



**HARRY GWALA DEVELOPMENT AGENCY (PTY) LTD**  
[REG. No: 2011/001221/07]

**POLICY: INTEGRATED EMPLOYER/EMPLOYEE ASSISTANCE POLICY**

<b>Administrative Responsibility:</b>	Chief Executive Officer
<b>Implementing Department / Departmental Unit</b>	Corporate Services department

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**HARRY GWALA DEVELOPMENT AGENCY: INTEGRATED EMPLOYER/EMPLOYEE ASSISTANCE POLICY**

**POLICY DOCUMENT CONTROL**

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## **PREAMBLE**

Harry Gwala Development Agency recognizes and acknowledges that Employee/Employer may experience personal, work-related, and family problems, which may affect their performance adversely, and have a negative influence on the development agency mandate. Through the Employee/Employer Assistance Program (EAP), the Harry Gwala Development Agency aims to provide a holistic support system aimed at enhancing the service delivery and quality of life for all its Employee/Employer. This is done through individual wellness interventions which results in the promotion of the physical, social, emotional, occupational, spiritual wellbeing of Employee/Employer.

For individual wellness to be achieved, the HGDA is committed to enable an organizational climate and culture that is conducive to Employee/Employer wellness and comprehensive identification of psycho-social health risks. The EAP is defined as a work-based program designed to assist in the early identification and resolution of productivity problems, associated with Employee/Employer impacted by personal concerns which include, but not limited to, health, marital, drug, alcohol, financial, emotional, work-related stress, and other concerns which may adversely affect the job performance and productivity of Employee/Employer.

The Harry Gwala Development Agency, Board and Chief Executive Officer acknowledge the moral, legal and financial responsibility to protect and safeguard our employee and other persons affected by our activities, against occupational risk to their health or safety arising from any of the operations associated with the Business of the Harry Gwala Development Agency. This policy seeks to maintain the wellness of Employee/Employer so that they are able to properly manage and undertake their responsibilities. In this respect, it seeks to encourage and preserve wellness through proactive and preventative programs, and it seeks to restore wellness when Employee/Employer are not feeling well. It seeks to assist Employee/Employer in the manner it can regain good health, comfort, and productivity.

The problems being experienced by Employee/Employer may manifest themselves in factors such as:

- Substance and alcohol abuse
- Absenteeism
- Poor work performance
- Conflict
- Lateness for work
- Tardiness
- High staff turnover
- Low Morale and self – esteem
- Unnecessary work accidents, etc.



The Harry Gwala Development Agency seeks to administer EAP in a manner that is consistent with the various labour laws, policies and strategic frameworks that exist so that Employee/Employer' rights are not violated or adversely affected and that they receive the best care and services which the Harry Gwala Development Agency can, within the parameters of the law, reasonably afford.

The need for the policy stems from the Occupational Health & Safety Act (Act 85 of 1993) [OHSA] which requires employers, including entity's, amongst other things to develop and adopt an Occupational Health & Safety Policy. Furthermore, this policy is intended to create a framework for decision making in respect of Corporate Services Management in as far as Occupational Health & Safety is concerned in the municipal entity.

## **1. INTERPRETATION OF THE POLICY**

1.1. Except to the extent to which the context may otherwise require, this Policy shall be construed in accordance with the following provisions of this sub-paragraph:

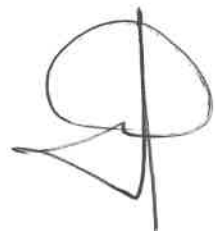
1.1.1. Any word or expression importing any gender shall include the other gender.

1.1.2. Words importing the singular also include the plural, and *vice versa*, where the context requires.

1.1.3. The following words shall have the meanings hereby assigned to them –

**“INTEGRATED EMPLOYEE/EMPLOYER WELLNESS PROGRAM” (IEWP)** is a proactive and holistic intervention program that is aimed at ensuring a capacitated, motivated, fulfilled, and productive workforce through individual and organizational interventions, including physical, emotional, intellectual, spiritual interpersonal or social and environmental wellness.

**“EMPLOYEE/EMPLOYER ASSISTANCE PROGRAM” (EAP)** is defined as a work-based program designed to assist in the early identification and resolution of productivity problems associated with Employee/Employer impaired by personal concerns which include, but not limited to, health, marital, drug, alcohol, financial, emotional, stress, work-related and other concerns which may adversely affect the job performance of Employee/Employer.



**EMPLOYEE/EMPLOYER ASSISTANCE PROGRAM PROFESSIONAL” (EAPP)** refers to a professional or coordinator in the employment of the Harry Gwala Development Agency.

**“EAPA”** stands for Employee/Employer Assistance Program Association.

**“EXTERNAL SERVICE PROVIDER”** refers to an external person or group that provides services to Employee/Employer, either for free or at an agreed fee. The external service provider may have a working agreement with the Harry Gwala Development Agency.

**“EMPLOYER”** refers to BOARD of HGDA as oversight body.

**“EMPLOYEE”** refers to any person employed in the municipal entity, as defined in terms of section 200 A of the Labour Relations Act, 1995, regardless of rank or position, it also includes interns and experiential learners engaged by the Agency.

