



Empowering and Strengthening the Union in Agency-Level EAP Programs

What exactly is the Employee Assistance Program?

- The Employee Assistance Program is a union-negotiated free-of-charge benefit designed to help employees balance the demands of work, home and life by providing employees with confidential information, assessment and referral to community resources to address a broad range of issues such as financial concerns, stress, marital problems and substance abuse.

Can an employee be mandated to use EAP services?

- No, EAP services are voluntary and confidential.

Who are the EAP Coordinators?

- EAP Coordinators are state employees who receive special training and release time to provide referrals and appropriate resources for fellow employees seeking assistance. The EAP Coordinator is a neutral position; the Coordinator cannot be a Human Resources Department employee or a union steward or leader.

What is the overall structure of the EAP Program?

- Both labor (PEF, CSEA, NYSCOPBA, UUP and others) and management share oversight of the EAP program.
- On the *statewide level*, the Work-Life Services Advisory Board - which consists of members of all the various stakeholder unions and management representatives from GOER – sets policy and provides direction for the EAP Program. GOER staff administers the program on a statewide and regional level.
- On the *agency level*, the local EAP program consists of 1) a labor-management EAP committee consisting of local members of the stakeholder unions and members of agency management and 2) the local EAP Coordinator.

- EAP Regional representatives, employed by GOER, oversee and provide assistance to the local EAP programs in their regions and manage the EAP regional offices.

What is the role of the agency-level EAP Committee?

- The agency-level EAP Committee promotes EAP services to employees, makes recommendations regarding the selection of the local EAP Coordinator, supports and oversees the EAP Coordinator's activities, and develops initiatives and programs for the local EAP program.ⁱ

Who appoints the members of the agency-level EAP Committee?

- The unions and management have *equal representation* on the committee. Management and the unions appoint their respective representatives to the Committee.ⁱⁱ Unlike the EAP Coordinator position, Committee members can be union stewards or leaders and/or HR Department employees.ⁱⁱⁱ

How are Committee decisions made?

- Committee decisions must be reached through *consensus*.^{iv}

Who selects the agency-level EAP Committee Chairperson/Co-Chairs?

- Together, the union and management members of the Committee select the Chair or Co-Chairs of the Committee.^v

What are some of the rights and responsibilities of PEF-appointed agency-level EAP Committee members?

- First and foremost, it is important to understand that the agency-level EAP Committee is a joint labor-management committee with the unions and management being *equal partners* and with decisions being made by *consensus*.
- *The Committee members select the Committee Chair or Co-Chairs.* The Chair position can be rotated.
- *The Committee Chair or Co-Chairs supervise(s) the EAP Coordinator.* Agency HR should not be supervising the EAP Coordinator. Having the right Chair/Co-Chairs helps ensure the actual and perceived neutrality of the EAP program at your agency. For example, while the Chair can be either a union or management member of the Committee, it is best for the Chair not to be a management representative from the HR Department, otherwise HR will in effect be supervising the EAP Coordinator.

- *Committee members interview and select candidates to recommend for the EAP Coordinator position. As the recommendations ultimately go to the appointing authority for final approval, it is best for the Committee to forward at least two candidates for each EAP vacancy.*^{vi}
- *Committee members should assure that the EAP Coordinator has the resources he/she needs, such as release time, private office space to meet with employees away from Human Resources, a designated e-mail address, and appropriate professional development opportunities. The Committee should advocate for and make recommendations to the appointing authority for any needed resources for the EAP Coordinator. Committee members should review the EAP Coordinator's monthly statistics to determine if more release time is needed.*
- *PEF Committee members must be involved in establishing and adhering to Committee by-laws. This is important to assure that fair procedures are set up for matters such as attendance, voting, and agenda setting.*^{vii}
- Committee members should work with other agency-level labor-management committees as well as other PEF leaders and keep them apprised of both the achievements of the agency EAP program and any problems that the program may be encountering.
- PEF Committee members should seek assistance from other PEF leaders or the PEF Field Representative if questions or issues arise about the functioning of the EAP Committee.
- Other rights and responsibilities of Committee members related to the agency EAP program include:
 - Reading and being familiar with the EAP Program Manual
<https://www.pef.org/wp-content/uploads/2020/05/2020-EAP-Program-Manual.pdf>
 - Attending EAP New Committee Member Orientation
 - Establishing and adhering to Committee by-laws and ethical guidelines
 - Assuring that decisions of the Committee are reached through consensus
 - Promoting the agency EAP program and participating in promotional events
 - Conducting the annual evaluation of the EAP Coordinator
 - Preparing the Committee's annual report and distributing it to stakeholders
 - Seeking appropriate grants for agency EAP programs

