
ELIAS MOTSOLEDI LOCAL MUNICIPALITY-MASEPALA WA SELEGAE



EMPLOYEE ASSISTANCE PROGRAMME POLICY

MUNICIPAL COUNCIL RESOLUTION NUMBER

C21/22-90

APPROVED AT THE COUNCIL MEETING OF 30 JUNE 2022

TABLE OF CONTENTS

NO	CONTENTS	PAGE
1.	Definitions	3-4
2.	Preamble	4-5
3.	Purpose Objectives of the Policy	5-6
4.	Legal framework and policy regime	6-7
5.	Scope and Application	7
6.	Policy Principles	8-9
7.	Core activities and EAP Services provided	9-10
8.	EAP Model	10
9.	Institutional arrangement	11
10.	Roles and Responsibilities	11-12
11.	Financial implication and support	12-13
12.	Implementation, monitoring and evaluation	13
13.	Communication	13
14.	Non-Compliance	13
15.	Dispute Resolution	14
16.	Policy Review	14
17.	Effective Date	14
18.	Signatories	14

1. DEFINITIONS

1.1. Any expression or word used in this Employee Assistance Programme Policy shall have the same meaning as in the applicable legislation, unless the context and intention indicates otherwise;

1.2. Words importing the masculine gender shall include the feminine, and *vice versa*;

“Collective agreement” means a written agreement concerning terms and conditions of employment or any other matter of mutual interest concluded by one or more registered trade unions, on the one hand and, on the other hand-

(a) one or more employers;

(b) one or more registered employers' organizations; or

(c) one or more employers and one or more registered employers' organizations;

"council" includes a bargaining council and a statutory council.

“Dispute” includes an alleged dispute.

“EAP” means Employee Assistance Programme. It is a confidential and professional programme using the holistic and developmental approach to identify, treat and manage employees', councillors personal and work-related problems that impact on work performance and their wellness. These may include, but are not limited to, health (including persons living with HIV & AIDS and persons with disability), emotional (depression, anxiety, stress, grief or loss), financial difficulties, marital dysfunction, legal problems and alcohol and drug dependency.

“EMLM” means Elias Motsoaledi Local Municipality.

“HIV” Human Immune Deficiency Virus.

“HR” means Human Resources.

“Individual wellness” in this policy is viewed as the promotion of the physical, social, emotional, occupational, spiritual, financial, and intellectual wellness of individuals. This is attained by creating an organisational climate and culture that is conducive to wellness and identification of psycho-social health risk.

“ILO” means International Labour Organisation

“Financial Wellness” is the ability to maintain a fully developed and well balanced plan for managing one's financial life that is integrated with personal values and goals.

“Intellectual Wellness” is the utilization of human resources and learning resources to expand knowledge and improve skills.

“**OHS**” means Occupational Health and Safety.

“**Municipality**” means Elias Motsoaledi Local Municipality.

“**Physical Wellness**” promotes taking care of your body for optimal health and functioning.

“**Psychological Wellness**” is a dynamic state that is influenced by and influences our physical, intellectual, spiritual and social lives

“**Social Wellness**” emphasizes the positive and interdependent relationship with others and nature.

“**Spiritual Wellness**” refers to integrating our beliefs and values with our actions; it enhances the connection between mind, body and spirit.

“**Wellness**” is an active process through which organizations become aware of, and make choices towards a more successful existence. For both the individual and the organization, the concept of wellness is one where active steps can be taken to reduce chronic disease and mitigate its debilitating impact on personal lives and organizational productivity.

2. PREAMBLE

2.1. Whereas wellness management emerged as a priority due to increasing recognition that the health and wellbeing of employees directly impacts on productivity of the municipality.

2.2. Whereas both personal and workplace factors influence overall wellness of an employee and whereas employees need individual wellness, financial wellness, intellectual wellness, physical wellness, psychological wellness, social wellness, spiritual wellness and wellness as a construct.