**“MANAGER”** refers to anyone whose main duties involve responsibilities for the work of others. Thus, the term includes not only those who are usually referred to as Directors because they are members of management, but also all first-line supervisors.

**“TROUBLED EMPLOYEE/EMPLOYER”** refers to any Employee/Employer whose job performance is adversely affected by any personal or work-related problem(s)

**“HGDA”** refers to Harry Gwala Development Agency

**“ACCIDENT”** - means an accident arising out of and during an employee’s employment and resulting in a personal injury, illness, or the death of the employee.

**“HAZARD”** - means a source of or exposure to danger.

**“HEALTH AND SAFETY COMMITTEE”** - means a committee established under section 19 of OHSA.

**“HEALTHY”** - means free from illness or injury attributable to occupational causes. **“Incident”** - means an incident as contemplated in section 24 of OHSA.

**“ISSUE”** - means personal safety equipment / protective clothing as well as other clothing and uniforms not compulsory by law.

**“MACHINERY”** - means any article or combination of articles assembled, arranged, or connected and which is used or intended to be used for converting any form of energy to performing work, or which is used or intended to be used, whether incidental thereto or not, for developing, receiving, storing, containing, confining, transforming, transmitting, transferring, or controlling any form of energy.

**“MEDICAL SURVEILLANCE”** - means a planned programme of periodic examination (which



may conclude clinical examinations, biological monitoring, or medical tests) of employee by an occupational health practitioner, or in prescribed cases, by an occupational medicine practitioner”.

**“OCCUPATIONAL HEALTH”** - means including occupational hygiene, occupational medicine, and biological monitoring.

**“OCCUPATIONAL HEALTH PRACTITIONER”** - means an occupational medicine practitioner or a person who holds a qualification in Occupational Health and Safety recognized as such by the South African Medical and Dental Council as referred to in the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974) or South African Nursing Council as referred to in the Nursing Act, 1978 (Act No. 50 of 1978).

**“OCCUPATIONAL HYGIENE”** - means the anticipation, recognition, evaluation, and control of conditions arising in or from the workplace which may cause illness or adverse health effects to persons.

**“RISK”** - means the probability that injury or damage will occur.

**“SAFE”** - means free from any hazard.

## **2. OBJECTIVES OF POLICY**

The objectives of this policy are:

- 2.1 To enhance morale and productivity, and to retain the services of valued Employee/Employer of HGDA.
- 2.2 To provide a consistent and constructive set of guidelines to assist troubled Employee/Employer through the provision of confidential and professional counseling services through EAP services.
- 2.3 To assist HGDA by means of an effective system to facilitate the early identification of performance impaired Employee/Employer for referral and treatment.
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- 2.5 Employee/Employer through the provision of confidential and professional counseling services through EAP services.
- 2.6 To assist HGDA by means of an effective system to facilitate the early identification of



performance impaired Employee/Employer for referral and treatment.

The Policy is intended to:

- a) Promote and maintain the highest degree of physical, mental, and social wellbeing of workers.
- b) Prevent amongst workers ill health caused by their working conditions.
- c) Place and maintain workers in a working environment that is conducive to their individual physiological and psychological conditions;
- d) Protect workers from factors adverse to their health.
- e) Promote and maintain a working environment that is free from hazards

### **3. PRINCIPLES UNDERLYING THE POLICY**

#### **3.1 Confidentiality**

3.1.1 The Employee/Employer's right to privacy and confidentiality shall at all times be Protected.

3.1.2. Any information shared during consultation or counseling shall not be disclosed to anyone, including management.

3.1.3 Client sensitive information may be shared with other professionals with the client's prior written consent where:

- (a) such sharing of information is necessary for the effective treatment of the client's situation.
- (b) such sharing of information is absolutely necessary in terms of the law.

3.1.4. Client sensitive information may be shared without the client's written consent only where it is necessary to prevent the client:

- (a) From causing harm to him/herself;
- (b) From causing harm to other individuals either in the workplace, community or at home;
- (c) From participating in any activity that may result in criminal charges being laid against him/her

3.1.5. Where it is reasonably suspected that any of the officials entrusted with the client sensitive information may have breached the code of confidentiality, the client or any other person acting on behalf of the client may:

- a. Lodge a complaint with the relevant statutory body to which the official involved subscribes;
- b. Lodge a complaint with the institution to which the official involved belongs

#### **3.2 Voluntarism**





All the programs offered to Employee/Employer are voluntary, where Employee/Employer can participate voluntarily and without duress.

### **3.3 Non-Discrimination**

Participation in the programs will not prejudice an Employee/Employer's job security or chances of promotion.

### **3.4 Accessibility**

Services are offered on site to all Employees/Employer, irrespective of position or level in the municipal entity and their immediate family members at the workplace or as near to the Employee/Employer's place of work as is practically possible.

### **3.5 Equal and Dignified Treatment**

All Employees/Employer will be treated in an equal and dignified manner. No Employee/Employer shall receive preferential or adverse treatment due to his/her participation in the program.

