



# Liability & Property Pool Workers' Compensation Fund

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## RISK CONTROL SOLUTIONS

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A Service of the Michigan Municipal League Liability and Property Pool and  
the Michigan Municipal League Workers' Compensation Fund

### **Supporting Employees through an Employee Assistance Program**

Have you ever received word that a police officer dealt with a appalling crime involving a juvenile during their last shift, or observed first hand an employee struggling during a contentious divorce or with the passing of a loved one?

Depending on their position, employees may experience traumatic events at work. First responders such as police officers, firefighters, or paramedics come to mind immediately, as we know they can be exposed to horrendous incidents such as homicide scenes, fatal fires, or the death of a child. They may also be exposed to difficult events over an extended period of service, with the trauma and stress building over time. But employees in other departments must be considered as well. Due to the nature of the work, accidents happen in Departments of Public Works and may have a lasting impact on employees.

Today you frequently find the lines blurred between an employee's private life and their work life. It is not uncommon for employees to bring their private issues into the work place, which can cause disruption and affect not only their productivity but also their coworker's productivity.

Regardless of whether an employee is dealing with an emotionally significant event at home or in the workplace, the impact will be felt in the workplace. This means support and assistance may be necessary to help the employee cope and continue to be effective. Employees are our most valuable assets and it is our responsibility to ensure their safety and provide assistance to keep them as dedicated and productive workers.

#### **What Exactly is an Employee Assistance Program?**

An Employee Assistance Program, commonly referred to as EAP, can be beneficial in providing counseling services to employees in need. These are designed to help employees address personal issues by offering confidential, short-term, professional support for a variety of concerns including financial, substance abuse, family, and mental health difficulties. EAP counselors are licensed clinicians who typically provide screening, brief intervention, and referral to additional resources if necessary.

A formal EAP program is a risk management strategy. It establishes a process for early identification and intervention, with the goal of keeping employees on the job. Addressing problems early may eliminate a workers' compensation claim or shorten the duration of a lost time workers' compensation claim, reducing the overall cost to the employer. Lost time workers' compensation claims of this nature are often costly and lengthy. An EAP helps contain or mitigate insurance costs and associated out of pocket costs, such as overtime, project delays, replacement training, etc.

EAP services can be helpful whether an employee has recently been directly involved in or witness to a traumatic event, or the employee is showing early signs of having some kind of problem, even without an obvious recent event to “blame.” It’s important to keep in mind: stressors can be an event that occurred well in the past or a build-up of many events over time.

It is vital to have astute first line supervisors who know their people, notice and pay attention to early changes in behaviors and performance, identify budding problems, and have the courage and leadership to deal with it immediately. With such a wide range of individual responses and circumstances, it is up to management with good judgement to determine when these conversations need to be had, and when an EAP referral may be warranted. Early intervention can help, and delayed intervention can still help.

Confusion often exists between an EAP and a Fitness for Duty exam. The Federal Occupational Health website describes the difference:

The primary concern in the EAP is the employee’s well-being. A fitness for duty examination focuses on the extent to which an employee can perform their job. Following a fitness for duty examination, a written report is submitted to the employer who makes the final decision as to the employee’s ability to function in the job. ... In a fitness for duty examination, the “client” is the agency.... In the EAP, the client is the employee, and the counselor is the employee’s resource.

It is possible that an employee could use the services of an EAP and still, eventually, require a Fitness for Duty examination depending on the severity of their behavior. But the *first* goal is to provide early intervention to assist the employee with concerns and to help them return to their regular performance level.

Two essential elements of an EAP program’s success are building employees’ trust in the confidentiality of sessions between them and the provider, and removing the stigma from taking advantage of the service.

### **How to Implement an EAP**

A good first step toward implementing a new EAP is to consult with colleagues from other municipalities with existing EAP programs. Human resources staff should be able to access information through benefit providers or colleagues. Your local hospital or community mental health services may provide the service or be able to refer you to other local resources.

EAPs can be structured in several ways, such as with an initial set cost calculated per employee that includes a certain number of visits or phone consultations, and an agreed method for handling the cost of use beyond that. Some programs cover family members as well. No matter how it is structured, the key is to have a contract in place so that services are available when needed.

Research clearly shows that mental health must be openly discussed and proactively addressed. We must acknowledge that exposure to tragedies has long-term detrimental effects. We cannot continue to say, “it’s part of the job so deal with it,” and look down on those who admit when stress is getting to them.

The most valuable assets in any organization are its employees; we must support our employees by removing the stigma surrounding mental health struggles. For our employees, their mental well-being should be a priority and a topic of purposeful conversation. An effective Employee Assistance Program can help when employees are struggling to ensure they remain productive members of the organization.

**Important steps that should be taken:**

1. The head of the organization should support such a program and talk about it often with the employees. Encourage employees to utilize the service, delivering the message that it is healthy and okay to want to talk to someone about the stresses of the job or in their personal life. Provide pamphlets and post the information in conspicuous places around the organization. This allows employees to contact the EAP directly if they wish to keep it private. Make it a part of the municipality's everyday culture.
2. Discuss the program with union representatives, reassuring them the intent of the program is to provide assistance to their members so their work does not suffer. Include a conversation about when the program is voluntary and when it may be required because of a corrective action.
3. Make certain the program is available to all employees. Never assume you know how people are handling the job, regardless of their position.
4. Encourage co-workers to keep an eye out for each other and mention it to a supervisor if they sense a problem may be brewing so that the employee can be approached and asked if everything is okay. Let them know that your main concern is to provide support early on so that problems do not fester and grow into bigger issues.

For more information, contact the League's Loss Control Services, or MML Risk Management Services.



**Important Contact Information**

MML Risk Management Services	734/662-3246 or 800/653-2483
Loss Control Services	800/482-2726

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**Note:** *This document is not intended to be legal advice. It does not identify all the issues surrounding the particular topic. Public agencies are encouraged to review their procedures with an expert or a competent attorney who is knowledgeable about the topic.*