

# HHSC Wellness and Employee Assistance Program Policies

## K. Wellness Programs

### Policy

(Revised [10/20/08](#))

Agency worksite wellness programs are designed to improve the quality of life for HHS employees who choose to participate. Participation in these wellness programs is voluntary and outside the scope of an employee's job duties.

### Authorization

(Added [10/20/08](#))

The authority for agency wellness programs is provided by Texas Government Code Chapter 664, the State Employees Health Fitness and Education Act of 1983.

### Responsibilities of Agency Wellness Coordinators

(Added [10/20/08](#))

Each HHS agency head or designee appoints:

- an Agency Wellness Coordinator
- Location-Specific Wellness Coordinators for different geographical locations and/or buildings

Coordinators will be allowed to devote a percentage of their time on the job to plan, promote, implement, monitor and evaluate the wellness program for the agency.

An Agency Wellness Coordinator must:

- communicate, promote and champion wellness activities with agency leadership and employees;
- serve as a liaison with, communicate program activities with, and make recommendations to the Chief Operating Officer;
- share information and act as a liaison with the Agency Wellness Council and Location-Specific Wellness Coordinators;
- collect and maintain evaluation data and information on wellness activities;
- act as a liaison with the Statewide Wellness Coordinator at DSHS;
- provide the Statewide Wellness Coordinator at DSHS with agency data for the biennial report to the legislature on state agency worksite wellness programs;
- provide support to the agency's Wellness Council by facilitating and scheduling meetings and other support activities;
- oversee or coordinate access to, and maintenance of, worksite fitness centers (if applicable); and

- meet with other HHS Agency Wellness Coordinators to discuss program activities and initiatives that benefit all HHS agency employees.

## **Responsibilities of Agency Wellness Councils**

(Added [10/20/08](#))

Each HHS agency Chief Operating Officer appoints employees and managers to serve for a two-year term on his or her agency's Wellness Council. The Chief Operating Officer will appoint Council members who represent the diversity of the agency in terms of age, sex, racial/ethnic background, disability, organizational structure, management and non-management, and program services. Each agency Council is responsible for electing a member as Council chair.

Agency Wellness Council members will be allowed to devote a percentage of their time on the job to participate in Council activities.

The charge of the Council is to:

- promote employee awareness of worksite wellness;
- recommend and implement policies to improve agency infrastructure to allow for increased worksite wellness; and
- adapt the model worksite wellness program provided by the Statewide Wellness Coordinator at DSHS to meet the needs of the agency's employees.

## **Activities and Seminars**

(Revised [10/20/08](#))

Wellness programs promote healthier lifestyles for employees. Generally, wellness programs target major risk factors for chronic disease and factors that contribute to diminished quality of life. Wellness programs may include encouragement of:

- nutritious eating,
- increased physical activity,
- preventative screenings,
- tobacco cessation,
- stress reduction, and
- healthy choices such as the prevention/reduction of substance dependency.

Wellness activities and seminars must be offered to all employees, provided appropriate resources are available.

## Scheduling Wellness Activities and Seminars

(Added [10/20/08](#))

To the extent possible, onsite wellness activities and seminars should be provided at a time of day when the majority of employees are able to attend, such as during the lunch hour or immediately before or after scheduled work hours.

Supervisors are encouraged to adjust employee work hours when practical so that employees may participate in exercise activities up to 30 minutes per day, three days a week. For more information on flex scheduling, see [Chapter 8, Benefits](#) (J. Alternative Work Schedules and Arrangements; Flex Schedule).

## Health Risk Assessments and Routine Physical Examinations

(Added [10/20/08](#))

Agencies should encourage employees to annually complete a Health Risk Assessment (HRA) and receive routine physical examinations.

An employee will be allowed to devote a percentage of his or her time on the job to complete an agency approved HRA if it is available online or is otherwise provided at the employee's work location.

An employee may be awarded eight hours of wellness leave (emergency leave) per fiscal year as a participation incentive if he or she completes:

- the agency approved HRA
- a routine physical examination

The employee is advised to first complete the agency approved HRA and then provide the results to his or her primary care provider during the routine physical examination.

To receive the eight hours of wellness leave, the employee must provide the following documents to the supervisor:

- an agency-approved form substantiating the employee's completion of an HRA; and
- acceptable documentation of completion of the routine physical examination from the employee's primary care provider. After viewing this documentation, the supervisor returns the original and any copies to the employees. **Note:** The supervisor must not request additional medical information from the employee.

The eight hours of wellness leave:

- may be taken in any 15 minute increment,
- must be used within 12 months of the award, and
- is prorated for part-time employees.

## **Use of General Revenue Funds**

(Revised [10/20/08](#))

At the discretion of the agency head, general revenue funds may be used for the wellness program.

Agency funding may not be used to pay membership fees to health clubs or instructor fees.

## **Use of Agency Accommodations**

(Revised [10/20/08](#))

The agency head or designee may approve the following agency accommodations (if available) for use by the wellness program:

- classrooms and general meeting rooms,
- gymnasium, exercise rooms, and equipment,
- showers and dressing rooms in recreational facilities,
- swimming pools,
- outdoor recreational facilities, and
- similar accommodations used for health and fitness activities.

The agency head or designee may approve the use of agency space and other accommodations for the wellness program only when

- they are not in use by the people receiving services,
- use will not interfere with work-related activities, and
- use is consistent with health and safety standards.