2.3. Whereas employees are the life-blood of the municipality, it is vital to help them produce and perform at their optimum levels. The World Health Organization’s Global Plan of Action on Workers Health 2008-2017 states that workers represent half the world’s population and they are major contributors to economic development.

2.4. Whereas work is central to people’s wellbeing.

2.5. Whereas the right of everyone to an environment that is not harmful to their health or wellbeing is entrenched in Section 24 of the Constitution of the Republic of South Africa, 1996.

2.6. Whereas the development of this policy is also based on the ILO SOLVE Program which was launched by the ILO's Safe Work Programme in 2001 to address psychosocial problems at work. The SOLVE program addresses nine (9) to ten (10) psychosocial factors, namely: *Stress, Tobacco, Alcohol, HIV&AIDS, Violence, Nutrition, Physical Activity, Healthy Sleep, and Economic Stress*. SOLVE is an interactive educational programme designed to assist in the development of policy and action to address health promotion issues at the workplace. It is based on the recognition of the interdependent relationships between psychosocial factors and other health-related behaviours and their underlying causes in the workplace.

2.7. Whereas the Elias Motsoaledi Local Municipality has established an Employee Assistance Programme (EAP) as part of the Assistance Programme to provide professional, confidential assistance for any type of personal problems.

2.8. Whereas EAP envisaged in this Policy is largely preventative in nature focusing on both primary (avoid the risk or condition) and secondary (minimize the effects of the condition) prevention.

2.9. Whereas it is further designed to encourage early employee awareness of such problems and to offer assistance at the earliest opportunity.

2.10. Whereas EAP shall be utilized to improve productivity and assist employees in identifying and resolving personal concerns that may affect their work performance.

2.11. Whereas the municipality is also committed to the promotion of health and wellbeing of designated employees (including people with disabilities and women) and also committed to responding to their needs.

2.11. Whereas the EAP works closely with other wellness policies of such as HIV/AIDS, bereavement and Occupational Health and Safety, and Intoxicating Substance Abuse.

3. PURPOSE AND OBJECTIVES

3.1. To Promote psycho-social wellbeing of individual employees.

3.2. To promote physical wellbeing of individual employees.

3.3. To promote health of employees and access to occupational health services.

- 3.4. To promote personal and workplace factors that influence overall wellness and employee performance.
- 3.5. To provide guidance and ensure consistency regarding the implementation of the Employee Assistance Programme within the municipality;
- 3.6. To offer counselling and support to all employees who encounter personal, emotional, psycho social or behavioural concerns that detrimentally affects their work attendance and job performance;
- 3.7. To render initial assessment and referral for proper diagnosis and treatment of employees who experience health problems.
- 3.8. To provide timeous intervention and support as a methodology that may prevent further deterioration of work performance, and to endeavour to return employees to pre-crisis levels of production; and
- 3.9. To promote healthy working relationships.

4.LEGAL FRAMEWORK AND POLICY REGIME

The Employee Assistance Programme Policy is mandated and informed by the following authoritative and persuasive sources of law and policy regime:

4.1. International Instruments Underpinning EAP

- 4.1.1 WHO Global Strategy on Occupational Health for All (1996);
- 4.1.2 Global Plan of Action on Workers (2008-2017);
- 4.1.3 Decent Work Country Programme (2010-2014);
- 4.1.4 ILO Promotional Framework for Occupational Safety Convention (2006);
- 4.1.5 United Nations Millennium Declaration and its Development Goals (MDGs);
- 4.1.6 World Summit on Sustainable Development, Johannesburg (2002);
- 4.1.7 WHO Commission on social determinants of health (2005);
- 4.1.8 WHO Framework Convention on Tobacco Control (2005);
- 4.1.9 Global Strategy on Infant and Young Child Feeding (WHO-UNICEF 2003);
- 4.1.10 Innocenti Declaration on Infant and Young Child Feeding (2005); and
- 4.1.11 International Code of Marketing of Breast-milk Substitutes (WHO 1981).

