

Assessing the Need and Feasibility of an Employee Assistance Program (EAP)
for South Dakota Court Employees

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ABSTRACT

The South Dakota Unified Judicial System is a unified court system that consists of approximately 534 benefited, permanent employees. South Dakota is a large geographical state with two metropolitan areas one on each side of the state. The purpose of this project was to determine judges and employees' interests in having an Employee Assistance Program (EAP), what services should be included in the EAP, how to best manage the EAP, and the feasibility of implementing an EAP for the South Dakota Unified Judicial System. Most, if not all of the states bordering South Dakota have an EAP for the judicial and executive branch employees, their spouses, and dependents. In addition, many private companies utilize EAP's for their employees, spouses, and dependents. An EAP is seen as an effective tool for judges, employees, and supervisors to assist in helping with job performance issues and personal situations that may be affecting an employee at work.

Two surveys were used to obtain information from employees and regional states. This author utilized a Likert style survey. The Likert survey was used for employees to answer the primary questions on judges and employees' readiness to have an EAP and what services should be provided. Additional questions were asked to ensure a program design that judges and employees would utilize. The second regional survey was sent to three surrounding states judicial branches and asked specific questions in regard to their EAP design, benefits and challenges associated with their EAP, and how the EAP was managed.

After all Likert survey results were tabulated, the evidence to design and implement an EAP was extremely strong. Seventy-one percent of the survey respondents supported the development and implementation of an EAP for judges and employees. In addition, 58% felt that the program should include spouses and dependent children and most (85%) felt the initial

services should be at no cost to the employee. The survey results also indicated that most employees (57%) felt that the program should be externally managed by a third-party contractor/vendor. Finally, the highest ranking services to be included in the EAP were: stress management, mental health, chemical dependency, work-related issues, career development/counseling, family counseling, domestic violence, and grief and loss counseling.

The regional survey, which supported the literature review, indicated that most states offer an EAP; provide at least initial services free to participants; cover the judge and/or employee, spouse, and dependent children; and are externally managed by a third-party contractor or vendor. Some benefits that surveyed states observed with regard to their EAP included assisting employees in time of crisis, helping staff deal with death in the workplace, and providing a tool for supervisors so they can address employee problems and issues. The primary benefit is that employees use the EAP instead of work time to cope with personal or family problems. One of the challenges indicated by a surveyed state was that they have little control over the EAP as it is run by executive branch staff. The primary concern for one state was finding adequate services statewide. This will certainly be a concern for South Dakota judicial branch as well.

Undoubtedly this author's literature review and survey findings support the implementation of an EAP for the South Dakota Unified Judicial System. Upon approval by the State Court Administrator and Chief Justice, policies and procedures will be developed to govern this program. To ensure this program is successful, initial EAP services will be offered free to judges and employees, spouses, and dependent children. After developing the EAP guidelines and policies and determining services, this author will develop a request for proposal and obtain

bids from an outside vendor to provide and manage the EAP. Finally, annual program evaluation will be completed to ensure program success and implement required changes.

INTRODUCTION

The South Dakota Unified Judicial System (UJS) is a unified court system that consists of seven circuit courts. The South Dakota UJS is unified with regard to employees; however, circuits operate within the county courthouse and the counties provide maintenance and security to the buildings. Each of the seven circuits has one Presiding Judge, appointed by the Chief Justice, subject to the rules of the Supreme Court. The Presiding Judge with the assistance of the Circuit Administrator provides the administrative supervision and authority over the operation of the circuit courts, the courts of limited jurisdiction, and clerks and other court personnel in the circuit. The Presiding Judge and State Court Administrator are responsible to the Chief Justice of the Supreme Court for the administration of the personnel rules and administering the circuit consistently with other circuits. Appendix A provides an organizational chart of the South Dakota Unified Judicial System.

The South Dakota Unified Judicial System judges and employees participate in the executive branch health plan; however, the UJS does not participate in the management of this plan. Under certain circumstances, the current health program covers licensed mental health counseling and services for alcoholism. The executive branch has not shown an interest in developing an Employee Assistance Program as an employee benefit or management tool. The Unified Judicial System believes that the development of an Employee Assistance Program would be a valuable tool for employees, judges, and management.

Many articles and groups have discussed a concern for the well-being of judges as they are subject to a wide range of physical and emotional stressors and whether perceived or real there are barriers to accessing assistance in their communities. This is especially true for a rural state such as South Dakota. Further, not only judges, but court employees have a potential of

suffering physical and emotional stress. All states have lawyers' assistance programs, and most if not all are available to provide assistance to judges (at least lawyer-trained judges).¹

Likewise, the program in South Dakota assists law-trained judges.

The South Dakota Unified Judicial System has experienced situations that have affected judicial absenteeism and job performance. In addition, as an employer we have an overall concern for our employees' personal well-being. Most significantly, a couple of years ago the SD Unified Judicial System experienced the loss of a judge due to suicide. Since that time we have been evaluating the level of stress in carrying out the functions of the judiciary. As the information in this author's literature review indicates, employees are affected by stress and this author believes that judges and judicial employees are no exception. In fact, court work can bring additional stressors to the judge and court employee. Not only do judges and judicial employees experience stress at work, but they are human beings with a multitude of personal issues that are not left at the door when they arrive at work.