How can PEF leaders and Field Reps strengthen union involvement in EAP programs?

- The agency EAP program and EAP events can be publicized at union meetings and on union bulletin boards.

- EAP issues can be raised at the agency level L/M table if progress is not *first* made at the EAP agency-level committee. Some of these items may include:
 - Funding for food and t-shirts for EAP-sponsored events
 - Release time for the EAP Coordinator
 - Assuring the Coordinator has private space, locked cabinets, an email account and a spot on the agency intranet to communicate with employees
 - Presentation of the EAP Committee’s Annual Report to the agency L/M Committee
 - Getting management buy-in for new employees to participate in EAP “training”
- PEF leaders and Field Reps can refer members to the EAP Coordinator where appropriate. In addition, although EAP services cannot be mandated, some Field Reps have successfully used referrals to EAP to assist in favorable resolutions to disciplinary matters while maintaining required confidentiality for the member.
- The GOER-employed EAP Regional Representatives are tasked with communicating about EAP programs with various stakeholders, including the unions. PEF’s Field Staff, Council Leaders and Regional Coordinators can reach out to the EAP Regional Representatives to assure that PEF is receiving appropriate updates from the EAP Regional offices.
- PEF leaders and Field Reps can request assistance from the EAP Regional Representative in establishing or re-establishing an agency-level EAP Committee where needed.
- EAP Coordinators are tasked with meeting with stakeholders to share information. Again, PEF Field staff, RCs and CLs L/M chairs can reach out to the Coordinator to assure that they are communicating with PEF and the other unions.
- EAP Coordinators may contact agency HR and/or the unions about health benefits and leave provisions as it relates to the services provided to our members. PEF Field Reps can reach out to Coordinators to let them know they are available when such questions arise.

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The below citations are to the EAP Program Manual which can be found here: <https://www.pef.org/wp-content/uploads/2020/05/2020-EAP-Program-Manual.pdf>

ⁱ EAP Program Manual, Chapter 3(B)(1), p. 18

ⁱⁱ EAP Program Manual, Chapter 3(B)(2)(c), at p. 18, states:

Management and each union in the agency or facility have equal representation on the committee and select their own representative(s).

ⁱⁱⁱ EAP Program Manual, Chapter 3(B)(2)(g), at p. 19 states:

Committee members may serve as union officials, shop stewards (or the equivalent), in the personnel or human resources function, or as Affirmative action Officers, or domestic violence liaisons but must avoid a conflict of interest when doing so.

^{iv} EAP Program Manual, Chapter 3(B)(3)(h), at p. 19, states:

Decisions of the committees must be reached through consensus.

^v EAP Program Manual, Chapter 3(B)(3)(e), at p. 19, states:

The committee should elect a chairperson. The chairperson position may rotate so that all committee members have an opportunity to serve, or the committee can elect to have co-chairpersons or a vice-chairperson.

^{vi} EAP Program Manual, Chapter 5(B), at pp. 45-46 provides the procedures to be used in the EAP Coordinator recommendation/selection process.

^{vii} EAO Manual, Chapter 3(B)(3)(b), at p. 19, states:

Committees must establish and adhere to bylaws (see Appendix, Bylaws for Local EAP Committees). Bylaws should be reviewed annually and must establish at a minimum, standards for meeting frequency, attendance, recording minutes, voting procedures, elections, and terms of officers.