


MANAGEMENT DIRECTIVE

Commonwealth of Pennsylvania Governor's Office

Subject: State Employee Assistance Program	Number: 505.22 Amended
Date: March 13, 2017	By Direction of:  Sharon P. Minnich, Secretary of Administration
Contact Agency: Office of Administration, Office for Human Resources and Management, Bureau of Employee Benefits and Services, Telephone 717.787.8575.	

This directive establishes policy, responsibilities, and procedures regarding the State Employee Assistance Program (SEAP). Marginal dots are excluded due to major changes.

- 1. PURPOSE.** To establish policy, responsibilities, and procedures for administering SEAP.
- 2. SCOPE.** This directive applies to employees in all departments, boards, commissions, and councils under the Governor's jurisdiction (hereinafter referred to as "agencies"), and all independent agencies that participate in SEAP.
- 3. OBJECTIVES.** To provide policy and procedures for agencies and employees to utilize SEAP effectively, including:
 - a.** Providing an integrated system of behavioral health and work-life support to employees and their family members who may have personal issues that may adversely affect an employee's job performance.
 - b.** Providing an integrated system of support and intervention to commonwealth agencies to enhance performance management through consultation services and promoting early identification and referral of employees who exhibit difficulties on the job.
 - c.** Providing timely on-site services to address the adverse effects of traumatic situations in the workplace with employees.

4. DEFINITIONS.

- a. **Agency-Specific Drug and Alcohol Referral.** An employer based referral used for employees who have tested positive or have refused a test under an agency's reasonable suspicion drug and alcohol testing program.
- b. **Alcohol.** The intoxicating agent in beverage alcohol, ethyl alcohol (ethanol), or other low molecular weight alcohols, including methyl and isopropyl alcohol.
- c. **Alcohol Use.** The consumption of any beverage, mixture or preparation, including medication containing alcohol.
- d. **Commercial Driver's License (CDL) Referral.** An employer based referral which is used for employees who have tested positive or refused a test under the commonwealth's CDL drug and alcohol testing program.
- e. **Condition of Continued Employment (COCE).** An employer based referral which is an agreement between the employer, employee and, as appropriate, the union representative, whereby the employee agrees to participate in SEAP in lieu of termination.
- f. **Controlled Substance.** All substances as defined by *21 U.S.C. § 812* and includes all substances listed on Schedules I through V as they may be revised from time to time (*21 C.F.R. § 1308*).
- g. **Critical Incident Stress Debriefing (CISD).** An educational session, led by a SEAP counselor, which is held for employees who have experienced a traumatic event associated with the workplace to assist them in processing their emotional reactions to the event.
- h. **Drug.** A controlled substance.
- i. **Employee.** A person who has been hired by an agency subject to "*The Administrative Code of 1929, Act 175 of 1929, P.L. 177; 71 P.S. §51*, and whose employment has not yet been terminated, and who is eligible for SEAP. This includes all employees of agencies that participate in SEAP, including both permanent and non-permanent individuals. For the purposes of this directive, employee does not include the following groups: individuals in a leave without pay without benefits status; annuitants; per diem members of boards or commissions; National Guard; Health Registrars; volunteers, except for Deputy Waterways Conservation Officers and Deputy Wildlife Conservation Officers; and external persons, as identified in SAP.
- j. **Employer Based Referral.** A referral, by the employer, of an employee, to SEAP for evaluation and education and/or treatment, where the employee faces an employment-related consequence for failure to participate in the referral process.
- k. **Independent Psychological Evaluation (IPE).** An employer based referral which is used to establish an employee's fitness for duty.

- l. Licensed Professional Referral (LPR).** An employer based referral which is used for employees who are licensed professionals, in lieu of being reported to the Department of State, Bureau of Professional and Occupational Affairs.
- m. SAP (Systems, Applications and Products).** SAP is the abbreviation for a software application package used by the commonwealth which is comprised of a number of fully integrated modules such as HR & Payroll, Finance, and Plant Maintenance.
- n. Self-Disclosure.** The provision of verbal or written information by an employee that indicates he/she is using illicit drugs, misusing prescription drugs, and/or abusing alcohol.
- o. Self-Disclosure Referral.** An employer based referral which is used for employees in certain jobs or positions who have made a self-disclosure.
- p. State Employee Assistance Program (SEAP).** A program designed to assist state employees and their families with alcohol, drug, emotional, family, legal, financial, marital, or personal problems.
- q. State Employee Assistance Program Central Coordinating Office (SEAP-CCO).** A private nongovernmental vendor that provides SEAP services to the commonwealth.