### **3.6 Neutrality**

The EAP shall not become enmeshed in the traditional interface between management and Employee/Employer; and shall not clash with the existing administrative procedures. For instance, EAP is not a replacement for the disciplinary procedure.

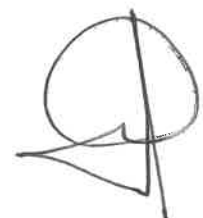
All Managers and Employees of the Harry Gwala Development Agency, including Contractors and visitors have a shared responsibility for contributing to the health and safety of all persons in the workplace. The promotion and maintenance of Occupational Health and Safety, and the dissemination of Occupational Health and Safety information is primarily the responsibility of management. Management at all levels, in consultation with employees, have the responsibility of developing, implementing, and keeping under review the Occupational Health and Safety program.

## **4. ROLES AND RESPONSIBILITIES**

### **4.1. Roles and Responsibilities at the Institution**

#### **4.1.1. Managers**

- a) Groom and capacitate Employees/Employer in establishing a culture of wellness;
- b) Customize EAP programs amongst Employee/Employer for the work environment.
- c) Provide an enabling environment and support all troubled Employees/Employer;
- d) Continually assess Employee/Employer performance and provide support where



- required;
- e) Identify a troubled Employee/Employer and refer all troubled Employee/Employer to EAP professional office as required.

#### 4. 1.2. Corporate Services Department

- (a) Approve Service Delivery Budget Implementation Plan (SDBIP) for EAP and inform the institution;
- (b) Provide a framework for provision of EAP services within the HGDA.
- (c) Monitor and evaluate the EAP service provision through the Employee/Employer Wellness Committee.
- (d) Monitor and evaluate the implementation of the IEWP policy and procedures.
- (e) Provide all Employees/Employer with necessary information regarding EAP services such as counseling, life skills programs, etc.
- (f) Keep track of all Employee/Employer referred to EAP service Providers.
- (g) Ensure that line management does not discriminate against Employee/Employer participating in EAP program.
- (h) Assist in the reintegration of previously troubled Employee/Employer back to work.

#### 4.1.3. Manager Corporate Services

- (a) The Manager shall provide supervision and strategic support for the effective and efficient implementation of the policy.
- (b) The Manager will be responsible for compiling reports, ensuring implementation, reviewing and co-ordination of the EAP services.
- (c) provide Management training for Line managers and supervisors on early identification and referral of troubled Employee/Employer.
- (d) Although the EAP services are voluntary, Employee/Employer are urged to cooperate with the employer as they are responsible for their own wellbeing.
- (e) The Manager will advise, monitor, and oversee the implementation of the program within the Agency.
- (f) The Manager will ensure that the Employee/Employer Wellness Committee is appointed to ensure that the program filters down to Employees/Employer.

#### 4.1.4. Role of the EAP Professional

- (a) Provide a professional EAP service in compliance with the EAPA standards.
- (b) Handle all referrals i.e. either self-referrals or supervisory referrals.
- (c) Ensure that the EAP services provided are aligned to the legal prescripts.



- (d) Assist in the referral of troubled Employee/Employer to external services, if required, in consultation with the Manager Corporate Services.
- (e) Train all Supervisors/Superintendent on the identification and handling of troubled Employee/Employer.
- (f) Train Employee/Employer on EAP services.
- (g) Conduct Communication/Marketing and Advocacy on EAP.

#### 4.1.5. Responsibilities of Employee/Employer Wellness Committee

The prime objective of the Employee/Employer Wellness Committee is:

- (a) To advise the Employee/Employer Wellness Unit on health-related matters within the municipal entity.
- (b) Formulating the IEWP mission;
- (c) Develop EWP Policy
- (d) Developing behavioural risk management strategies
- (e) Attending meetings and making key decisions about the programme; Strategic promotion of the services (EWP and Training)
- (f) Encouragement of Managers, Union, and Supervisors to utilize EAP Services
- (g) To coordinate all health-related activities within the HGDA.
- (h) The Employee/Employer Wellness Committee is also responsible for:
  - Developing a IEWP policy and implementation plan
  - Coordinating the implementation process of these plans
  - Conducting regular planning review sessions
  - Facilitating regular meetings
  - Keeping accurate records of all meetings, correspondence, statistics, etc.
  - Communicating all health developments, within the HGDA
- (i) Employee/Employer Wellness Committee will consist of representatives from all HGDA departments, the committee will be headed by the corporate services division.

#### 4.1.6 Delegations

The planning and management of matters related to IEWP is the responsibility of the Wellness Unit and Wellness Committee.

## 5. POLICY PROVISIONS

5.1 Problems being experienced by Employee/Employer express themselves in many ways which may affect work performance and outcomes.

Every effort will be made by managers in the departments to ensure that Employee/Employer' problems, when detected will be addressed in a timely, sensitive, and empathetic manner.

5.2. It is recognized that the foundation of the IEWP program is the proactive and preventative efforts that are made to ensure that Employee/Employer remain in the best physical and psychological health.

5.3. The design of Employee/Employer Assistance Programs will always have three essential components:

- Preventative in creating an environment of health and wellness.
- Proactive in anticipating problems which may arise and addressing them immediately.
- Curative and rehabilitative in addressing problems which have occurred and are affecting the welfare and performance of Employee/Employer.