## **Program Guidelines for Use of Agency Accommodations**

(Revised [10/20/08](#))

The following guidelines are provided for employee participation and facility maintenance:

- Scheduling information must be publicized.
- Employee participation must be during off-duty hours.
- Participants are responsible for paying instructor fees when required.
- Participant responsibilities must be outlined and publicized.
- All applicable health and safety standards must be enforced.
- Building security measures must be publicized and enforced.
- Required clean-up procedures must be publicized and enforced.

## **Physical Activity Participation Agreement**

(Revised [10/20/08](#))

Before participating in fitness activities offered as part of the wellness program, employees must:

- review [HR0806, Worksite Wellness Program Physical Readiness Worksheet](#),
- complete [HR0807, Worksite Wellness Program Physical Activity Participation Agreement](#), and
- submit the completed [HR0807](#) to the Agency Wellness Coordinator either in person, by e-mail or by fax.

## **Requirements for Higher Risk Activities**

(Revised [10/20/08](#))

There is a higher risk of injury associated with certain fitness activities such as swimming and the use of weight-lifting equipment. To reduce that risk, HHS requires additional orientation or supervision for participation in those activities.

## **Employee Lifeguards or Fitness Instructors**

(Revised [10/20/08](#))

In their off-duty hours, employees who are qualified as health care professionals, fitness instructors, or lifeguards may volunteer or charge participants for their services as part of the agency's wellness program. Such activity should be approved and coordinated through the Agency Wellness Coordinator.

## **Injuries**

(Revised [10/20/08](#))

Employees injured by participating in the wellness program are not eligible for workers' compensation benefits unless their participation in the wellness program event was in the course and scope of their job duties and employment.

## **L. Employee Assistance Program (EAP)**

### **Policy**

Agencies may provide an employee assistance program to help employees deal with a variety of personal problems that can reduce productivity at work. When provided, all employees are eligible to participate in the employee assistance program. The primary goal of the program is to retain employees, increase productivity, and reduce related cost to the agency when employees cannot perform at their best.

### **Employee Assistance Program (EAP)**

The EAP is a confidential counseling program aimed at helping employees and their dependents with a variety of personal problems that can impact their work. The services provided typically include educational opportunities, diagnosis, referral, and sometimes treatment.

### **Assistance with Personal Problems**

The EAP provides help with personal problems that might include:

- family and marital distress,
- substance abuse problems,
- legal problems,
- financial troubles,
- bereavement and loss,
- depression or anxiety, or
- workplace performance issues.

### **Trauma Response Services**

The EAP may provide on-site debriefings and counseling sessions in response to employee reductions in force or traumatic events such as:

- witnessing an accidental death;
- the death of a client on a caseload;
- the unexpected death, murder, or suicide of a co-worker; or
- workplace violence.

### **Employee Cost**

Assessment visits, crisis intervention counseling, and short-term counseling are provided to the employee free of charge. If additional assistance or treatment is recommended, fees for those services are normally based on what the employee can afford and, in some instances, may be covered by group health insurance.

## Confidentiality

Regardless of how the service is provided, EAP counselors must adhere to all applicable state and federal confidentiality laws.

## Types of EAP Referrals

There are two basic types of referrals to an employee assistance program based upon who initiates the contact:

- a self-referral, or
- a management referral.

### Self-referral

A self-referral is made when the employee contacts the EAP directly to seek assistance for a personal problem. This is the most common type of referral.

### Use of Leave for a Self-referral

An employee who makes a self-referral is not required to take leave to attend an EAP appointment if the employee

- informs the supervisor that the time is needed for an EAP appointment, and
- signs an EAP provided waiver for the release of appointment information, if requested by the employee's supervisor.

An employee who does not inform the supervisor of the EAP appointment, or who refuses to sign a requested EAP waiver, may use any appropriate leave, including sick leave, to account for this time. However, an employee may not use sick leave to attend an EAP appointment concerning legal or financial counseling.

### Management Referral

(Revised [3/22/05](#), [1/18/06](#))

After consultation with the HHS human resources office, a supervisor may recommend that an employee attend EAP counseling. During the referred employee's first appointment, he or she must sign an EAP provided waiver so that the appointment information can be released to the supervisor for monitoring purposes. **Note:** The only appointment information a supervisor or the HHS human resources office may request from the EAP is appointment time and frequency.

An employee who receives a management referral is not required to take leave to attend an EAP appointment.

## **Waiver Required to Discuss Attendance**

(Revised [3/22/05](#), [1/18/06](#))

An EAP counselor will release appointment information to the employee's supervisor or to the HHS human resources office only if the employee signs a waiver authorizing the release of such information. **Note:** The only appointment information a supervisor or the HHS human resources office may request from the EAP is appointment time and frequency.

## **EAP and Positive Performance**

The EAP is not a substitute for effective supervision or for the use of Positive Performance. Discipline and coaching may be done in conjunction with a referral to the EAP.

## **EAP Coordination**

When an agency provides an EAP, the agency head appoints an individual to coordinate the EAP. The EAP coordinator's duties include:

- informing employees about the program and how to access it;
- promoting the program through new employee orientation, newsletter articles, posters, brochures, or other means; and
- providing statistical data on the use of the program to agency managers.

## **Additional Information**

(Added [9/4/07](#))

For additional information on the EAP, see [EAP: Frequently Asked Questions](#).