

**ESSEX FELLS POLICE DEPARTMENT
RULES AND REGULATIONS/POLICIES AND PROCEDURES**

VOLUME: 4	CHAPTER: 7	# OF PAGES: 4	PAGE # 1 of 4
SUBJECT: EARLY WARNING SYSTEM EMPLOYEE ASSISTANCE PROGRAM			LAST REVIEWED 10/13/17
CROSS REFERENCE #(s):		EFFECTIVE DATE: June 20, 2014	
		CHIEF OF POLICE: William R. Theilacker	
REVISIONS			
10/13/17 – update header and reissue			
10/17/17 – Chapter 8 to 7			

1) PURPOSE

- A) The purpose of this policy is to outline a Departmental response toward employees whose job performance alters or deteriorates noticeably. The health, safety and welfare of all Essex Fells Police Department employees are of the utmost importance.

2) POLICY

- A) It is the policy of the Essex Fells Police Department to provide assistance to employees exhibiting below standard, unusual or less than professional job performance.
- B) This assistance is imperative in order to avoid harm to employee, fellow employees and/or the general public. Additionally the scope of responsibility and potential consequence which can be caused demands that psychological fitness be maintained at all times.

3) DEFINITIONS:

- A) **Mandatory Participation-** Once an employee is officially directed to an Employee Assistance Program (EAP) by a supervisor, the employee may voluntarily discontinue their participation at any time. However, possible disciplinary action may be carried out in accordance with the policies of the Essex Fells Police Department depending on the circumstances. This voluntary discontinuation of participation shall be noted in the appropriate reports and personnel files as it pertains to disciplinary action.
- B) **Voluntary Participation-** When an employee voluntarily enters the EAP and subsequently voluntarily discontinues treatment for any reason, this may be noted in appropriate reports and

files only if the individual has completed a consent form. Under no circumstances shall disciplinary action be taken against the member or employee in this situation.

- C) **EAP Training-** The Department shall train all supervisory personnel and employees on the guidelines contained in this policy. Also, supervisors may be directed to periodically attend advanced training as it becomes available and is applicable to the program.
- D) **EAP Contact Information-** EAP is administered through First Care MCO; contact information shall be posted in a conspicuous area of police headquarters.
- E) **Cop 2 Cop Program-** Is a 24-hour, 7 days a week confidential Helpline (1-866-COP – 2COP) for New Jersey Law Enforcement officers and their family members staffed by retired officers/clinicians which offer peer support, critical incident stress management, referral to police clinical providers and clinical assessments.
- F) **Counselor** – For the purpose of this policy, a counselor may be: a licensed psychologist or psychiatrist, a peer counselor, a police chaplain, a physician.
- G) **Employee** – Police Officer or civilian employee

4) **PROCEDURE:**

- A) Job behaviors that may lead a supervisor to conclude that an employee requires mental health assistance can include;
 - 1) A series of sustained citizen complaints or repeated complaints of the same nature.
 - 2) Abrupt change in expected police response and/or behavior that may be indicative of severe emotional disturbance (excessive and continued tardiness, absenteeism, sleeping during duty hours, excessive impatience, violent reaction to others, overeating, non-eating, poor personal appearance, odor of alcoholic beverages, physical symptoms of drug use).
 - 3) A police officer involved in a shooting, accident or other major incident that results in death or serious injury to any of the parties involved.
 - 4) Personal difficulties can adversely affect job performance. Accordingly, employees experiencing personal problems are encouraged to seek assistance from the Employee Assistance Program (EAP) if they are experiencing personal problems including but not limited to financial, elder care, marital, grief issues, emotional or alcohol abuse. All voluntary counseling and referrals are confidential.
- B) The Essex Fells Police Department will maintain a spreadsheet designed to identify employees who may warrant intervention or remediation based on the following indicators:
 - 1) Aggressiveness
 - 2) Deteriorating work performance

3) Professional Standards complaints

C) Responsibilities of Supervisors:

- 1) If a supervisor believes that an unsatisfactory job performance may be attributable to personal problems, the employee's supervisor should make a recommendation to the Lieutenant to have the employee referred to EAP. The Lieutenant and supervisor shall consult with the employee regarding the deficient job performance, and may recommend voluntary counseling.
- 2) An employee who is exhibiting behavior that poses a danger to himself/herself, a co-worker or member of the public shall be immediately relieved from duty. The supervisor ordering the immediate action shall contact the Chief of Police or designee through the chain of command to determine the best course of action based on the behavior being exhibited.
- 3) All employees, regardless of rank, have a responsibility to step forward if they recognize another employee in need of assistance.

D) Responsibilities and Rights of Employees:

- 1) Employees or their family members who through voluntary counseling are referred to an outside agency must do so at their own expense and on their own time. Counseling done by the Regional Employee Assistance Program is provided at no charge. Referrals to outside agencies may require payments, either through a health plan or out of pocket.
- 2) Counseling may be mandatory when an employee's job performance is adversely affected due to personal problems. Employees are responsible for their job performance, and in certain circumstances, the Township may require an employee to participate in counseling as a condition of employment resulting from disciplinary action.
- 3) Employees who voluntarily seek counseling or a referral to EAP should contact them directly.
- 4) An employee who refuses to seek counseling and continues to exhibit an unsatisfactory job performance may be subject to progressive disciplinary action. If, as a result of the disciplinary action counseling is recommended, in addition to or as an alternative to suspension or dismissal, such counseling shall be considered mandatory as a condition of continued employment. A referral of this nature shall state the specific job related reason for the referral, not the personal problem.
- 5) Employees are entitled to the same due process as provided for in the Professional Standards Policy.

E) Confidentiality:

- 1) Communications between employees, supervisors, department directors, the Borough Administrator, and counselors or professional agencies as a result of this policy, are to be

kept strictly confidential, except to the degree necessary to protect the safety of the employee and/or others, or to protect the security of Township property. Any information concerning a medical or other condition, which is covered under the Americans with Disabilities Act of 1990, shall be kept in a separate medical file in accordance with ADA guidelines.

F) Responsibilities of the Chief of Police:

- 1) The Chief of Police, in consultation with the Borough Administrator will select the treating counselor based upon the facts and circumstances of the case. Employees must keep scheduled appointments.
- 2) The Chief of Police is entitled to know the following information about involuntary referrals:
 - a. Whether the employee is keeping scheduled appointments;
 - b. Whether the employee is making progress;
 - c. Whether the employee has been released from counseling.