5.4 Issues Addressed and Services Rendered by the IEWP are Curative and Rehabilitative Interventions. Curative and rehabilitative interventions seek to address problems which are affecting the welfare and performance of Employee/Employer.

5.4.1 The EAP will address a variety of psychosocial issues including, but not limited to:

- (a) Marital, family relationships and domestic violence problems
- (b) Substance abuse and addiction (alcohol, drugs, prescription medication)
- (c) Medical illness problems (HIV and AIDS, cancer)
- (d) Workplace violence, accidents, trauma
- (e) Workplace discrimination or victimization, for example, discrimination against people with disabilities from designated groups)
- (e) Personal financial management problems
- (f) Stress and psychological disorders
- (g) Emotional problems, grief, suicide, tragedies
- (h) Sexual harassment
- (h) Work-related conflict



- (i) Personal development (assertiveness, self-confidence, support groups, etc)
- (k) Pre-Retirement and Retrenchment program

## **6. CHRONIC DISEASE MANAGEMENT**

Chronic disease intervention initiatives will operate within the overall IEWP policy requirements. The municipal entity will adopt and support multi – disciplinary approaches to deal with the preventive aspects of chronic disease. Employee/Employer with chronic conditions will have access to treatment whenever necessary through their medical aids or Government Hospitals. Employee/Employer will be encouraged and granted opportunity to actively participate in the management of their conditions. Chronic disease management programs will be monitored and evaluated on an ongoing basis. Public, professional, and political awareness will be raised about the importance of chronic disease management. HIV/AIDS will be dealt with in terms of the SALGA Collective agreement of 2011.

## **7. OCCUPATIONAL HEALTH AND SAFETY**

### **7.1 Objectives**

This policy provides the framework for:

- the development of safe methods of work;
- the achievement of safe working environment;
- the promotion of good health within the workforce;
- reducing the number and severity of injuries in the workplace;
- complying with all relevant Acts, Regulations, Standards and Codes of Practice;
- implementation of Occupational Health and Safety Programme;
- identify risks and changes in risk factors in areas regarded as high risk;
- stay abreast of legislative requirements and to meet it as far as is reasonable practicable;
- train everyone in the municipal entity on matters pertaining to their work and the associated risks involved;
- continually evaluate health and safety programmes, adapting it as and when are identified;
- And to partake actively in the accident / incident prevention programmes.

### **7.2 Strategies**

#### **7.2.1 Risk Management:**

- The Municipal entity will establish and maintain a documented Occupational Health and Safety system with procedures for identifying, assessing, and controlling workplace



hazards;

#### 7.2.2 Consultation:

- Wellness Committee comprising of employee and management representatives will be maintained to provide an effective consultative mechanism. Employees are able to provide input into the Occupational Health and Safety Policy and Program. Management representatives who have the necessary power to authorize committee recommendations will be appointed to the Committee.
- Management will consult with contractors when planning the work to determine the most effective means of ensuring both parties fulfil their Occupational Health and Safety responsibilities.

#### 7.2.3 Occupational Health and Safety Plan:

- To implement the general provisions of this policy an annual Occupational Health and Safety Plan will be developed and implemented

### 7.3 Responsibilities

#### 7.3.1 Chief Executive Officer

- The Chief Executive Officer is accountable for ensuring that all legal Occupational Health and Safety responsibilities are fulfilled. Therefore, the Chief Executive Officer ensure that sufficient Occupational Health and Safety resources are made available in all business operations, financial forecasts and budgets, and performance measurement and management systems. Occupational Health and Safety is an integral part of every operation and activity.

#### 7.3.2 Managers

- Each Manager is required to ensure that this policy and the Occupational Health and Safety program are developed and effectively implemented in areas under their control, and to support Supervisors and hold them accountable for their specific responsibilities.
- Implementation of this policy and the associated program activities will be evaluated as part of the Performance Management System.
- Implementation of the Development Agency Occupational Health and Safety Risk Management procedures shall be the primary responsibility for managers in each area.

#### 7.3.3 Employee

- All employees are required to comply with the Occupational Health and Safety Policy



and program to ensure their own Health and Safety and the Health and Safety of others in the workplace.

- All employees will carry out their work according to the safe systems of work, use personal protective equipment (PPE) provided and use all plant, materials, tools, and substances in the manner for which they are intended.

#### 7.3.4 Contractors, Sub-Contractors, and Visitors

- All visitors, contractors and sub-contractors engaged to perform work on Development Agency premises or locations are required, as part of their contract, to comply with Development Agency Occupational Health and Safety Policies, procedures, and programs and to observe directions on Health and Safety from designated officers of the Harry Gwala Development Agency.

Failure to comply or observe a direction will be considered a breach of the contract and sufficient grounds for termination of the contract.

Non – compliance with any of the provisions contained in this policy will be regarded as misconduct and must be dealt with in terms of the Disciplinary Code of Conduct.

#### 7.4 Implementation and Monitoring

All issues may only be dealt with in terms of this policy.

Additions, reductions, or changes must be motivated by the relevant Managers / Committee in writing to the HGDA Chief Executive Officer or her assignee.