5. POLICY.

- a.** The commonwealth will provide employee assistance benefits to employees and their families through SEAP. Reference *Executive Order 1996-10, State Employee Assistance Program*.
- b.** All employees, supervisors, managers and union representatives will receive information and education on SEAP related policies, procedures, and available services. SEAP related information, education, and training will be provided on a regular and periodic basis. SEAP information also will be incorporated into related training programs provided by the commonwealth and agencies.
- c.** SEAP is a confidential service, and all information regarding its use is covered by applicable federal and state regulations and commonwealth confidentiality policies.
- d.** In certain circumstances and subject to Office of Administration, Office for Human Resources and Management (OA/HRM), Bureau of Employee Benefits and Services (BEBS) approval, an employee's participation in SEAP may be required as an employer based referral.
- e.** Except for employer based referrals, refusal to participate in SEAP cannot be held against an employee or impact his/her employment.

6. RESPONSIBILITIES.

a. **OA/HRM BEBS** shall:

- (1) Contract with the Pennsylvania Employees Benefit Trust Fund to obtain employee assistance services from the vendor providing behavioral health services to the commonwealth.
- (2) Advise, monitor, and evaluate the independently contracted SEAP-CCO.
- (3) Monitor and evaluate the effectiveness of agency administration of SEAP.
- (4) Provide guidance to agencies on SEAP related issues.
- (5) Develop, implement, and coordinate procedures for the sharing of information between the SEAP-CCO, OA/HRM BEBS and commonwealth agencies.
- (6) Coordinate on-site intervention services for agencies when a critical situation occurs which could adversely affect the workplace.
- (7) Develop educational and other training programs on SEAP related issues.
- (8) Review, approve, coordinate and monitor all employer based referrals.

b. **Agency Heads** shall ensure that SEAP and related policies are administered consistent with this directive, *Manual 505.3, State Employee Assistance Program* and *Executive Order 1996-10, State Employee Assistance Program*.

c. **Agency Human Resource Directors** shall:

- (1) Designate a management level staff person(s) in the Central Human Resources Office to serve as the agency SEAP Coordinator. The designated agency SEAP Coordinator should not also have labor relations responsibilities.
- (2) Consider designating field SEAP Coordinators for field locations. The field SEAP Coordinator must be a management level staff person, should be familiar with human resource functions, and should not also have labor relations responsibilities.
- (3) Notify OA/HRM BEBS within five days of a change in agency/field SEAP Coordinator.

d. **Agency/Field SEAP Coordinators** shall:

- (1) Ensure that all employees, supervisors and union representatives receive information, education, and the required training on SEAP and the substance abuse policy requirements, using an OA/HRM BEBS approved curriculum.
- (2) Ensure that all supervisors and union representatives receive the required training on SEAP using an OA/HRM BEBS approved curriculum.

- (3) Ensure that all employees, supervisors and union representatives receive ongoing refresher training on SEAP every two years, at a minimum, appropriate to their positions.
- (4) Provide consultation and/or assistance to supervisors, union representatives, and employees in accessing and facilitating referrals to SEAP.
- (5) Actively seek the cooperation of unions in the SEAP referral process, as appropriate.
- (6) Provide consultation and/or assistance to supervisors regarding performance based intervention with employees.
- (7) Coordinate with OA/HRM BEBS and the SEAP-CCO for those situations involving employer based referrals.
- (8) Ensure that all information regarding an employee's use of SEAP, including records related to employer based referrals, is treated in a confidential manner, in accordance with commonwealth policies and applicable state and federal laws and regulations., including, but not limited to, *The Health Insurance Portability and Accountability Act (HIPAA)*.
- (9) Coordinate with OA/HRM BEBS for those situations where a CISD may be appropriate.

e. **Supervisors** shall:

- (1) Ensure that all employees receive information about SEAP.
- (2) Contact the agency/field SEAP Coordinator for information and/or assistance in referring employees to SEAP or utilizing performance based intervention.
- (3) Provide referrals to SEAP to employees as part of performance based intervention.

7. PROCEDURES.

- a. Refer to *Manual 505.3 State Employee Assistance Program*.

This directive replaces, in its entirety, *Management Directive 505.22*, dated April 2, 2003.