

## Employee Assistance Programs: One More Tool at Your Disposal to Support Officers' Well-Being

By Matthew Heins, Law Enforcement Action Forum Coordinator



Over the years, law enforcement has made great strides in addressing officer safety. Today's officers are equipped with lightweight ballistic vests, high capacity semi-automatic sidearms, semi-automatic rifles, Conducted Electrical Weapons and chemical agents. Tactics are continuously improving and evolving to address new and changing threats. Protecting officers' physical well-being has been the focus of substantial time, effort and money, as it should be.

Protecting officers' mental well-being, on the other hand, has long been overlooked. Many readers will now stop reading this article because that statement goes against the prevailing attitude in law enforcement.

### The Image

The culture is built around being tough, handling anything that comes your way and pushing through traumatic events to get the job done. After all, you are the problem-solvers, the ones people turn to when their day falls apart. The mindset is that you must remain stoic; people are expecting you to handle the problem, and if you show weakness they may lose confidence in your abilities. There is an unspoken fear you will be considered unworthy by your peers if you allow yourself to appear vulnerable. Perhaps no one will want you as their back-up — the person they will need to depend on when things go bad. The culture is not conducive to saying, "That last call really bothered me and it is weighing on my mind."

### The Reality

Law enforcement officers handle a wide variety of circumstances in the course of their duties. Many calls are mundane and quick to be resolved. However, day in and day out, officers also respond to desperate cries for help from people suffering their darkest hours with no one else to turn to ... homicides, suicides, child deaths, beatings, stabbings, sexual assaults, fatal accidents, overdoses, grieving family members, abused kids. Officers witness horrific scenes that, either immediately or collectively over time, can take a toll on their mental well-being.

In 2018, the Fraternal Order of Police partnered with NBC news on a nationwide survey of nearly 8000 active and retired sworn officers. The goal was to assess the mental health difficulties officers are facing, and learn more about the effects of critical stress, defined as “a strong emotional reaction that overwhelms usually effective coping abilities.” Key findings included:

- 79% reported experiencing critical stress at some point during their career
- 69% percent reported that stressful experiences as a police officer caused lingering emotional issues that led to a range of [negative] effects in their lives
- 90% reported stigma as a barrier to seeking treatment
- 90% believed that the public and the profession lack awareness that critical stress is a problem in law enforcement
- 73% viewed peer support/counseling as the most helpful of treatments.

A 2017 Ruderman Family Foundation white paper on “Mental Health and Suicide of First Responders” found that there were at least 140 police officer suicides that year, versus 129 deaths in the line of duty. In other words, officers were more likely to die by suicide than in the line of duty.

Clearly, the job can cause mental anguish every bit as hazardous as its physical threats and probably even more so. How can we work to reduce its effects?

### **Employee Assistance Programs**

No single solution will solve such a complex problem, but one of the tools in our kits can be Employee Assistance Programs (EAPs). 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.

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.

As previously noted, because of the culture, many officers won’t talk with each other about their emotional troubles. Additionally, officers often shut out family members and others who might support them under a common belief that, unless someone has been on the job, they won’t understand what the officer is going through and won’t be able to help.

When officers internalize their stress, it may begin to impact their work performance. In fact, a vast number of employees’ mental health struggles initially surface as minor performance problems. The quality or timeliness of reports or other work may slip; they might cut corners or take more risks. Their attitudes, interpersonal, and communications skills may decline; and supervisors may begin to receive more complaints against them. Personal issues such as marital, financial, or substance abuse problems may develop and begin to intrude on the officer’s time, attention, and performance on duty.

In the fight to improve law enforcement mental health, it is absolutely vital to have astute first line supervisors who know their people, notice and pay attention to such 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's 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.

Unfortunately, in the police culture, any action from management is perceived as discipline, so officers tend to be suspicious if they are approached and asked if there is a problem. They are likely to be reluctant to open up about their struggles. It's important to remember, at this stage, the goal is to get the employee whatever assistance they need to get back on track, personally and professionally. They don't need to share their problems with you to achieve that goal.