Each department must keep a proper record of all issues to each employee and these records must be open for audit and inspection by the relevant Manager: Internal Audit and the Occupational Health and Safety Officer.

#### 7.5 Communication

The Policy and related information pertaining to Occupational Health & Safety must be communicated to all municipal entity employees using the full range of communication methods relevant to the municipal entity.

#### 7.6 Budget and Resources

Purchases and issues must be controlled by each Manager or his assignee. Managers must budget annually accordingly.

#### 7.7 Record Keeping

All documentation and correspondence emanating from the policy must be kept on either personal and/or record files as dictated by the nature of the issue.



## 7.8 Occupational Health and Safety Program

To implement the general provisions of this policy, a program of activities and procedures will be developed, reviewed, updated, and effectively carried out. The program will relate to all aspects of Occupational Health and Safety including, but not limited to:

- OH&S training and education for all employee – general and hazard specific
- changes to work methods and practice
- emergency procedures and drills
- provision of OH&S services, equipment, and facilities
- workplace inspections and safety plans
- reporting and recording of incidents, accidents, injuries, and illnesses
- Provision of information to employees, contractors, sub-contractors, and visitors.

## 7.9 Relevant Legislation

Occupational Health and Safety Act No. 85 of 1993 and its Regulations

## 7.10 Evaluation

The Municipal entity is committed to the establishment of measurable objectives and targets for OH&S to ensure continuous improvement aimed at the elimination of work-related illness and injury. The effectiveness of this policy will be measured by the:

- development and implementation of safety plans by Business Unit Managers
- the number of safety actions signed off as completed by Managers
- Decrease in lost time due to illness and injury, and a resulting reduction in workers' compensation liability.

## 7.11 Resource Implications

- Appointment of an Occupational Health, Safety and Staff
- Budgetary provision for the Occupational Health and Safety Programs
- Allocation of time for effective safety training of the workforce.

## 7.12. Policy Review

The policy will be reviewed every annually and revised, if necessary, in the light of the changing conditions and the findings of surveys.

## 8. **SPORT AND RECREATION**

8.1. Promote quality lifestyle to all Employee/Employer through active participation in sports and

Recreation. The HGDA shall provide all its Employee/Employer with access to sports and





recreation to boost their morale; HGDA sport and recreation activities shall be regarded as voluntary, and they cannot be remunerated for overtime; Employee/Employer shall be released (every Wednesday afternoon) for training sessions (if required and provided there are recreations approved by the CEO, and subject to the managers' approval; Employee/Employer who gets injured while participating in the HGDA sport and recreation activities shall be treated as per the guidelines on occupational injury.

## 9. SUBSTANCE ABUSE MANAGEMENT

- 9.1. Harry Gwala Development Agency recognizes that alcohol and drug abuse related problems are an area of health and social concern. It also recognizes that Employee/Employer with such problems need help and support from the employer.
- 9.2. The Harry Gwala Development Agency also recognizes that alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour. The Harry Gwala Development Agency has a responsibility to its Employee/Employer and customers to ensure that this risk is minimized.
- 9.3. Accordingly, Harry Gwala Development Agency policy involves two approaches Aiding within the EAP policy framework for those who suffer from alcohol or drug abuse problem and are willing to co-operate in treatment for that problem. Where a referral involves financial cost, the costs incurred for such referral will be the liability of the Employee/Employer. Disciplinary rules, enforced through disciplinary procedures, where use of alcohol or drugs (other than on prescription) affects performance or behaviour at work, and where either (1) an alcohol or drug dependency problem does not exist or (2) where treatment is not possible or has not succeeded.
- 9.4. Assistance for Employee/Employer
- 9.5. The Harry Gwala Development Agency will, where possible, provide the following assistance to the Employee/Employer:
- Helping the Employee/Employer to recognise the nature of the problem, through our internal EAP or a referral to a qualified diagnostic or counselling service.  
Support during a period of treatment. This may include a period of sick leave or any other approved leave, continuation in post or transfer to other work to access counselling services.  
The opportunity to remain or return to work following the completion of a course of treatment, as far as it is practicable.
- 9.6. The Harry Gwala Development Agency's assistance will depend upon the following conditions being met:
- The EAP professional diagnoses an alcohol or drug dependency related problem.



- The Employee/Employer recognizes that he/she is suffering from an alcohol or drug abuse problem and is prepared to co-operate fully in referral and treatment from appropriate sources.

9.7. The Harry Gwala Development Agency and its Employee/Employer must recognize the following limits to the assistance the Harry Gwala Development Agency can provide:

- Where Employee/Employer fails to co-operate in referral or treatment arrangements, no special assistance will be given and any failure in work performance and behaviour will be dealt with through the Disciplinary Procedure.
- If the process of referral and treatment is completed but is not successful, and failure in work performance or behaviour occurs, these will be dealt with through the Disciplinary Procedure.
- Employee/Employer's continuation in his/her post or an alternative post during or after treatment will depend upon the needs of the Harry Gwala Development Agency at that time.

