However, in the case of relapse, the employee will bear the expenses incurred during the subsequent treatment.

### **b. Leave**

In the case of leave, an employee will use his/her leave days for consultation (treatment). If there has been a change of behaviour, after treatment, those leave days will be converted to special leave days.

**12. MONITORING AND EVALUATION**

The EAP shall be continuously monitored. It shall be evaluated once in two years time by the EAP Practitioners and the Management.

**13. DISPUTE RESOLUTION MECHANISM**

Any dispute arising out of the interpretation and application of this policy shall be dealt with in accordance with the dispute resolution mechanism applicable within the Department.

## ANETUXE A

### 1. DEFINITION OF TERMS

The following terms in this policy can be defined as follows:

#### 1.1 Employee Assistance Programme (EAP)

This is a work site based programme designed to assist employees in the identification and resolution of performance and behavioral problems associated with employees hampered by personal problems which include, but not limited to; marital, family, emotional, legal, financial, substance abuse, illness or other personal problems that adversely impact upon their health as well as their productivity.

#### 1.2 EAP Practitioner

- a person skilled to intervene in a case of a troubled employee at the work-place.

#### 1.3 Management

- person/s responsible for managing and administrating the department at the highest level.

#### 1.4 Supervisor

- a person empowered/authorized to oversee and manage the performance of other employees at the workplace.

#### 1.5 Supervisee

- a person at the operational level.

#### 1.6 Employee

- any person employed by the department, be it in terms of Employment of Educators Act, Act 76 of 1998 as amended or Public Service Act, Act 103 of 1994 as amended.

- 1.7 Troubled Employee**
- an employee whose job performance is affected by personal problems.
- 1.8 Department**
- the KwaZulu-Natal Department of Education and Culture.
- 1.9 Programme**
- refers to the EAP.
- 1.10 Refer**
- directing a troubled employee to EAP Practitioner and/or institution.
- 1.11 Institution**
- authorized service providers which intervene in a case of a troubled employee, for example, South African National Council on Alcoholism and Drug Dependence, FAMSA and others.
- 1.12 Client**
- an affected person seeking assistance from EAP.
- 1.13 Treatment**
- an intervention by EAP practitioner/ psychologist/ psychiatrist.
- 1.14 Relapse**
- deterioration in client's condition after partial recovery.
- 1.15 Confidentiality**
- not disclosing any information received during interviews and referrals without client's permission.
- 1.16 Neutrality**
- maintaining impartial state.

**1.17 Voluntarism**

- self initiated referral.

**1.18 Accessible**

- easily reachable.

**1.19 Permanent**

- long-lasting.

**1.20 Constructive Coercion**

- persuasion of a troubled employee by the supervisor to consult EAP.

**1.21 Consultation**

- seeking information/ advice from EAP Practitioner or Institution.