4.2. Domestic legal framework and policy regime

- 4.2.1 Standards for Employee Assistance Programmes in South Africa, 2010;
- 4.2.2 Constitution of the Republic of South Africa, 1996;
- 4.2.3 Occupational Health and Safety Act 85 of 1993;
- 4.2.4 Labour Relations Act, 1995 66 of 1995;
- 4.2.5 Basic Conditions of Employment Act 75 of 1997;
- 4.2.6 Compensation for Occupational Diseases and Injuries 130 of 1993;
- 4.2.7 Employment Equity Act 55 of 1998;
- 4.2.8 Local Government: Municipal Systems Act 32 of 2000;
- 4.2.9 Local Government: Municipal Structures Act 117 of 1998;
- 4.2.10 Local Government: Municipal Finance Management Act 56 of 2003;
- 4.2.11 Local Government: Municipal Staff Regulations of 20 September 2021;
- 4.2.12 Disaster Management Act 57 of 2002 and National Disaster Management Framework;
- 4.2.13 Tobacco Products Control Amendment Act 12 of 1999;
- 4.2.14 The Promotion of Equality and the Prevention of Unfair Discrimination Act 4 of 2000;
- 4.2.15 Mental Health Care Act 17 of 2002;
- 4.2.16 National Sports and Recreation Act 110 of 1998;
- 4.2.17 National Health Act 61 of 2003;
- 4.2.18 Health Professions Act 56 of 1974;
- 4.2.19 White Paper on the Rights of Persons with Disabilities, dated 9th December 2015;
- 4.2.20 Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace;
- 4.2.21 Code of Good Practice on HIV and AIDS and the World of Work;
- 4.2.22 All relevant collective agreements; and
- 4.2.23 All the relevant applicable laws and regulations.

5. SCOPE AND APPLICATION

- 5.1. This Policy is applicable to Elias Motsoaledi Local Municipality.

5.2. It applies to all employees of the municipality including senior managers but does not apply to persons participating in the national public works programme or a similar scheme.

6. POLICY PRINCIPLES

6.1. Confidentiality

Any information shared during consultation or counselling shall not be disclosed to anyone, including management, without the employee's written consent except when disclosure is required in terms of a law or court order. The information provided by the employee during consultation shall not be utilised for any purpose other than those agreed upon between the EAP Officer and the employee. All employee records in this regard shall be kept strictly confidential and not in the employees' personnel files or any official record of the Municipality.

6.2. Eligibility and accessibility

EAP will be accessible and available to all employees irrespective of position or level in the Municipality, and their immediate family members where appropriate in the opinion of the EAP Officer.

6.3. Neutrality

EAP shall not be frustrated in the traditional interface between management and employees; and shall not clash with the existing administrative procedures. For instance, EAP is not a replacement of the disciplinary procedure.

6.4. Timely intervention

Efforts shall be made to ensure early identification and treatment of problems. Leadership, such as per supervisors and union representatives, shall be involved to ensure timely problem identification, referral and assessment.

6.5. Impartiality

Participation in the programme shall not jeopardise the employee's job security or chances for promotion or other related benefits.

6.6. Equal treatment

Employees who use EAP services shall receive the same considerations as those with medical problems. No employee shall receive preferential or adverse treatment due to his / her participation in the programme.

6.7. Voluntarism

Participation in the programme shall be voluntary. However, management shall have the prerogative to recommend assistance for seemingly troubled employees. Refusal by an employee recommended for assistance due to poor performance could result in disciplinary action when poor performance persists.

6.8. Prevention of abuse

The programme shall be used solely for what its purpose is, and not as a pretext to engage in other activities that are aimed at unfairly treating the employee or abusing the generosity of the Municipality.

6.9. Non-discrimination

Employees using EAP shall not be discriminated against on the basis of their health, education, language and race.

6.10. Prevention of abuse

EAP shall not be abused or misused by any employee or participating party.