During the 2007 fiscal year, the average SD Unified Judicial System employee used just over one week (five days) of sick leave, this statistic does not include judges. Although this is not a high number there are approximately 534 benefited employees who work for the SD Unified Judicial System, therefore, approximately 21,360 hours per year employees are absent from work for sick leave purposes. The average hourly salary for UJS employee's in fiscal year 2007 was \$21.24, which totals approximately \$453,686 spent on sick leave pay. The personnel services budget for fiscal year 2007 was \$27,209,682. Therefore, in fiscal year 2007, approximately two percent of the personnel services budget was spent to pay sick leave.

¹ Gray, Cynthia; **Judges in Lawyers' Assistance Programs**; Judicature Volume 90, Number 1, July-August 2006; page 20.

One Clerk of Court has indicated they were aware of some clerks and deputy clerks who felt they needed debriefing or counseling after working on a horrific criminal case. In addition, this Clerk indicated knowledge of judges who are recovering alcoholics and colleagues who have struggled with gambling as well as personal and professional issues that could benefit from an EAP. Serving as a judge can be very rewarding; however, these positions can also be lonely and stressful. Obviously, taking care of oneself lessens the affects of stress and providing our judges and employees with the tools and resources to do so can be a wise investment. As mentioned previously, there is currently a Lawyers Concerned for Lawyers program through the South Dakota State Bar Association. In this program, the members assist other members who are having problems with alcohol-related issues. Professor John F. Hageman and SD State Bar member refers to this as a “12th step call.” The South Dakota State Bar Association also recently provided their members with a list of mental health centers within the state of South Dakota to provide mental health services if needed. There is limited funding within this program to provide financial assistance to lawyers who cannot afford treatment or do not have health insurance coverage. However, according to Mr. Richard Travis, South Dakota State Bar Association 2007 President, even though these existing programs are working well, more work is needed to assist our attorneys and judges in South Dakota. These are two very specific programs that offer assistance to members of the South Dakota State Bar Association, but these are limited services and do not include all UJS employees. One option to address these concerns and issues is an EAP offered through the Judicial Branch.

This author will explore whether UJS employees and judges feel there is a need for an Employee Assistance Program and further what services should be provided. This will be accomplished by means of an email survey to judges and employees. In addition, the court

systems in North Dakota, Iowa, and Nebraska will be sent an email survey to gather information on their EAP's. This information will be used to evaluate how the EAP's are managed, funded, what services are provided, what benefits and challenges are associated with the programs, and other program specifics. This information will assist the South Dakota Unified Judicial System in determining the feasibility of implementing, possible costs, and methods of funding and managing an EAP; and implementation steps. In addition, literature will be reviewed to gather information in regard to EAP's and other states' programs, benefits and problems associated with EAP's, and advantages and disadvantages to internally and externally managed EAP's. Finally, survey data will be analyzed and findings, conclusions, and recommendations will be made on the need and feasibility of implementing an Employee Assistance Program for the South Dakota Unified Judicial System. In addition, if an EAP is found to be needed and feasible this author will recommend implementation steps for an EAP within the South Dakota Unified Judicial System.

LITERATURE REVIEW

An Employee Assistance Program (EAP) is defined as a program that is designed to help identify and facilitate the resolution of behavioral, health, and productivity problems that may adversely affect an employee's well-being and job performance. Typically, the focus is wide-ranging, covering alcohol and other drug abuse; physical and emotional health; and marital, family, financial, legal, and other personal concerns that may affect employees negatively. It is important that employees and supervisors understand that EAP's concentrate mainly on personnel issues and job performance and understand it is **not** a medical program. In addition, Shelly Prochaska in an article for the Society for Human Resource Management quoted Ted Larrison as saying, in part, "It is a mistake for HR to categorize an EAP as an employee benefit. It is a systematic way for supervisors and managers to manage 'troubled employees.'"²

EAP's are nothing new to both the public and private sector. EAP's have been in existence for some years. In fact, in a 2001 survey the Society for Human Resource Management (SHRM), "found that 91% of all companies with over 5,000 employees and 49% companies with less than 100 employees have EAP's."³ In addition, according to a SHRM 2002 Benefits Survey, 94% of government agencies offer an EAP.⁴ One might wonder with the large usage of EAP's, what makes them so desirable and why a company would invest funds to have an EAP. EAP's are implemented for a number of reasons. For example, companies may be experiencing issues with job performance, attendance – absenteeism (gone from the workplace) and presenteeism (at work and focusing on work), productivity, or high health insurance costs. There are a variety of EAP designs depending on an organization's need.

² Prochaska, Shelly, **Employee Assistance Programs: What Does HR Need to Know?**, SHRM, May 2003.

³ Collins, Kenneth R., **Buying An Employee Assistance Program With Your Eyes Open**, SHRM, 2001, page 1.

⁴ http://www.shrm.org/hrresources/whitepapers_published/CMS_004450.asp downloaded January 2007.

