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Chapter: Personnel

Modification No. 002

Subject: **Faculty/Staff Assistance Program**

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- I. The Board of Trustees recognizes that a wide range of personal problems not directly associated with one's role at the College may affect on-the-job performance of faculty and staff, and that the problems may be behavioral/medical in nature or involve alcohol/substance abuse, marital, family, financial, legal, or other problems of a personal nature.
- II. In providing a referral program for employees to seek solutions to these problems, the Board believes that it is acting in the best interest of the College as a whole; employees benefit from the resolution of such personal problems, and the institution and its students benefit from healthy and productive employees.
- III. In recognition of the benefits of such a program, the Board of Trustees authorizes the President to establish a Montgomery College Faculty/Staff Assistance Program and procedures which will provide short-term counseling and referral services to eligible College employees.
- IV. Eligible employees for purposes of the Montgomery College Faculty/Staff Assistance Program will be all regular College personnel who work at least 20 hours per week, temporary employees with benefits, the immediate families of such personnel, and retirees for a period of one year from the effective date of retirement.
- V. All records relating to individuals who utilize the program will be maintained in strictest confidence in accordance with medical, legal, and ethical standards.
- VI. The President is authorized to establish procedures to implement this policy.

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Board Approval: October 19, 1987; May 18, 2009.

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I. General

Montgomery College is interested in promoting the well-being of its employees and in providing its employees with an opportunity to secure assistance in resolving personal problems that may affect on-the-job performance. These problems may be behavioral/medical or involve alcohol/substance abuse, marital, family, financial, legal, or other problems of a personal nature. To provide assistance to these employees, the College has established the Faculty/Staff Assistance Program.

II. Responsibilities of the College

- A. Details of the services available through the F/SAP will be distributed throughout the College community.
- B. No employee will have his/her job security or promotional opportunities jeopardized as a result of participation in the F/SAP.
- C. Implementation of this policy will not require or result in any special regulation, privileges, or exemptions from the standard administrative policies applicable to job performance requirements. Performance problems will be handled according to established administrative procedures. Nothing in this program prohibits formal disciplinary or adverse action, including removal from employment where performance is deficient.
- D. The College maintains an attitude of assistance toward personal problems of employees which may affect job performance but recognizes that their successful resolution requires the employee's personal motivation and cooperation.
- E. Annual leave, sick leave or personal leave may be used by employees if the services of the F/SAP are used during normal working hours.
- F. Employees referred by their supervisor will not be charged leave for the initial F/SAP counseling session.

III. Responsibilities of the Employee

- A. Employees are expected to take appropriate action to correct job performance problems.
- B. Employees are encouraged to seek evaluation and accept treatment for any problem that negatively impacts job performance.
- C. The decision to participate in the F/SAP and accept suggested referral for assistance is the responsibility of the employee.
- D. Services may be requested by any employee, or eligible dependent, through a direct confidential contact with the F/SAP counselor.

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IV. Responsibilities of the Supervisor

- A. A supervisor may suggest to an employee that he or she contact the F/SAP counselor, based upon objective concerns with job performance.
- B. A supervisor may not require an employee to seek the services of an F/SAP counselor unless a mandatory referral is made through the Office of Human Resources, Development, and Engagement, see Section VI.
- C. A supervisor should assist an employee in making contact with the F/SAP counselor if so requested by the employee.
- D. A supervisor may contact an F/SAP counselor for guidance concerning discussion of the use of the F/SAP with an employee.
- E. A supervisor will grant leave for participation in the F/SAP program according to applicable regulations.
- F. A supervisor will maintain confidentiality regarding an employee's problem(s), referral and use of the F/SAP.

V. Confidentiality

- A. F/SAP records will be maintained in strictest confidence in accordance with medical, legal and ethical standards.
- B. The official employee personnel folder will not reflect an employee's participation in the F/SAP without the permission of the employee.
- C. An employee using the services of the F/SAP is not required to inform anyone concerning the content of his or her discussions with an F/SAP counselor.
- D. The F/SAP counselor will not provide the name of any employee using the service or the specifics of any issue discussed with an employee without the written release of the employee.

VI. Mandatory Referral

Any employee who displays a tendency to engage in violent or threatening behavior, or who otherwise engages in behavior that the Office of Human Resources, Development, and Engagement deems harassing, may be required to report to the FSAP provider by mandatory referral for assessment and referral for appropriate treatment or other services and subject to disciplinary action, up to and including dismissal.

- A. A mandatory referral may be used only when the employee is facing imminent suspension or dismissal. A mandatory referral may only be made by the Office of Employee Engagement & Labor Relations after consultation with the supervisor. If the employee chooses not to participate in the FSAP program, disciplinary proceedings may be initiated. If the employee does choose to participate in FSAP, the employee will be required to sign a written statement, agreeing to an immediate referral to FSAP. Further, the employee will agree to sign a release of information statement allowing the Office of Employee Engagement & Labor Relations access to information about the employee's attendance, cooperation,

and progress as specified by the FSAP provider, after the assessment has been made. If the employee does not cooperate with the recommendations of FSAP, then disciplinary proceedings shall begin.

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Administrative Approval: March 1, 1988; October 1, 2012.