

## Guidelines For Making Formal Supervisory Referrals to the EAP

A **FORMAL REFERRAL** is a process which:

1. The employer / supervisor strongly recommends that the employee use EAP.
2. Because of declining job performance (including, but not limited to, health and safety issues, impairment from alcohol or drug use), which is leading to disciplinary action, suspension, layoff, or termination.
3. The referral is made in a face-to-face meeting in which the employee receives a written statement clearly presenting job performance issues, expectations for improvements, a time line and the employee's choices and consequences.
4. The employer / supervisor notifies an EAP consultant of the referral, giving the consultant the name of the client and the relevant job performance information.
5. The employer / supervisor wants to receive feedback that the employee used the EAP.

**Further explanation of the steps in the formal referral process:**

1. *The employer / supervisor **STRONGLY RECOMMENDS** that the employee use the EAP.*
  - Use of the EAP by the employee is always voluntary. The employee cannot be forced to get help.
  - The employee is always responsible for improvements in job performance whether or not EAP is used.
  - In those rare times when an employee does not follow the recommendation to use EAP, and the result is continued disciplinary action; the employee retains the right to begin use of EAP at a later date, even up to 30 days after employment is discontinued.
2. *Because of **DECLINING JOB PERFORMANCE** which is **LEADING TO DISCIPLINARY** action or termination.*
  - Each organization has specific contract provisions, and /or specific policies that must be followed in disciplinary actions.
  - The EAP is meant to work in conjunction with these polices, not in place of them.
3. *The referral is made **IN A FACE-TO-FACE MEETING** with the employee.*  
When meeting with the employee:
  - Have a list of specific unacceptable work performance concerns. Include dates, times, circumstances, etc. Include past history of any disciplinary measures taken.
  - Stick to the facts. Do not give your impressions of what the personal problems may be.
  - Provide specific details of the improvements and changes necessary.
  - Tell the employee that you are strongly recommending that they take advantage of the EAP. Make it clear that the employee is **NOT REQUIRED** to use the program.
  - Promote EAP as assistance for issues that may be affecting work performance.
  - Remind the employee that use of the EAP does not replace the need for a job performance improvement, or the disciplinary process.

### **Guidelines For Making Formal Referrals (con't)**

- Tell the employee you are notifying the EAP of the referral. You can offer to make the call to the EAP for the employee right then, or ask him / her to call from your office. Due to confidentiality, the employee must set up their own appointment. If the employee chooses to call after your meeting, make sure to give them EAP information and the phone number.
4. *The employer / supervisor **NOTIFIES AN EAP CONSULTANT** of the referral.*
- Call to ask to speak with an EAP Consultant either prior to, or shortly after your meeting with the employee.
  - Send a copy of the written statement which was presented to the employee in the face-to-face meeting. Under stress of the meeting, the employee often doesn't hear or remember the details which were discussed about job performance issues, expectations for improvements, a time line and the employee's choices and consequences.
  - It is useful for the EAP Counselor to have this information before the employee's appointment.
  - It is also useful to have information that will help the employee and EAP Counselor...things that under stress employees often don't hear or remember...such as: options and suggested resources the company is offering when an employee is being laid-off, down-sized or terminated.
5. *The employer / supervisor **WANTS TO RECEIVE FEEDBACK** that the employee used the EAP.*
- EAP counselors make every effort to get from the employee a release of information which allows the counselor / consultant to report that the employee has come to the EAP. In most cases, the employee is willing to sign a release to a specific named person for specific information.
  - However, the EAP cannot and will not release information to the employer without the employee's written consent, (unless there is a legal "duty to warn").

### **Other Considerations:**

- If the referral is related to an infraction of alcohol / drug policy or suspected impairment, the failure to follow through with a referral may result in termination if your organization has such policies in effect. In these instances, following recommendations made by the EAP Counselor may be a condition of continued employment.
- The employer / supervisor should plan on taking appropriate action if the behavior does not change. Following through with the EAP or other recommendations does not always guarantee that work performance will improve.