Along with the specific issues that the SD Unified Judicial System has experienced there is significant data that suggests employees and employers are affected negatively by depression, stress, alcoholism, job performance problems, and illegal drug usage in the workplace which can lead to excessive absenteeism, productivity concerns, and safety concerns. According to the Substance Abuse and Mental Health Services Administration's (SAMHSA) National Survey on Drug Use and Health among adults aged 18 or older, major depressive episodes in a lifetime or past year were assessed and it is estimated that 8% of adults aged 18 or older had experienced at least one major depressive episode during the past year.⁵ In addition, this survey found that,

“illicit drug use was nearly twice as high among adults who had experienced a major depressive episode in the past year (14.2%) compared with adults who had not experienced a major depressive episode in the past year (7.3%).”⁶

Stress can also be a factor in the workplace. In a survey by Northwestern National Life they found that 40% of employees reported their job is very or extremely stressful.⁷ A survey by the Families and Work Institute found 26% of employees reported that they are often or very often burned out or stressed by their work.⁸ An additional survey conducted by Yale University indicated 29% of employees' report they feel quite a bit or extremely stressed at work.⁹ Stress is not only caused by workplace demands, but also employees' personal demands such as financial issues or family and personal concerns.

Illegal drug usage and alcoholism or heavy drinking is also a great concern for employers. The U.S. Department of Labor reported that, “according to a national survey conducted by the Hazelden Foundation, more than 60% of adults know people who have gone to

⁵ <http://www.oas.samhsa.gov/2k5/depression/depression.cfm>, downloaded October 2007.

⁶ **Loc. Cit.**

⁷ **NIOSH Publication No. 99-101**, downloaded from <http://www.cdc.gov/niosh/stresswk.html> on May 2008.

⁸ **Loc. Cit.**

⁹ **Loc. Cit.**

work under the influence of drugs or alcohol.”¹⁰ In addition, the Thompson Publishing ADA Compliance Guide indicated alcohol impairment is a serious problem in the workplace by citing a study released by the Research Institute on Addictions of the State University of New York at Buffalo which indicated the number of employees who are under the influence of alcohol during the workday can be as high as 15%.¹¹ In the late 1980’s, the National Household Survey indicated 12 percent of employees have alcohol- and drug-related problems, and 6-8 percent have emotionally related problems.¹² Experts also estimate about 20 percent of any workforce is affected by personal problems, which could lead to increased absenteeism, reduced productivity, and a negative impact on job performance.¹³

As any supervisor can attest, typically employee performance issues may well be attributed to employee’s personal issues or non-work related concerns that affect absenteeism and job performance. Some experts predict that the problem employee costs the typical American company an average of 25% of his or her salary per year. In addition, it is estimated at any given time 18% of all employees are affected by some problem that is interfering with their work performance.¹⁴ In some cases, experts have drawn an additional correlation between worker’s compensation claims and employees’ personal problems.

Historically, EAP’s first saw their creation in programs designed to specifically address alcohol and drug abuse problems in the workplace and in occupational alcoholism programs in the 1930’s and 1940’s. The benefits of these programs were seen throughout the country.

Previous to the existence to these types of programs, alcoholism was seen as an incurable

¹⁰ **Addiction in the Workplace Survey**, October 22, 1996, Hazelden Foundation, Center City, MN cited at <http://www.dol.gov/e/awsp/drugfree/benefits.htm> downloaded May 2008.

¹¹ **Alcohol Impairment in Workplace Is Serious Problem, Study Finds**, Thompson Publishing, ADA Compliance Guide, June 2007, page 16.

¹² Masi, Dale A., **The AMA Handbook for Developing Employee Assistance and Counseling Programs**, American Management Association, 1992.

¹³ **Loc. Cit.**

¹⁴ Fuller, Edward H., **EAPs: Are They Right for Your Company?**, Article of the Quarter, Winter 2005, page 1.

problem. In the beginning, these programs were run internally and informally within the company. Often a recovering alcoholic unofficially ran the program and assisted other employees with their recovery. As employers found success in assisting employees with this limited issue, programs began to grow and became more holistic (including multiple program services to employees other than just chemical dependency) in their approach and specific employees were designated to run the programs. Some experts believe these broad brush approaches to employee issues make it difficult to administer the employee assistance program with a high degree of efficiency and effectiveness. This may be the reason some employers eventually outsourced this function through the use of outside vendors. Today we see mainly holistic EAP's and both internally and externally managed programs developed by organizations.

Many state agencies have established EAP's. The following surrounding states' executive branches have established EAP's: Minnesota (Appendix B), North Dakota (Appendix C), Iowa (Appendix D), Kansas (Appendix E), Wisconsin (Appendix F), Nebraska (Appendix G), and Colorado (Appendix H). Judicial employees are included in the executive branch EAP in Minnesota, Iowa, Colorado, and Kansas. This may be true for other states' judicial branches; however, it could not be verified on their state websites. In addition, the Nebraska Judicial Branch appears to have its own EAP called InSight; however, there is very limited information on the internet in regard to this program. Most of the surrounding states' EAP's are externally managed. A multitude of services are provided through all of the EAP's and five of the seven states provide EAP services to more than just employees. It is the intent of this research paper to send a detailed survey to North Dakota, Iowa, and Nebraska to gather more detailed information in regard to their EAP's. As previously indicated South Dakota does not provide an EAP to its executive branch or judicial branch employees.

