

UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM

SECTION: Human Resources

NUMBER: 02.E.05

AREA: Miscellaneous Benefits

SUBJECT: Employee Assistance Program

1. PURPOSE

This document sets forth the guidelines to be observed in establishing and operating an Employee Assistance Program (EAP).

2. DEFINITIONS

- 2.1. Employee: An employee of the University of Houston System is an individual who performs services that are subject to the will and control of the component university in terms of what must be done and how it must be done. An employee is paid through the payroll system, with accompanying tax withholding as provided by law.
- 2.2. Regular, benefits-eligible employee: An employee who is appointed for at least 20 hours per week on a regular basis for a period of at least 4.5 continuous months, excluding students employed in positions which require student status as a condition of employment.
- 2.3. Immediate family member: Those individuals who reside in the employee's household and are related by kinship, adoption, or marriage as well as foster children certified by the Texas Department of Protective and Regulatory Services. Minor children of the employee, whether or not living in the same household, will be considered immediate family for purposes of this policy.

3. POLICY

- 3.1. The System recognizes that personal problems can influence an employee's attendance, punctuality, judgment, behavior, and job performance. The use of illegal drugs, the abuse of alcohol, family problems, and other emotional, psychiatric, or physical problems can have an adverse impact on an employee's ability to function effectively on the job.
- 3.2. Each component university may establish or contract for an EAP for employees. Such program may be extended to provide assistance to immediate family members of employees. In the absence of a formal EAP, the component university may contract with an external provider for professional services when needed.

- 3.3. The policy of the University of Houston System and its components is to ensure equal opportunity in all its educational programs and activities, and all terms and conditions of employment without regard to age, race, color, disability, religion, national origin, veteran's status, genetic information, or sex (including pregnancy), except where such a distinction is required by law. Additionally, UH System prohibits discrimination in all aspects of employment and educational programs on the basis of sexual orientation, gender identity, or gender expression. For the UH System's Official Non-Discrimination Statement, see [SAM.01.D.05 – Equal Opportunity and Non-Discrimination Statement](#).

4. **POLICY PROVISIONS**

- 4.1. An EAP should provide confidential professional assistance to help individuals resolve problems that affect their personal lives or performance on the job. An EAP may include such services as assistance with marital and family problems; referrals to community agencies, mutual help organizations, private hospitals, public treatment programs; and drug and alcohol abuse counseling and rehabilitation or referral to private drug treatment practitioners during or following problem assessment. In addition, an EAP may provide assistance with financial or legal issues or concerns.
- 4.2. Generally, confidentiality is guaranteed to any employee who uses the services of an EAP. However, confidentiality may be suspended if in the judgment of the professional EAP staff or supervisory staff, an employee represents a threat to self or to others, or if access to information is required in response to legal action. Absent these conditions, a violation of confidentiality by any employee involved in administration of the program may be grounds for disciplinary action, up to and including dismissal from employment. Employees involved in administration of the EAP will not discuss the employee's problem with supervisors, other employees, or treatment providers, unless the employee provides written authorization to release such information.
- 4.3. Each component university having an established EAP will provide information describing the EAP, available services, and individuals eligible to use these services.
- 4.4. An EAP may supplement the existing procedures for dealing with deteriorating or unsatisfactory job performance or conduct. Standard disciplinary procedures will be followed if an employee's job performance is unsatisfactory, or if the employee violates policies.
- 4.5. Mandatory management referrals to an EAP or external provider may be initiated by the employee's supervisor, in consultation with human resources, when the employee's conduct or performance may necessitate professional assistance.

- 4.6. Absences from work resulting from participation in an EAP will be handled in accordance with established leave policies.
- 4.7 All records maintained by the EAP staff will be kept in locked files which are not part of the regular employee’s personnel files.
- 4.8 Fees and expenses incurred as a result of referrals to external agencies or professionals are the responsibility of the employee.

5. REVIEW AND RESPONSIBILITY

Responsible Party: Associate Vice Chancellor for Human Resources

Review: Every five years on or before December 1

6. APPROVAL

Approved: Jim McShan
Senior Vice Chancellor for Administration and Finance

Paula M. Short on Behalf of Renu Khator
Chancellor

Date: July 6, 2016

REVISION LOG

Revision Number	Approval Date	Description of Changes
1	01/25/1996	Initial version
2	05/25/2005	Applied revised SAM template to meet current documentation standards. Information was added to Section 3.3 that participation in an EAP will not be the basis for discrimination or retaliation against any individual or group on the basis of race, gender, age, color, religion, national origin, disability, sexual orientation or veteran status. Changed the responsible party to AVC for Human Resources. Changed review period from annually on or before September 1 st to every three years on or before August 31 st

Revision Number	Approval Date	Description of Changes
3	05/01/2013	Applied revised SAM template and added new Revision Log. In Section 3.2, added information that the component university may contract with an external provider for EAP professional services in absence of a formal EAP. Added prohibiting of discrimination on the basis of sexual orientation, gender identity or gender expression in Section 3.3. Added EAP assistance for financial or legal issues or concerns to Section 4.1. Revised Section 4.4 regarding the EAP supplementing the existing procedures dealing with an employee's deteriorating or unsatisfactory job performance or conduct. Added Section 4.5 on the process of referrals to the EAP by an employee's supervisor in consultation with human resources. Changed the responsible party to AVC for Finance. Changed the review period from every three years on or before August 31 st to every five years, on or before December 1 st
4	07/06/2016	Updated Section 3.3 with GENDA/Title IX statement per U.S. Department of Education's Office of Civil Rights requirements. Changed responsible party from Associate Vice Chancellor for Finance to Associate Vice Chancellor for Human Resources. Updated titles as appropriate