

# OFFICE OF EMPLOYEE ASSISTANCE BASICS FOR SUPERVISORS

## The Simple & Legal “How To” Guidelines of the Supervisory Referral Process

### INTRODUCTION

The Office of Employee Assistance (OEA) is designed to help individuals who have personal problems that impair or have the potential to impair their work performance. These problems may be as diverse as alcohol or other drug abuse, family, marital or behavioral disorders that result in absenteeism and deteriorating job efficiency.

These problems affecting work performance are also a legitimate concern for FIU. One of the functions of a supervisor is to identify poor job performance by employees and take appropriate corrective action. Early identification and referral of the employee for assistance can result in improved job performance and help the individual return to a more productive life.

Not all attendance or performance problems, however, should be referred to the OEA. The program does not intend to pre-empt a supervisor’s responsibilities in these cases. A referral should only be made in cases where poor or inconsistent job performance continues after supervisory action. The OEA program should be considered a complementary support for supervisors to use in conjunction with other actions to correct difficult performance problems and not as a disciplinary or risk mitigating route.

The Office of Employee Assistance focuses on the following types of referrals:

- **Self-Referrals (Voluntary)** - Occur at the employee’s own initiative. The employee, recognizing a possible need for assistance, consults with an OEA representative before job performance problems become an issue. No feedback is given to the supervisor under this type of referral, unless requested by the employee.
- **Educational Conversation** – As a caring supervisor, speak with your employees regularly about the services that the OEA can provide. Often employees don’t recall that they can seek OEA services or they don’t realize the wide range of services and range of issues that OEA can assist the employee or

immediate family members. Should the employee pursue the supervisor's recommendation, their use of the OEA is considered voluntary.

- **Supervisory Referral** – Initiated by supervisors. When supervisors recognize job performance problems, they should consult with Employee & Labor Relations (ELR) and the OEA. When job performance is impacted to a minor degree, the supervisor may be advised to simply offer the employee the suggestion to seek assistance from the OEA. However, when the impact on job performance is substantial, the supervisor will be coached by ELR as to how to make the supervisory referral and communicate this effectively to the employee. In instances where the employee permits it, supervisors may receive information about the employee's participation in an assessment and their participation and engagement with any interventions that the OEA may recommend. The supervisor's recommendation is considered an **informal supervisory referral** and the employee's participation is **voluntary**.
- **Formal/Mandatory Referral** – If the employee's performance has deteriorated to the degree that the supervisor has serious concerns about the person's welfare, or there has been an incident of inappropriate behavior that causes significant concern or disruption to the workplace, consult with an ELR professional to determine whether a mandatory referral is appropriate. It may be advised that the employee be required to seek assistance from the OEA or other licensed mental health professionals. If so, the mandatory referral will be made in conjunction with other HR interventions that the ELR professional will coordinate with the supervisor. The ELR professional will assist the supervisor to communicate the mandatory referral to the employee. If the decision is made to mandate a referral, the employee will be required, as a condition of continued employment, to consent to allow the OEA or licensed mental health professional to communicate with ELR whether the employee is complying with the recommended treatment. The employee will be informed that failure to follow the recommended treatment plan may result in disciplinary action, up to and including the possibility of termination. The supervisor's recommendation is considered a **formal supervisory referral** and the employee's participation is **mandated/involuntary**. As with any referral to the OEA, the supervisor should maintain the employee's confidentiality and not discuss the mandatory referral.

## **SUPERVISOR'S ROLE**

The following information should be used as a general guideline for confronting job performance problems and making a supervisory referral to the Office of Employee Assistance. In all cases, however, local administrative and disciplinary procedures may take precedence, including applicable federal regulations.

The OEA is not designed to make diagnosticians or detectives out of supervisors. The program relies on the supervisor's managerial skills and abilities to discuss documented evidence of poor job performance with subordinates. When no apparent job-related issues seem to be causing poor job performance, the supervisor may suggest that the employee contact the OEA for assistance. A supervisor should be alert to the need for assistance by observing and noting changes in usual output or behavior patterns. The supervisor **should not** inquire into the employee's personal life.

Some of these questions are not only inappropriate but might violate some laws.

Here are five basic steps or processes a supervisor needs to be skilled in when considering to refer an employee to the OEA. The supervisor should:

- **Observe**
- **Document**
- **Prepare**
- **Address**
- **Follow-up**

## **OBSERVE**

Changes in employee behavior can signify that the individual has personal concerns that are interfering with his/her work performance. Examples of this behavior include:

- **Decreased productivity**
  - Unacceptable work
  - Changes in quality of the work product
  - Accidents or injuries occurring on the job
- **Changes in mood**
  - Inappropriate emotional outbursts
  - Uncharacteristic anger or belligerence
- **Unusual absenteeism or tardiness**
  - Unscheduled vacation
  - Excessive sick leave
  - Repeated tardiness
- **Frequent and/or prolonged absences from the work area**
  - Prolonged time on personal phone calls
  - Taking unscheduled or excessive break time
- **Changes in habits**
  - Deterioration in personal appearance
  - Unreliability
- **Preoccupation with personal problems**
  - Discussions with co-workers about problems

- Confides in supervisor

These indicators may be helpful in identifying an employee who has significant personal problems. However, this does not mean that all individuals having personal problems will exhibit these behaviors. Nor does it mean that all individuals exhibiting these behaviors have personal problems.