9.8. Disciplinary Action

9.9. In line with the Harry Gwala Development Agency's disciplinary rules, the following will be regarded as serious misconduct:

9.10. Attending work and/or carrying out duties under the influence of alcohol or drugs.

9.11. Consumption of alcohol or drugs whilst on duty (other than where prescribed or approval has been given). Breach of these rules will normally result in summary dismissal, and only in exceptional cases will either notice or the reduced disciplinary action of a final written warning be applied.

9.12. Where a breach of these rules occurs, but it is established that an alcohol or drug abuse related problem exists, and the Employee/Employer is willing to co-operate in referral to an appropriate service and subsequent treatment, the Harry Gwala Development Agency will suspend application of the Disciplinary Procedure and aid as described above. Employee/Employer who does not comply with the treatment suggested or continues to abuse alcohol or drugs will be subjected to the application of the Disciplinary Policy.

9.13. Nature of the Procedures

The procedures define management responsibilities and provide guidelines on:

9.14. Where assistance to Employee/Employer should be provided and the nature of and limits to such assistance.

9.14.1 The application of the Harry Gwala Development Agency's Disciplinary Procedure.



9.14.2. Through the EAP Professional the Harry Gwala Development Agency will provide:

9.14.3. Advice and support to managers on

- (i) Whether an alcohol or drug related problem exists
- (ii) progress in treatment
- (iii) Re-establishment or continuation at work of Employee/Employer or other appropriate arrangements.

9.15. Assistance to Employee/Employer with alcohol or drug abuse related problems.

9.16. This does not include directly providing treatment or specialist help which is the responsibility of EAP Professionals, hospitals and other agencies working in the field.

The EAP Professional, in close liaison with these persons and agencies, will assist Employee/Employer referred in the following ways:

- (a) through counselling encourage them to come to a better understanding of their problem and the benefits of seeking treatment or help;
- (b) providing advice and direction regarding obtaining treatment and specialist help.
- (c) assisting in continuing at or achieving a return to work.

9.17. Alcohol or drug abuse related problems can come to the notice of management through:

9.18. Failures in work performance or behaviour necessitating use of the Disciplinary Procedure. In such situations the procedure described above should be followed.

9.19. Other means, where Employee/Employer seeks or agrees to accept assistance on a voluntary basis. In such situations, the procedures described above should followed.

## 10. THE STRUCTURE OF EAP

10.1. The structure of EAP is based on the need for accessibility, timelines in the delivery of service and high quality and excellence in service delivery. The structure of EAP is based on four critical components of EAP service delivery. These are as follows:

- (a) Ease of access to all Employee/Employer
- (b) Efficient processing and administration
- (c) Adequate levels of service provision
- (d) Opportunities for peer support and engagement



10.2. (a) Ease of Access for all Employee/Employer

All Employee/Employer will have access to the initiation of support in their immediate workplaces.

All Employee/Employer should be aware about the manner in which services are accessed.

10.3. (b) Efficient Processing and Administration

All forms, systems and processes must be in place to avoid delays in service delivery and to avoid administrative errors which may cause delays. time which will be required.

10.4. (c) Adequate Levels of Service Provision

Means must be employed to ensure that there are no bottlenecks or overcrowding, which may delay service provision.

In all areas which services and support are provided, there should be a standing list of health service providers which are pre-selected for quality service and reasonable rates, and which are on call to render services where needed.

10.5. (d) Opportunities for Peer Support

All departments shall be represented in the Employee/Employer Wellness Committee which will constitute an Employee/Employer body that will render support to EAP.

At least 50% of all Employee/Employer at respective departmental worksites will be trained in peer support, and a structure will be set up in the workplace for peer support to be rendered.

**11. INTERVENTION STRATEGIES**

11.1. Four basic intervention strategies are undertaken as outlined below:

- (a) Preventative
- (b) Curative
- (c) Rehabilitative
- (d) Re-integrative

11.2. (a) Preventative

EAP creates awareness and offers training on personal issues that can affect Employee/Employer's productivity e.g. personal financial management, stress management, substance/alcohol abuse programs, etc.

11.3. (b) Curative



If the problem already exists an Employee/Employer is assisted through these interventions:

- (a) Assessment
- (b) Counseling
- (c) Referrals
- (d) Follow-ups
- (e) Crisis intervention
- (g) Critical stress debriefing
- (h) Short term therapy

#### 11.4. (c) Rehabilitative

EAP also helps to preserve residual capacity of an Employee/Employer with the recuperation process.

#### 11.5. (d) Re-integrative

EAP shall assist with re-integration and support for the Employee/Employer to resume his/her responsibilities in the workplace following intervention programs such as alcohol rehabilitation.

## **12. COMMUNICATION AND ADVOCACY IN EAP**

A communication and advocacy strategy should be developed for EAP. The strategy shall ensure that each Employee/Employer in the HGDA is aware of EAP structures and services and the manner in which such services could be accessed. Each Employee/Employer should also be aware of any developments and changes in the structure and delivery of EAP.

#### 12.1. Utilization of EAP

The guidelines for the utilization of EAP seek to ensure that all staff are aware of the operations, processes, requirements, and restrictions in the use of EAP services and support.