The following table summarizes each state's program:

Table 1

STATE	MANAGED	SERVICE EXAMPLES	PARTICIPANTS	COST
Minnesota	Internally and Externally	<ul style="list-style-type: none"> • Relationship • Grief and loss • Chemical abuse • Addictive behaviors • Family care • Mental health • Legal or financial • Personal problems • Career/job stress • Conflict with coworkers and supervisors • Workplace crisis¹⁵ 	Employees & Managers	Free – unless assistance goes beyond the scope of the EAP
North Dakota (Supreme Court EAP)	Externally	<ul style="list-style-type: none"> • Drug/alcohol assessments • Financial/money management • One hour free legal consultation • Fitness training • Referral to community services¹⁶ 	Employees & covered family members	Free for the first three or eight sessions per family member, per issue, per year
Iowa	Externally	<ul style="list-style-type: none"> • Alcohol and other drug abuse • Marriage or family problems • Financial • Health or stress concerns • Career struggles/job burn-out • Death/dying issues • Interpersonal conflicts • Workplace conflicts • Legal concerns • Life coaching services¹⁷ 	Employees & covered family members	No initial cost – unless assistance goes beyond the scope of the short term EAP

¹⁵ <http://www.doer.state.mn.us/eap/abouteap.htm> downloaded July 2008.

¹⁶ <http://www.medcenterone.com/services/eap.htm> downloaded July 2008.

¹⁷ **State of Iowa 2008 Employee Benefits Handbook** pages 41-42 downloaded from http://das.hre.iowa.gov/benefits/benefit_pages/bene_eap.html July 2008.

STATE	MANAGED	SERVICE EXAMPLES	PARTICIPANTS	COST
Kansas	Externally	<ul style="list-style-type: none"> • Marital problems • Child care • Financial trouble • Family conflict • Depression • Problems with coworkers and supervisors • Alcohol or drugs • Child or adolescent problems • Aging issues • Legal problems¹⁸ 	Employees & immediate family members	No initial cost – unless assistance goes beyond the scope of the EAP
Wisconsin	Internally and Externally	<ul style="list-style-type: none"> • Health • Marital and relationship • Family and parenting • Financial • Alcohol and other drug abuse • Legal • Emotional • Stress or anxiety • Life crisis • Work services¹⁹ 	Employees & family members	No initial cost – unless assistance goes beyond the scope of the EAP
Nebraska	Externally	Provide a licensed professional counselor to discuss personal problems ²⁰	Employees & family members	No initial cost – unless referrals are made outside the EAP
Colorado	Internally	<ul style="list-style-type: none"> • Work related challenges • Anxiety • Substance abuse • Stress • Couples/family problems • Depression • Parenting difficulties • Anger • Personal/professional growth²¹ 	Active employees	No cost for counseling and coaching through the EAP

¹⁸ <http://www.khpa.ks.gov/healthquest/lifeline/faq.htm> page 2 downloaded July 2008.

¹⁹ http://oser.state.wi.us/section_detail.asp?linkcatid=332&linkid=26 downloaded July 2008.

²⁰ <http://www.dhhs.ne.gov/hur/eap.htm> downloaded July 2008.

²¹ <http://www.colorado.gov/dpa/eo/eap/> downloaded July 2008.

Several benefits can be realized with the implementation of an EAP. Some of these are direct and others are indirect benefits. For example, some of the direct benefits include the reduction in measurable losses such as absenteeism, overtime pay, tardiness, sick leave abuse, health insurance claims, workplace violence, and disability payments.²² There are some benefits to reducing hidden (indirect) losses such as diverted supervisory managerial time, friction among coworkers, waste, damage to equipment, poor decisions, damage to public image, personnel turnover, and premature death.²³ Additional benefits may be seen from reducing losses related to legal claims including worker's compensation, Equal Employment Opportunity complaints, disciplinary actions, grievance procedures/other legal actions, threat to public safety, illegal drug trafficking on the job, and security issues.²⁴

Most of the literature points to the following five reasons to implement a comprehensive EAP: reduction of costs, rehabilitation rate, enhancement of labor/management relations, no-lose situation, and humane aspects. These five reasons are defined in more detail below:

1. **Reduction of Costs:** The containment of health care costs through early identification and treatment prior to a crisis situation; the possible prevention of potential problems through training and education to all; and potential for an increase in productivity for a minimum investment.
2. **Rehabilitation Rate:** The capability of retaining 70-80 percent of the troubled employee population through family coverage and involvement; through utilization of improved and sound economical treatment modalities; and provision of support for the use of self-help groups.
3. **Enhancement of Labor/Management Relations:** Jointly tackle a problem that will benefit all concerned; both the employer and the employee.
4. **No-lose Situation:** Provide a benefit to employees and families that returns more than it costs.
5. **Humane Aspects:** Projecting a "caring" image internally and externally by fulfilling a corporate responsibility within the community, saving valued employees and their jobs, restoring families, and saving lives.²⁵

²² See Note 12 *supra*.

²³ **Loc. Cit.**

²⁴ **Loc. Cit.**

²⁵ Hutchison, Williams S. Jr. and Emener, William G, **Employee Assistance Programs - A Basic Text**, Charles C Thomas Publishing, 1997, page 45-46.