## **DOCUMENT**

When faced with declining or erratic job performance, the supervisor needs to document observable, verifiable facts. Complete, accurate documentation is essential when confronting employee performance problems. Remember that what you document is considered a public record. Think before you write. Good documentation helps the supervisor to:

- Avoid counseling the employee on personal problems. A troubled employee will often try to draw the supervisor into accepting excuses for behavior.
- Provide objective, factual information. It shows the job performance picture over a period of time.
- Set the stage. It shows the employee that the supervisor and employer are concerned about their personal situation.
- Support corrective action process. Documentation is a necessity if an employee is to be disciplined.
- Be objective, fair, and consistent.

## **PREPARE**

Once the supervisor has observed deteriorating work performance or unfavorable changes in personal or work patterns, the supervisor's options to confront an employee include the examples below. The supervisor should also reach out to ELR at (305) 348-4168 for assistance.

- Discussing changes in job performance with the individual before the changes become serious enough to involve higher supervision. The individual should also be told about the availability of the OEA.
- Discussing the matter with the supervisor's immediate supervisor before discussing it for a second time with the employee.

- Consulting with the OEA at (305) 348-2469 to discuss future actions and procedures for referral. The Director of the OEA is an expert in assisting supervisors in the use of constructive confrontation methods with troubled employees.

One should keep in mind that the primary objective as a supervisor is to advise the employee about the specifics of his/her poor job performance and to obtain agreement on the method to improve the employee's job performance. The supervisor's objective is not to determine the employee's underlying problem. In fact, the supervisor might run afoul of the law if he or she asks questions pertaining to someone's health or mental issues.

The OEA and ELR will guide the supervisor as how to communicate with the employee.

## **ADDRESS**

The supervisor should then schedule a private discussion to advise the employee that:

- Corrective action must be taken to correct and improve unacceptable job performance or work behavior.
- Further steps may be taken if the employee's performance does not improve in a reasonable and agreed upon length of time.
- If personal problems are contributing to the unacceptable performance, assistance is available through the OEA.

It is critical that the supervisor be:

- Specific about the employee's behavior when discussing job performance.
- Consistent in the evaluation of all employees.
- Fair by referring **solely** based on job performance, not a suspected personal problem(s).
- Firm and clear about what and when improvement is expected in job performance.

Unless the supervisor or the employee feels it is necessary, this first meeting does not result in a supervisory referral to the OEA. The employee, however, should be made aware of the availability of the program at every appropriate opportunity. That way, the employee maintains the option to contact an OEA representative on his/her own before further performance problems develop.

## **FOLLOW-UP**

After the initial performance discussion with the employee, and after advising the individual of the availability of the OEA, the supervisor should continue to observe and document performance. If the employee's job performance has not improved in a reasonable time, it is possible that the underlying cause is a significant personal problem and another meeting should be scheduled.

- Before the second meeting, the supervisor should discuss the problem with their own immediate supervisor and with ELR for staff, or Academic Affairs for faculty.
- During the second meeting, the employee's work performance record should be reviewed again. The employee should be told what work problems must be corrected, stressing that his/her job may be in jeopardy. It is important to emphasize concern for the employee's wellbeing, as well as the seriousness of the problem.
- The supervisor should indicate concern for the employee requesting the individual contact the OEA. The supervisor should contact ELR and OEA to discuss appropriate referral procedures and/or arrange for a consultation.
- If these actions do not foster acceptable performance results, a determination should be made by the supervisor in consultation with appropriate University entities (ELR or Academic Affairs) regarding what additional or further corrective action is required.

## **Why the Office of Employee Assistance (OEA)?**

It is the belief that the personal life of each employee is his or her own affair. Yet, the increasing pressures and changing influences of society continue to prove that very few of us get through adult life without some serious personal stress. The University is concerned with the welfare of employees because each employee is viewed as a valuable asset. With this in mind, the OEA was implemented to aid in solutions to job impairment problems.

## **How can the OEA help?**

With problems influencing job performance being resolved, it is hoped that the University will retain valued employees.

## **What type of problems does the assist with?**

Help is provided in areas that affect the job, such as poor interpersonal relationships, problem drinking, drug abuse, or a personal crisis in an employee's life. The OEA assesses the nature of the problem and provides referral(s) to the appropriate resources.

### **Is it confidential?**

OEA carefully follows professional standards of ethics and confidentiality. Detailed information on confidentiality is included in the "Statement of Understanding" that each new client is asked to read and sign at the time of the first visit. Except in situations involving danger to self or others, abuse or neglect of children or elders, no information shall be released unless the employee agrees, in writing to such a release. Information maintained by the OEA is not part of, or accessible by, any other University record system or department.

### **How can the OEA be contacted?**

Anyone may call the Office of Employee Assistance at (305) 348-2469 for further information, consultation, or to arrange an interview for the employee. The employee interview provides an opportunity to discuss the possible reasons that underlie deteriorating job performance and to assist in finding community treatment services and resources.