#### 12.2. Referral for Services

An Employee/Employer can access the EAP in the following ways:

- (a) Self or voluntary referral
- (b) Informal referral
- (c) Formal referral

#### 12.3. (a) Self or Voluntary Referral



Employee/Employer who are experiencing personal or social problems are encouraged to approach their EAP Unit directly on their own accord and may enter EAP counseling any time. Employee/Employer who voluntarily seeks EAP services must arrange appointments with the EAP professional.

#### 12.4. (b) Informal Referral

An informal referral is when an Employee/Employer experiences personal or social problems and on advice of other people (i.e. colleague, friend, family, or supervisor) seeks assistance from the EAP division. The person encouraging the Employee/Employer to pursue EAP must not require the Employee/Employer to divulge the nature of the personal problem but will merely inform the Employee/Employer about the benefits of EAP and give the Employee/Employer the name and telephone number of the EAP practitioner. The EAP staff must not tell the supervisor, colleague, or family member that the Employee/Employer used the EAP. However, the supervisor must be kept informed whether appointments for internal consultations are kept and of external referrals which may affect the Employee/Employer's attendance at work.

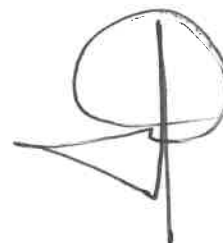
#### 12.5. (c) Formal Referral

An Employee/Employer may be referred to the EAP Unit for assessment or counseling by his/her supervisor whenever the supervisor is concerned about a decline in Employee/Employer work performance or change in attitude or behavior. The formal referral is normally used as a condition for continued employment, e.g. through poor job performance, absenteeism, misconduct, and disciplinary cases.

The supervisor is required to write a referral letter, without mentioning the personal nature of the problem, which will be kept in the EAP's files and may offer assistance in arranging for an appointment at a convenient time to all parties. As soon as possible after the initial appointment, the EAP staff will inform the Employee/Employer's supervisor of the following:

- (a) Whether or not the appointment was kept
- (b) Whether or not the Employee/Employer has a personal problem which requires specialized counseling or treatment without divulging the precise nature of the problem.
- (c) Whether or not the Employee/Employer has agreed to accept help that has been recommended, and if so when the Employee/Employer will be required to be released from normal duty in order to receive assistance.

Supervisors are required to monitor Employee/Employer' progress regarding attendance, punctuality, keeping appointments and job performance, and inform the EAP practitioner of noticeable changes that occur. No information regarding the precise nature of the Employee/Employer's personal problems will be revealed without the official's informed consent in writing. Employee/Employer should utilize vacation leave when requiring admission to a treatment or in-patient facility. The normal leave measures apply with all other specialist appointments.



## 12.6. Right of Refusal

The Employee/Employer has the right to refuse the EAP's recommendations regarding treatment/counseling. It is important that all Employee/Employer understand that participation in the EAP is voluntary, and utilization of the program will not jeopardize Employee/Employer's promotion opportunities. Likewise traditional rights of Employee/Employer to grievance procedures and traditional rights of the employer to maintain discipline will not be waived by the EAP.

Participation in the EAP does not replace standard disciplinary/incapacity procedures but complements them as a corrective measure. The EAP should be neutral and should not become enmeshed in the traditional interface between Management and Labour. It should not clash/overlap with existing administrative procedures and contractual agreements. EAP is in fact an interactive method of managing performance-related problems.

## 12.7. Discontinuation/Default in Treatment

Should an Employee/Employer decide to discontinue the recommended treatment or counseling program, he or she must inform the EAP division of this. The coordinator should counsel further and must point out to the Employee/Employer that should job performance problems arise as a result of the unresolved difficulty, measures may be taken to ensure the performance of the Employee/Employer improves.

Should the external helping agency suspend or expel the Employee/Employer from its treatment or counseling program, the EAP division will inform the Employee/Employer that any further difficulties which arise regarding job performance or behavior will be referred to the competent authority so that appropriate restorative action may be taken.

## 12.8. Payment and Incurring Cost

### 12.8.1. Non-Medical AID Employee/Employer

The entity will provide a maximum of six sessions to eight with the internal EAP professional. If a referral to a specialist psychiatrist is deemed necessary, the Municipal entity will pay for a maximum of three sessions.

### 12.8.2. Medical Aid Employee/Employer

In all other instances, where illness or conditions are covered by a medical aid scheme, Employee/Employer will be required to submit claims to the medical aid for payment in the normal way. Should the medical aid scheme fail to cover the full treatment costs, then the Employee/Employer will be responsible for the shortfall. If the medical aid has no separate benefit for psychological counseling or rehabilitation and medical funds are exhausted, the HGDA may, in extenuating circumstances, pay these costs with approval of the Corporate Services Manager.



Should the six psychological sessions be deemed not sufficient, a written report should be compiled by the EAP motivating reasons for further treatment? A submission should be forwarded to the Corporate Services Manager for consideration and approval. Each case should, however, be dealt with on its merits. Accordingly, if approval is not granted and should an Employee/Employer not be in a position to pay for the treatment or counseling by an external therapist, the HGDA may assist by paying for the treatment, and then deducting an agreed amount from the Employee/Employer's salary over an agreed period in order to recover the cost. When a family member accesses EAP services, he or she will do so at no additional cost to the HGDA.