During this literature review, EAP concerns were viewed and are worth mentioning at this point. Probably the biggest concern mentioned is confidentiality. Of course, confidentiality of employees' personal information and problems or issues must remain with the EAP and not be shared with the employer or coworkers. In addition, as previously stated, some literature indicated EAP's have become the catch-all to employee's problems. This is a concern because in the beginning EAP's were designed for a singular purpose and now are expected to provide a multitude of services to employees. Along with this concern, EAP's have been growing so fast that some individuals are concerned about an EAP's ability to maintain quality services. Another possible problem is finding qualified staff to run an EAP. An employer has liability when either hiring staff internally or through a contractor and ensuring they are qualified to provide counseling services or other services through the EAP. In both internally and externally managed programs, employers have a responsibility to ensure services are coming from qualified individuals. Finally, in order to ensure a quality EAP, employers must continually evaluate the EAP services and ensure they are meeting the ever changing needs of their employees. All of these concerns can be addressed through proper program development and establishing adequate EAP policies, procedures, and practices.

This author also reviewed regional as well as national vendors and literature with the thought of possibly developing an EAP for the South Dakota UJS. According to Dale Masi and SHRM the main model types of EAP's are:

1. *In-house model.* The entire employee assistance staff is employed by the employer.
2. *Out-of-house model.* The employer contracts with a vendor to provide an employee assistance staff and services.
3. *Consortium model.* Several employers pool their resources to develop a collaborative program and thus maximize individual resources.

4. *Affiliate model.* A vendor subcontracts with a local professional rather than use salaried staff. Usually this model is used in conjunction with a model that involves employer paid staff.²⁶
5. *Chaplain model.* Chaplains refer employees and their family members to appropriate, licensed counselors when their problems warrant professional help. Chaplains do **not** offer religious or spiritual advice unless the employee requests it.²⁷

Essentially, these can be broken down into internally and externally managed EAP's. Two main advantages or benefits exist for internally managed EAP's. First, internally managed EAP's can bring accessibility to employees, because they are located on-site. This can also increase the likelihood of utilizing services. Second, internally managed EAP's are well ingrained in the company culture. This is seen as a benefit when helping employees since this would mean as an employee themselves they would be aware of company problems and stressors. A main deterrent to internally managed programs would be the size of the organization and organizations with multiple and widespread locations. Outside vendors have also maintained that confidentiality is difficult to guarantee when an EAP is internally managed. However, depending on your organization this may be a valid concern of employees and should be ensured. Confidentiality is one of the most important aspects of a successful EAP. Another factor which may be considered negative is that internally managed EAP's are considerably more costly than externally managed programs. This stands to reason since additional staff and resources must be allocated to manage the internal EAP. According to SHRM, in 1995 an internally managed EAP would cost approximately \$5.50 more than an externally managed program per employee.²⁸ Obviously, the possible issues with internally managed EAP's are seen as the positives of externally managed programs. For example, when an organization is spread over multiple

²⁶ See Note 12 *supra*, page 6.

²⁷ Toran, Mindy W., **EAP's: cost or benefit? Employers tread the fine line between cost and productivity for their employee assistance programs – Special report: benefits**, SHRM, September 15, 2003, page 1.

²⁸ See Note 2 *supra*.

locations it is more cost-effective to have an externally managed program to refer employees to counseling. The main deterrent to externally managed EAP's is that the program has a potential to be less humanized. Therefore it could, if not managed properly, deliver less to employees, meaning that there may be fewer referrals, etc. Of course, this is also an influence in employees trusting the vendor as they do not see this person frequently like when the program is internally managed. Although there are benefits and challenges to both internally or externally managed EAP's the important thing is to evaluate the organization and ensure the specific needs of the organization and its employees are met and the EAP is staffed with qualified and caring staff. Since most state agencies are spread across the entire state with limited resources available for funding this could explain why so many states EAP's are managed externally.

Mr. Masi and other experts agree the following elements are essential for a successful and viable EAP:

1. Policy Statement. A written policy statement that clearly defines the purpose of the program, organizational and legal mandates employee eligibility, the roles and responsibility of various personnel in the organization, and procedures. Included in this statement the policy should outline who can use the services; how confidential information will be handled; credentials of staff; methods for program evaluation; whether an employee should receive free time from work for appointments; and how client records should be kept and for how long.²⁹
2. Services. A list of basic services should be provided to employees. EAP's can provide information, assessment, and referral, and/or short-term counseling with twenty-four-hour access to an 800 line. EAP's can also refer and help employees and families make contact with community services to provide assistance with more complex problems or longer-term counseling.³⁰
3. Professional Staffing and Confidentiality. Whether the program is managed internally or externally, great care should be taken to ensure that qualified staff is assisting employees and family members with their personal issues and concerns. In addition, all employee and family member records should be treated confidentially and not shared with the employer or anyone else. Any release of information should be completed with only proper release forms and documentation. Bear in mind that state law mandates the

²⁹ See Note 12 *supra*, page 7.

