

MANAGER/SUPERVISOR GUIDELINES FOR FORMAL/MANDATORY REFERRALS TO EAP

As a supervisor, you will have the opportunity to address performance issues that appear in the workplace as a result of your employees' personal issues. Examples are tardiness, unprofessional conduct or inability to focus on the job. The EAP can be used as a supportive, confidential, free, and convenient place to help your employee resolve personal issues. The EAP takes the weight of the employee's personal issues off the supervisor, in a supportive way, allowing the focus of the workplace to remain on performance.

A formal referral usually is done in conjunction with a disciplinary/performance improvement process, code of conduct, or risk issue. The EAP management referral process is used to support the employee, the manager, the company, and the company policy and procedures. The employee is provided with a service that can help them improve behavioral or performance issues. The company is provided with a tool that supports the employee in achieving the company goals. Putting the referral in writing will help to ensure a clear understanding between the employee and the company of performance/behavior improvement expectations.

INFORMING NORTHSTAR EAP:

If you need additional support or guidance, if not please proceed to step #4:

1. The manager or HR contacts Northstar EAP via email at hello@northstaeap.com or phone at 906-225-3145.
2. Northstar EAP will gather pertinent information about the employee and reasons for the referral.
3. Northstar EAP will assist you in clearly defining what you are observing, why it is problematic (or not), strategies for effective communication with the employee, and referral to your organization's human resources department and legal resources, and procedures that may apply.
4. If it's determined to be a formal referral, you will need to complete and email or fax the completed "Mandatory Referral Form". Please fill this form out as completely as possible, sign it, and have the employee you are referring to sign the form. Then email the form to hello@northstareap.com or fax to 906-225-4772.
5. The employee will also need to complete the required intake forms: <https://northstar.eapintake.com/>
6. Northstar EAP will work with the employee to arrange for counseling or coaching with a provider.
7. Northstar EAP will notify the referring manager or HR of recommendations and compliance after the employee's initial assessment.
8. Northstar EAP will coordinate with the company manager or HR as to the frequency of follow up calls. If the employee's job status or performance changes, please notify Northstar EAP.
9. Once the employee has completed the recommendations/follow through with the plan, the consultant will inform the supervisor or HR.

MEETING WITH THE EMPLOYEE:

1. Describe the problematic behavior in specific terms, including dates and times. Use objective, observable terms. For instance, "You were observed speaking loudly to your co-worker with your face close to his/hers". Rather than, "You were observed speaking aggressively to your co-worker" (the word "aggressively" is an opinion not an observation).
2. Include examples of acceptable behavior relating to this issue if possible. (e.g. tardy, voice volume, word choice, error rate, safety violation, etc.
3. Describe the expected improvement. Reference company policy. Again, be objective, using observable terms.
4. There are two choices for a timeline:
 - A. State a deadline by which the employee is expected to meet the performance or behavior expectation with regularly scheduled meetings to review the progress before the deadline. State the consequences if the expectations are not met by the deadline.
 - B. Immediate improvement is expected. Advise the employee of the consequences of any continued problematic behavior.
5. Clarify expectations for the EAP referral. For example:

(Name of company) would like to know that you are using all of the resources available to you for improving your performance and/or policy compliance. Therefore, (Name of company) is making a formal referral to the Employee Assistance Program. The EAP provides free, confidential counseling or coaching to help you address any personal issues that may be affecting job performance. You will be expected to contact Northstar EAP by (specify date), attend all EAP sessions that are recommended by the counselor/coach and comply with the recommendations of the EAP. You will be asked to sign a release that allows the EAP to report that you are attending sessions and complying with recommendations. Referrals to additional resources and assistance may be made.
6. It is a good idea to close with making the employee aware of his or her value to the organization and your belief that the employee has the capacity to improve his or her performance.

TYPES of REFERRALS TO THE EAP

There are three kinds of referrals a supervisor can make to the EAP

1. Informal Referral - No job performance concerns at present but without supportive EAP services, the situational stress may result in a breakdown in performance in the future. The employee makes the choice to follow through on the referral or not. There is no reporting to the workplace by the EAP.
2. Formal Referral –This referral is used to formalize the discussion the manager is having on problematic work issues. - Decline in work performance; the employee may already be receiving performance coaching. The manager wishes adjunct support from EAP to help the employee correct the work performance problem that may be due to outside stresses or specific behavior in the workplace. The referral may be made part of a corrective performance plan. Expectations are set for the employee to use the EAP as a tool in correcting the work problem. The employee signs a release so that the EAP can report to the supervisor that the employee is attending and cooperating in utilizing the EAP services.
3. Mandatory Referrals: Referrals made to the EAP when an employer is at the corrective action stage where discipline or termination of the employee is imminent and there are mitigating circumstances that motivate the management of the Company to provide an opportunity for the employee to resolve their problem. Mandatory referrals are also used when the employee’s behavior presents a risk and liability to the company. Compliance with such a referral is mandatory and failure to follow through with the EAP referral evaluation, treatment, and service recommendations in full may be the basis for discipline of the employee. This should only be done where the Company policy provides for such a protocol.

The employee’s job is at risk of declining in performance and/or behavior if the employee does not follow through with the assessment and recommendations.

- Reasons for these types of Mandatory Referrals:
- Violence or threats of violence in the workplace
 - May include domestic violence/harassments
- Sexual harassment in the work place (Corporate Accountability is replacing this problem)
 - Age discrimination
 - Nation of origin discrimination
- Suicidal evaluation/Safety Risk
- Hostile Work Environment – behavior creating this
- Drug/Alcohol in the workplace or self reported to the workplace/Safety Risk

Because there can be a great many factors that play into each of the situations described above, it is often helpful to first consult with Northstar EAP before deciding what level of referral to make, as well as how to communicate the referral to the employee.