In the event of the Employee/Employer defaulting in the treatment program, either voluntarily or due to poor participation and motivation, then any payments made by the HGDA on behalf of the Employee/Employer may be recovered. Should an Employee/Employer who has successfully completed treatment suffer a relapse, a full report will be submitted to the Corporate Services Manager to decide on any further course of action to be taken.

#### 12.9. Grievance

Employee/Employer who are aggrieved for any reason whatsoever within the workplace shall have recourse to the prescribed Corporate Services Policy Manual and any other right they have by law. Any Employee/Employer may follow the grievance procedures where they feel aggrieved that their right to privacy has been infringed upon.

#### 12.10. Reporting and Monitoring

The Wellness Unit commits itself to a transparent process in the conception, development, implementation, monitoring, and evaluation of the EAP policy related programs.

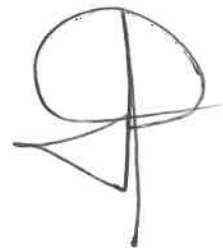
The EAP staff shall ensure that he compiles a quarterly report on the implementation of the program and submit it to the Manager Corporate Services.

The Unit shall endeavor to ensure an integrated and holistic approach to the monitoring and evaluation of the implementation of the program. Indicators in respect of effectiveness and impact of the program shall include:

- (a) Absenteeism
- (b) Sick leave
- (c) EAP consultations
- (d) Organizational audits
- (e) Number of people attending information programs

#### 13. General Provisions

The EAP is available to all Employee/Employer and their dependents since it is recognized that problems at home can affect an Employee/Employer's ability to function on the job. The EAP policy does not alter or replace existing administrative policies or contractual agreements but serves as an adjunct to assist in their utilization. Entry to the EAP is gained through self-





referral, organized labour, family referral or through referral by the Employee/Employer's manager/supervisor.

In the case of supervisory referral, the Employee/Employer has the right to refuse EAP assistance. Such refusal should be confirmed in writing. The written refusal will be kept on record. However, the Employee/Employer should understand that sub-standard performance is unacceptable. Managers/supervisors are not qualified to diagnose the nature of an Employee/Employer's personal problem, therefore any recommendation for referral, and treatment will be based purely on an assessment of job performance or on request from the Employee/Employer.

The EAP does not abrogate either management authority or union prerogatives. The EAP does not prevent Employee/Employer discipline, including discharge for continued sub-standard performance, rule infractions, and other job-related deficiencies.

Employee/Employer who utilizes the EAP are assured that neither their employment will be affected, nor their career advancement impeded.

The Legal section of the HGDA shall take responsibility for conducting an annual review of all the EAP phases to ensure that adequate malpractice/liability claim protection exists for the EAP personnel. The Wellness Unit within District Offices will use various educational techniques to communicate with existing and new Employee/Employer and their families concerning the existence and availability of EAP services. For EAP to meet the stated objective, responsibilities must be met by management, union representatives and Employee/Employer.

### **13. IMPLEMENTING AGENTS**

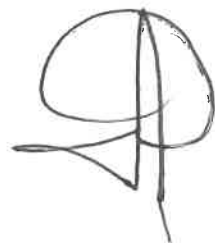
The implementing agents for this policy include the following:

- (a) Corporate Services
- (b) EAP Staff (external)
- (c) Wellness Coordinators at local level
- (e) Employee/Employer Wellness Committee
- (f) HGDA Staff
- (g) Service Providers

### **14. ADMINISTRATIVE PROCESSES**

Administrative processes include the following:

- (a) Assessment
- (b) Referral
- (c) Record keeping and filing
- (d) Staffing
- (e) Short term intervention management



- (f) EAP consultation and supervision
- (g) Reporting
- (h) Documentation
- (l) Case monitoring and evaluation
- (j) Aftercare and reintegration management

**15. LEGISLATIVE FRAMEWORK**

- The Constitution of the Republic of South Africa of 1996
- Labour Relations Act (66 of 1995)
- Employment Equity Act (55 of 1998)
- Skills Development Act (97 of 1998)
- Employment of Educators Act (76 of 1998)
- Basic Conditions of Employment Act (75 of 1997)
- Occupational Health and Safety Act (85 of 1993)
- Compensation for Occupational Injuries and Diseases Act (130 of 1993)
- The Promotion of Equality and the Prevention of Unfair Discrimination Act (4 of 2000)
- The Medical Scheme Act (4 of 1998)
- Code of Good Practice on Sexual Harassment
- HIV and AIDS and Strategic Plan for South Africa (2007-2011)
- SALGA HIV/AIDS Collective Agreement of 2011
- Public Service Act (103 of 1994)
- Batho Pele Principles
- Public Service Regulations 2001

**21. COMMENCEMENT**

**22.**

This policy will commence on 1 July 2024, and must be reviewed annually together with the budget related policies.

**APPROVED BY:**

NAME	SIGNATURE	DESIGNATION	DATE
MS ACR Whyte		Chief Executive Officer	25 April 2024