³⁰ *Loc. Cit.*

disclosure of suspected child abuse to the appropriate state agency. The threat of harm to another made by a participant of the assistance program could require warning to the potential victim or notification of local law enforcement.³¹

4. Community Resource Referral Network. One of the EAP's responsibilities is to evaluate community resources for appropriate employee referrals and keep the list updated.³²

5. Appropriate EAP Location. An EAP located on the employer's premises should be under the auspices of the human resources department and should be situated to ensure confidentiality.³³

6. Funding. There are two options: the employer maintains an in-house staff or it contracts out all functions on a per capita basis. Regardless of the option an employer uses according to Dale A. Masi in his 1992 publication of "The AMA Handbook for Developing Employee Assistance and Counseling Programs," the cost ranges from \$22 to \$35 per employee per year, depending on the location of the employer.³⁴

7. Supervisory Training. Supervisors must be properly trained in making referrals; understanding the EAP policies and procedures and services; and especially understanding their role in the program as the employee's supervisor.³⁵

8. Employee Outreach and Education. Hand in hand with supervisor training is employee outreach and education. Employees must understand available services and how to obtain them. In addition, employees should be provided updates on health information and areas of concern along with how to obtain information and services through the EAP.³⁶

9. Employee Assistance Program Evaluation. As with any program, continual evaluation of the program's effectiveness and employee's changing needs should be evaluated and addressed. Program evaluation can include a number of areas including cost benefit, penetration rates (program usage and pervasiveness), absenteeism reduction, problem category success, client survey, management/supervisor satisfactoriness, and utilization rates.³⁷

Finally, all of these issues must be accomplished in accordance with current federal and state laws, regulations, and rulings.

³¹ See Note 12 *supra*, page 8.

³² See Note 12 *supra*, page 9.

³³ **Loc. Cit.**

³⁴ **Loc. Cit.**

³⁵ See Note 12 *supra*, page 10.

³⁶ **Loc. Cit.**

³⁷ See Note 12 *supra*, page 12-14.

Many companies have evaluated the usefulness of their EAP's and limited statistical analysis is available for various EAP's. There are many different ideas on how to best evaluate EAP's and probably many are flawed or show limited results; however, most are limited to before-and-after comparisons of EAP participants.³⁸ Since the inception of EAP's many case studies have been completed to demonstrate cost-effectiveness and impact. In 1995, The United States Department of Health and Human Services published a document called, "Cost-Effectiveness and Preventive Implications of Employee Assistance Programs." This publication evaluated several EAP study findings and concluded that although program evaluation has limitations and deficiencies, "there is an impressive accumulation of evidence across a variety of worksites about EAP effectiveness."³⁹ All of the studies evaluated indicated EAP's are cost-effective and that there is no published evidence EAP's are harmful to economies or employees.⁴⁰

In 1984, Kurtz et al. reviewed 11 studies with cost reduction as the criterion of workplace program success. Six of these studies used no comparison group, four used comparisons with those who refused EAP or treatment, and one study compared EAP clients with employees who had personal problems not involving alcohol and other drugs and also with the norms for the organizational population. Three of the studies did not show any significant cost reductions, one study indicated a negative cost-benefit ratio, and seven studies indicated substantial savings. One study indicated a 5:1 reduction in work hours and wages lost for those who used the EAP compared with those who refused to use the EAP over a 1-year period. This same study indicated a 13:1 change in use of sickness and accident benefits; employees who use the EAP had a reduction of 5 percent in the 12-month period, compared with a 60 percent increase among those who did not. A 1980 study indicated a saving of \$1,590 per EAP user in sickness and accident benefits over a 5-year period.⁴¹

³⁸ Blum, Terry C. and Roman, Paul M., **Cost-Effectiveness and Preventive Implications of Employee Assistance Programs**, US Department of Health and Human Services, 1995, page 11.

³⁹ See Note 38 *supra*, page 12-13.

⁴⁰ **Loc. Cit.**

⁴¹ See Note 38 *supra*, page 14-15.

In general, EAP cost-effectiveness data generally indicate savings-to-investment ratios ranging from 1.5:1 to 15:1 (McDonnell Douglas 1989).⁴² EAP studies have indicated the reduction in turnover is a substantial cost-savings to the employer.⁴³ Studies also indicate a substantial reduction in medical claims can be seen with the implementation of an EAP.⁴⁴ A reason for this might be the existence of an EAP can lead to earlier care or intervention, which is crucial when looking at cost-savings in treatment of alcoholism or mental illness. In addition, not only are cost-savings seen, but human suffering is lessened, because treatment is sought earlier in most cases.

In summary, many companies with an EAP have seen proven cost-effectiveness through reductions in absenteeism, on-the-job accidents, and medical claims; and increased productivity. Because the inception of EAP's grew from single programs meant to assist employees with alcoholism and drug issues, the evidence is particularly strong with regard to these issues. However, data is considerably supportive of the implementation of EAP's in companies showing benefits to employees and employers. In addition, EAP's are used both in the public and private sector and are implemented for a number of reasons. Some of those reasons are employer driven to decrease costs, improve productivity, and to provide assistance to employees to improve their personal and professional lives. What does this mean for this project? Steps should be taken to determine employees' and judges' need and readiness for an EAP. This will be accomplished through a survey to UJS judges and employees.

⁴² See Note 38 *supra*, page 16.

⁴³ See Note 38 *supra*, page 27.

⁴⁴ See Note 38 *supra*, page 21.

