



Employee Assistance Programs

Employee assistance programs (EAPs) can be used to minimize the impact that the opioid crisis has on the workplace. EAPs are uniquely positioned to provide relatively barrier-free preventive services and screening, early identification, short-term counseling, referral to specialty treatment and other behavioral health interventions.

EMPLOYEE ASSISTANCE PROGRAMS

EAPs are typically separate from a company's health insurance benefits. While an EAP can help employees who are struggling with medical conditions, they are not necessarily equipped to diagnose and treat those health conditions. EAPs are instead designed to assess emotional, mental and behavioral barriers that are preventing employees from focusing on their work, and connect them to resources to help remove those barriers.

These programs play a crucial role in drug free workplace programs by providing a confidential way for employees to seek help for substance use disorders (SUDs). Employees may voluntarily seek EAP assistance on their own or at the recommendation of a union representative, co-worker, friend or family member. Supervisors may also initiate a referral if they identify performance, conduct or safety issues, or suspect that employees are violating the drug free workplace policy.

Choose or negotiate for an EAP that includes these features:

- Provides confidential services (though most EAPs are confidential, many people who are struggling with a substance use disorder are hesitant to confide in an employer-provided resource if not assured of its confidentiality – that they won't lose their job or suffer other consequences for seeking help)
- Initiates support for both prescription drug misuse and illegal drug use
- Offers counseling and referral services
- Provides drug testing guidelines
- Conducts substance misuse evaluations or provide crisis intervention
- Connects employees to substance use disorder treatment professionals
- Monitors employee compliance with treatment
- Provides return-to-work recommendations
- Trains supervisors and managers to identify and handle potential SUD issues

(continued)

Increasing EAP effectiveness

EAP effectiveness increases the more that employees use it. It is important to continuously promote awareness of your EAP to increase utilization. Employees may not think that they will ever need to use it – but once they do, they may not know how to access it. Factors such as employee awareness that the EAP is free to use, positive attitudes toward company policy, and belief in EAP confidentiality improve willingness to use EAPs.

Innovative ways to use an EAP

Employers can ask their EAPs for tailored programs designed to prevent OUD, and direct employees and their dependents who need treatment to providers that use evidence-based practices. Employers could also use targeted, comprehensive disability management interventions for employees receiving workers' compensation or disability insurance, and who might have an elevated risk of developing an OUD. When working with your benefits broker or agent at the next strategic meeting, review the relationship with your disability claims manager and your EAP.

Legal Implications

Every component of the drug free workplace program must:

- Be developed in partnership with the organization's legal advisers
- Safeguard employee confidentiality
- Comply with federal, state and local regulations, including but not limited to OSHA, the Americans with Disabilities Act, Mental Health Parity Act and HIPAA
- Comply with union and industry regulations

The Opioids at Work Employer Toolkit has been developed to raise awareness with businesses about how to respond to the risks associated with the misuse of opioids and other drugs. The content is meant for educational purposes only and not for the purpose of providing legal advice or replacing the work needed to develop a responsible drug-free workplace program. As such, it should not be used as a substitute for consultation with a legal professional, or other competent advisor.