7. CORE ACTIVITIES AND EAP SERVICES PROVIDED

The Municipality shall, on the discretion of the Municipal Manager in consultation with the Senior Manager Corporate Support Services, provide all or part of the EAP services utilising internal staff of the Municipality, or opt to outsource the provision of the EAP services in part, or as a whole, covering the following:

7.1. Consultation and advisory services: consult and educate managers, supervisors and appropriate persons in the early identification and resolution of productivity problems, assessment and referral processes and development of communication path ways for reporting dysfunctional behaviour.

7.2. Provision of wellness clinic services on agreed-upon basis.

7.3. A financial wellbeing service focussing mainly on financial literacy and debt management while maintaining sound mental and social health.

- 7.4. Managed sessions, creating awareness and education about the EAP service, as an introduction to employees, and promotion of EAP at various work sites through employee forums.
- 7.5. Development and implementation of a health calendar, with wellness days and events incorporated into it.
- 7.6. Development of a comprehensive EAP and its successful implementation, supported by ongoing marketing and periodic reporting to management of the Municipality.
- 7.7. Advice on employee's recreational and sporting activities, incorporating physical fitness, and on work gyms, if required.
- 7.8. Support to employees battling substance abuse through support groups.
- 7.9. Provision of consultancy service to manage absenteeism and incapacity, and proactive alerting of observed risks / threats following professional employee assessments.
- 7.10. Continuous assessment and analysis of statistical data, and ongoing feedback of themes and trends, as well as communication of all developments, issues, concerns, compliments and other information to the Municipality.
- 7.11. Facilitation of annual voluntary counselling and testing (VCT) campaigns for HIV/AIDS, as well as referrals, peer educator support and training.
- 7.12. Team building/ Sporting activities: Facilitate team building interventions to enhance group or team spirit among staff members.
- 7.13. Life skills: Facilitate life skill programmes to employees.
- 7.14. Counselling: render short term both face-to- face and telephonic counselling to employees.
- 7.15. Trauma Debriefing: offer critical incident response services to employees in the face of traumatic encounters.
- 7.16. Referral: make appropriate and relevant referrals for proper diagnosis, treatment and support (including rehabilitation services).
- 7.17. Follow-up services: ensure follow-up in all EAP cases that are not finalized.
- 7.18. Recommendation: recommended placement in the alternative work environment.

8. EAP MODEL

8.1. The Municipality shall use a combination of both internal (in-house) and external (outsourced) model of EAP programmes. The internal staff mainly focuses on behavioral problems that interfere with job performance. Employees shall only be referred to external EAP

service providers for medical conditions such as but not limited to addiction and other psychological conditions that requires specialized medical attention such as depression, schizophrenia and anxiety disorder.

8.2 The EAP endeavor to provide a quick and immediate resolution to employees' problem with an ultimate goal of re-instating the employee to a pre-crisis level. It is for this reason that the EAP shall only cover for a minimum of four (4) sessions per employee.

9. INSTITUTIONAL ARRANGEMENTS

9.1. Municipal Manager shall ensure that EAP is a key performance area of all managers, and shall furthermore appoint Manager Human Resources as the nodal point for managing EAP across the Municipality.

9.2. Manager Human Resources shall, from time to time and based on case by case experience, provide guidelines to both line managers and appointed EAP professionals on referral procedures for each type of case requiring assistance.

9.3. Manager Human Resources shall, in association with the CFO, ensure that there are financial resources for the implementation of EAP across the Municipality.

9.4. Human Resource Management shall, from time to time, advise line managers and employees on the integration of the EAP with other Municipality programmes.

10. ROLES AND RESPONSIBILITIES

10.1. The Municipal Manager shall ensure the establishment and management of Employee Assistance Programme in the Municipality.

10.2. Furthermore, ensure that EAP is the key performance area of all supervisors in the Municipality.

10.3. Supervisors shall play key role in referring employee to EAP for assistance.

10.4. The service providers in terms of EAP are professionals and practitioners attached to Employee Wellness Programme unit within the Municipality.