METHODS

Two surveys were created to gather information in regard to EAP's. The first survey is a Likert scale and was created for judges and UJS employees to determine the perceived need for an EAP and what services should be provided. The second survey was sent to three surrounding states judicial branches to obtain regional information. The three states were North Dakota, Nebraska, and Iowa.

The judges and UJS employee Likert survey contained one demographic question to determine what position the individual holds within the UJS. This was included to evaluate data by position type if needed. Six additional questions were asked using the following Likert scale: Strongly Disagree, Somewhat Disagree, Undecided, Somewhat Agree, and Strongly Agree. The questions were asked to obtain if an EAP was needed, if services should be provided to spouses and dependent children, if services should be free to participants or if a nominal fee should be charged, and if the EAP should be internally or externally managed. The last question used the same Likert scale as described above and provided a listing of possible EAP services. The survey participants were asked to indicate which services should be included in an EAP by ranking them as Strongly Disagreed, Somewhat Disagreed, Undecided, Somewhat Agreed, or Strongly Agreed.

The following individuals were sent the survey via email: Supreme Court Justices, Presiding Judges, State Court Administrator, State Court Administrator's senior staff, Supreme Court Clerk and Chief Legal Counsel, and Circuit Administrators. These individuals were specifically identified to be sent the survey. In addition to the above, 20 out of 210 Clerks and Deputy Clerks were randomly selected, 20 out of 133 Court Services staff were randomly selected, and 5 out of 24 Information and Technology staff were randomly selected to receive the

survey. To determine the random selection of the employee groups (Clerks and Deputy Clerks, Court Services staff, and Information and Technology staff); this author predetermined the number to be surveyed from each employee group. Then an employee group listing of all employees was printed and the employees were randomly selected to determine the survey participants. For example, for the Clerks and Deputy Clerks 210 was divided by 20, which equaled 11; then every eleventh name on the employee listing was sent a survey. A total of 71 out of 534 judges and employees constituted the sample size to be given the survey for completion and return.

Enclosed with the email survey was a letter from the Chief Justice of the Supreme Court to encourage participation and completion of the survey. The Chief Justice's letter and judge and employee survey can be located in Appendix I and J. The Chief Justice's letter and survey were emailed to the identified groups on August 5, 2008 and responses were requested by August 22, 2008. Survey participants could respond via the mail, email, or fax. Participants were ensured their identity would be kept confidential and only responses would be reported. On August 15, 2008, participants were sent a reminder email, this email thanked those who had already submitted the survey and asked those who had not completed it to complete and return by the deadline.

Thought was given to distributing this survey via standard mail service in order to ensure participants felt the survey would be confidential. However, after cost considerations were weighed, it was determined by this author the survey would be distributed using email and several return options would be given. This would allow respondents to provide their responses however they felt most secure in relaying the information and ensuring confidentiality.

Determining who to include in the sample size was evaluated and it was determined that of the 534 permanent, benefited employees 71 would be surveyed. As the intended participants of the EAP, this author needs their input to determine desire for an EAP and what services should be included in an EAP if implemented.

This survey was pre-tested by sending it to Lynn Sudbeck, Deputy State Court Administrator/Director of Human Resources. Ms. Sudbeck suggested the addition of questions in regard to cost to the employee or if they would participate for a nominal cost. This suggestion was implemented and questions were added. Ms. Sudbeck also suggested the removal of retirement planning as a service, because this is currently offered through our retirement system and other means. This suggestion was also implemented. The final recommendation from Ms. Sudbeck was to add in the instructions how long the survey would take to complete. This change was also implemented. The survey was also pre-tested by Lisa Mammenga, Personnel Clerk, who did not recommend any changes and indicated the survey was understandable.

The survey was also pre-tested by two members of this author's Court Executive Development Program (CEDP) group, Tiffaney Pete and Rosa Holdeman. Ms. Pete did not have any suggestions for the judges and employee survey. Ms. Holdeman indicated that placing the undecided in the center of the scale may cause some problems when evaluating data. After considering this comment, this author decided to leave the undecided selection in the center of the scale as this is standard format of Likert scales.

The final individual to pre-test this survey was this author's paper advisor, Don Cullen. Mr. Cullen recommended adding language to ensure the survey participants would understand they are providing information into the possible design of an EAP rather than the design having already been decided. This language was added as recommended. In addition, Mr. Cullen asked

the question why the scale was negative to positive (Strongly Disagree to Strongly Agree) instead of starting off with the positive statement (Strongly Agree). This author determined the current survey structure would be retained as it is conducive to how the data is coded.

As of August 22, 2008, 45 of the 71 individuals surveyed had responded. This is a response rate of 63%. When survey responses were received they were coded as follows: Strongly Disagree = 1, Somewhat Disagree = 2, Undecided = 3, Somewhat Agree = 4 and Strongly Agree = 5. The appropriate code was then added into an Excel spreadsheet to track all survey responses. This information can also be manipulated to determine the average response, determine the percentage of respondents who agree, rate of agreement by position, and to create graphs for displaying the responses. To determine the percentage of responses per question, the response type will be divided by the total number of valid responses. This will give the percent of respondents who strongly disagree, somewhat disagree, are undecided, somewhat agree, and strongly agree. This same statistical procedure will be used to determine the rate of agreement by position.

