

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
Bureau of Human Resources

September 24, 1992

HUMAN RESOURCES MEMORANDUM 23-92

TO: Agency Personnel Managers
Directors of Administrative Services

SUBJECT: Administrative Leave for Employee Assistance
Program (EAP) Services

There has been some confusion regarding the use of administrative leave by employees who are clients of the Employee Assistance Program (EAP). The purpose of this memorandum is to clearly establish the policy on this matter as governed by 5 MRSA, Sec. 957 which provides:

Employees who wish to consult with a program counselor must be granted administrative leave without loss of pay or benefits. Employees may use authorized accumulated leave, or leave without pay, for assistance by an outside resource.

In the recent past, client consultations with the EAP were usually limited to one to three visits, the time generally necessary to provide assessment and referral services. The internal EAP did not have the resources to provide brief therapy or other counseling services. Since January 1992, however, private organizations, Affiliated Healthcare Systems and Blanchard and Associates, have been contracted to provide EAP services which includes a short-term counseling option for clients.

Both contractors have agreed to provide up to eight visits with the EAP counselor as a service for clients when that form of treatment is determined to be appropriate. Rather than refer employees to community-based providers, the EAP counselor may determine that selected clients would be better served as participants in the short-term therapy option. This approach eliminates out-of-pocket expectations on the part of the employee, and contains the charges assessed to the health insurance plan for mental health and substance abuse covered services.

It is the consensus of the Bureau of Human Resources, the Bureau of Employee Relations, and the EAP Labor/Management Committee that the statute clearly provides that employee consultations with an EAP counselor must be granted administrative leave. Further, the administrative leave provisions include consultations with an EAP counselor for assessment, referral, and short-term counseling services.

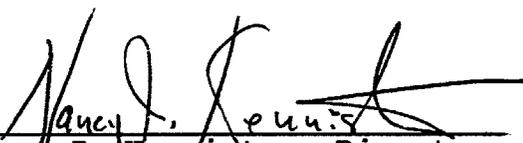
HUMAN RESOURCES MEMORANDUM 23-92

Page 2

September 24, 1992

In instances where an employee uses administrative leave for EAP services, managers and supervisors have the right to verify that the employee did, in fact, have an appointment. Should the employee choose to use accumulated sick leave or vacation leave, the EAP has no obligation to verify an appointment without employee consent. Employees and supervisors should recognize that the EAP providers offer flexible schedules which can accommodate concerns of staffing and operational needs.

Please feel free to contact the Bureau of Human Resources for additional information.


Nancy J. Kenniston, Director
BUREAU OF HUMAN RESOURCES

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