10.5. Whereas employees are normally in the best position to identify when they experience difficulties that impact negatively in their work performance, they have the right and

responsibility to seek support for such concerns and give their full co-operation if support is offered through the EAP.

10.6. Managers and supervisors have a particular moral and professional responsibility in supporting the EAP by-

10.6.1. Identifying when remedial steps are required where a pattern of deteriorating work performance is detected. An interview shall be conducted with the employee concerned to establish whether the support provided by the EAP may be appropriate, indicating the options available to the employee and the benefits of the EAP, but also of the consequences of continued poor work performance.

10.6.2. Conducting personal interviews with employees who tender their voluntary termination of service to determine whether the underlying motivation thereof could be addressed through professional intervention.

10.6.3. Refrain from making any diagnosis or judgment regarding employee's concerns.

10.6.4. Ensuring that an employee's job security and employment opportunities are not jeopardized by an employee's request for referral to EAP.

10.6.5. Maintain rigorous confidentiality. That is reference shall only be made in an employee's personnel file of the participation of such employee in the EAP without divulging any information with regard to the nature of support provided.

10.6.6. Such information shall be kept in the confidential files of the respective service providers.

11. FINANCIAL IMPLICATION AND SUPPORT

11.1. The Municipality shall provide the necessary financial support as and when required. In particular, to the EAP cases referred to the external service providers upon the formal referral initiated by the EAP office.

11.2. Funds shall be made available through the budget system and under no circumstances shall the employees be given financial support without the recommendation based upon the EAP assessment.

- 11.3. Only employees who do not belong to any medical scheme and fall within the lower salary brackets may be given financial support depending on the circumstances of their individual case.
- 11.4. Employees who belong to medical scheme may only be given financial support if due consideration of other factors such as depleted medical aid, affordability, and credit profile has been explored.
- 11.5. Only exceptional EAP cases referred to external service provider shall be given financial support.
- 11.6. Employee shall only be entitled to one rehabilitation service.
- 11.7. Failure to comply with rehabilitation treatment programme shall result into disciplinary procedures being instituted.
- 11.8. Expulsion from the rehabilitation programme shall be regarded as misconduct and the municipality shall recover from the employee the costs it incurred for such employee pursuant to rehabilitation programme.
- 11.9. The financial and resource implication/s related to the implementation of this Policy shall be qualified and quantified by Budget and Treasury Department working in conjunction with the Human Resources Management Division.

12. IMPLEMENTATION, MONITORING AND EVALUATION

- 12.1. The Municipal Manager accepts overall responsibility for implementation, monitoring and evaluation of this policy.
- 12.2. The Human Resources Management shall be responsible for coordination thereof within the Municipality.

13. COMMUNICATION

This policy shall be communicated to all employees using the full range of communication methods available to the Municipality.

14. NON-COMPLIANCE

- 14.1. Non-compliance with any of the stipulations contained in this policy will be regarded as a misconduct and therefore dealt with in terms of the applicable municipal Disciplinary Code.

15. DISPUTE RESOLUTION

- 15.1. If there is a dispute about the interpretation or application of this Policy, the disputant or aggrieved party shall refer the dispute or grievance to:
- 15.2. employer, in terms of the applicable Grievance Procedure;
- 15.3. South African Local Government Bargaining Council, if the dispute falls within its jurisdiction, CCMA, if the dispute falls within its jurisdiction, for conciliation;
- 15.4. arbitration, if the dispute remains unresolved with parties to the dispute consenting to arbitration; and
- 15.5. competent court(s) in terms of the applicable laws of the Republic of South

16. POLICY REVIEW

- 16.1. This Policy shall be reviewed and revised as and when required.

17. EFFECTIVE DATE

- 17.1. This reviewed Policy shall come into operation on the date approved by municipal council of the municipality.

18. SIGNATORIES

Municipal Manager

Mr MM Kgwale

Date

The Mayor

Cllr. MD Tladi

Date