Let them know it's okay if they're not comfortable sharing, but you want them to know that, whatever might be going on, they don't have to face it alone. Educate them on the agency's EAP services and encourage them to take advantage of the resource. In particular, reassure them that their conversations with an EAP counselor will remain strictly confidential – as will the fact that they have used the EAP. It has been shown that this knowledge is key to employees actually using the service.

Additionally, make sure the officer understands that they are not being referred for a Fitness For Duty exam, a common point of confusion. 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 officer with concerns and help them return to their regular performance level.

If the employee chooses not to use the EAP, performance problems continue to grow, and eventually formal corrective action is taken, then consideration should be given to mandating EAP visits/calls. Any visit's content would remain confidential between the employee and the counselor, but notification should be provided to the appropriate commander when the employee has attended a visit — as part of a corrective action, you need to document all recommended actions are taken and accomplished. Also keep in mind, ordering an employee to use the EAP may implicate the federal law against disability discrimination under the Americans with Disability Act. Therefore, employers should consult with legal counsel or their human resource department before taking this step.

### **Make It Part of the Culture**

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.

Important steps that should be taken are:

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. 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 agency's everyday culture.
2. Discuss the program with union representatives, reassuring them the intent of the program is to provide assistances to the 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. If possible, use a service provider that is familiar with law enforcement and the unique challenges the job can present.
4. Make certain the program is available to all employees, including civilians. Many times, civilians, such as dispatchers, are overlooked when it comes to workplace stress. Never assume you know how people are handling the job, regardless of their position.
5. 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 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 the problems don't fester and grow into bigger issues.

Explore the possibility of offering a yearly mental health checkup for all employees. This should follow the same protocols as a regular EAP visit. The standards can be reviewed by visiting the Michigan Association of Chiefs of Police website ([michiganpolicechiefs.org](http://michiganpolicechiefs.org)) and clicking on the Accreditation tab.

### **Implementing a New EAP in Your Department**

A good first step toward implementing a new EAP is to consult with colleagues at law enforcement agencies with existing EAP programs. Your department's 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 various 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's structured, the key is to have a contract in place so that services are available when needed.

### **Conclusion**

Research clearly shows that mental health and suicides in law enforcement and firefighting must be openly discussed and proactively addressed. The culture of stoicism must change; we must acknowledge that frequent, ongoing exposure to tragedies has long-term detrimental effects. We can't 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. From day one at the academy, and throughout their

careers, first responders' mental well-being should be a priority and a topic of purposeful conversation. It is imperative that law enforcement leaders focus as much on employees' mental health as on their physical safety and do everything they can to limit the emotional scars the job can inflict. An effective Employee Assistance Program can help your department take steps toward achieving that goal.

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*While compliance to the loss prevention techniques suggested herein may reduce the likelihood of a claim, it will not eliminate all exposure to such claims. Further, as always, our readers are encouraged to consult with their attorneys for specific legal advice.*

LEAF continues to develop policies and resource documents designed to help Law Enforcement Executives manage their risk exposure.

Do not hesitate to contact the Michigan Municipal League's Loss Control Services at 800-482-2726 for your risk control needs and suggestions.

**Are you an MML Insurance Program Member? Are you a Law Enforcement Executive?**

If so, visit the MML's online [Law Enforcement Risk Control Manual](#) to access model policies and procedures developed by the LEAF Committee.

Go to: <http://www.mml-leaf.org/lerc.php>

Click on the green "Member Login" box in the left-hand panel.

At the Login screen, enter your username and password.

If you don't have a username and password, click "Request Access" and complete the online form.

The LAW ENFORCEMENT ACTION FORUM (LEAF) is a group of Michigan law enforcement executives convened for the purpose of assisting loss control with the development of law enforcement model policy and procedure language for the Law Enforcement Risk Control Manual. Members of the LEAF Committee include chiefs, sheriffs, and public safety directors from agencies of all sizes from around the state.

The LEAF Committee meets several times yearly to exchange information and ideas relating to law enforcement issues and, specifically, to address risk reduction efforts that affect losses from employee accidents and incidents resulting from officers' participation in high-risk police activities.

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