In totality this survey was to determine judges' and employees' interest in creating an EAP and provide input on what services should be included if determined to be essential. This survey also provided input into how an EAP should be designed and managed to influence usage of the EAP. This survey accomplished these goals. However, a few issues revealed themselves in regard to the Likert survey and possible problems in the survey design. One issue that surfaced in the survey which is minimal but worth mentioning is that four respondents made multiple responses to an individual question. This may have occurred because they changed their mind and did not remove the initial response to the question or the respondent was not sure and therefore responded with multiple responses. Therefore, after each question, this author

should have indicated on the survey to only provide one response. During analysis any respondent who responded with multiple answers to a question will be deleted as an invalid response and not included in the statistical analysis. While compiling data, the Undecided response probably would have been better identified as Neither Agree or Disagree. For purposes of evaluating data and findings and proposing conclusions and recommendations, this author is going to assume Undecided and Neither Agree or Disagree mean the same thing. Finally, as respondents added additional possible services, this author should have had them rank the importance of each service for possible inclusion in the EAP, although an assumption can be made if the respondent added a suggested service, they felt it was needed as part of the EAP.

The second survey was designed to gather information from regional states' judicial branches in regard to benefits and problems associated with their EAP's and what the other states were doing with regard to their EAP's. As previously mentioned, the survey was sent to the state of North Dakota, Nebraska, and Iowa. These states were chosen because they border South Dakota, have a similar geography, and are also mainly comprised of a rural population like South Dakota.

The first part of this survey contained information regarding the purpose of the survey, which was primarily evaluating the possibility of developing and implementing an EAP. The survey was emailed to the judicial branch Human Resources offices in each state on July 25, 2008. Responses were requested by August 29, 2008; however, all responses were obtained by August 21, 2008.

The first section of the survey requests identifying information such as who was completing the survey and their title, their state, and contact information such as address, telephone and fax number, and email address. The first question on the survey was to determine

if their state had an EAP. If the answer was yes, they were asked to complete the rest of the survey. If the answer was no, they could stop and return the survey. All identified states have an EAP and therefore completed the survey. Question two was in regard to how the EAP was funded. The choices to answer this question were: funded as part of the health plan; funded by State, but not through the health plan; partially State funded, but not through the health plan; funded by each participating agency/court; not funded; and other. Question three asked the annual cost to operate the EAP. Question four asked who could participate in the EAP and options were judges; judges and spouse; judge, spouse, and children; employee; employee and spouse; and employee, spouse, and children. Respondents were asked to mark all relevant participants. Question five asked how many visits per year the EAP provides free to members. The options were one to three per year, four to six per year, unlimited number of visits per year, and other. Question six asked if there was a cost to the EAP member for use of the program and if so what the cost is and how is it determined. Question seven asked how many employees (and family members) are eligible to use the EAP; estimated cost per employee per year; and estimated cost-savings per employee per year. Question eight asked how the EAP is managed. The rest of the questions asked for narrative responses to what has been found to be beneficial and challenging with how their EAP is managed, what benefits have been seen with the implementation of an EAP, what are some problems/challenges that were encountered with the implementation of their EAP, and if they had an opportunity to redesign their EAP what would they do differently. The regional survey is attached as Appendix K.

This survey was also pre-tested by Lynn Sudbeck, Deputy State Court Administrator/Director of Human Resources. Ms. Sudbeck suggested the addition of judges and their spouse and children in question three. This change was implemented. Ms. Sudbeck also

questioned whether question four should include whether there was a cost to the participant. This was not changed, because this author is aware each respondent pays completely for at least one visit per year and therefore the question was not needed. Lisa Mammenga, Personnel Clerk, also reviewed this survey and indicated she had no comments or suggestions. Tiffaney Pete and Rosa Holdeman, two of this author's CEDP group also made comments in regard to this survey. Ms. Pete indicated she thought more lines should be added to two questions to provide more space for the respondents. This suggestion was evaluated and in order to keep the survey within two pages was not implemented. Ms. Holdeman had several suggestions. They were: to unprotect the document so respondents could complete the narrative sections of the survey, indicate to the respondent to check only one box where appropriate, and indicate question nine should refer to question eight not seven. All of these suggestions were implemented. The final individual to pre-test this survey was this author's advisor, Don Cullen. Mr. Cullen suggested an addition be included to question seven requesting any relevant reports or statistics that the court may have be sent to this author. This addition was made prior to distributing the survey.

When survey responses were received the data was not coded. However, all data from the survey was entered into an Excel spreadsheet to track consistencies and differences across the states to make comparisons. All three states completed the survey; therefore, a 100% response rate was attained. The main purpose of this survey was to verify information researched during this author's literature review and gather additional information in regard to benefits and challenges associated with EAP's. Also, to determine what other judicial branches are doing with their EAP's; and the advantages and disadvantages too internally and externally managed EAP's. The only weakness with this survey is vague responses, which could have been remedied by conducting the survey telephonically instead of mailing it to each participating state.

This would have allowed for further probing and follow up to vague responses. Fortunately, the states completing the survey also have Internet sites explaining their EAP in further detail, which will assist with this author's questions.

FINDINGS – Judges and Employees Survey

As explained above, survey results will be presented first by percentage to demonstrate the survey responses of all participants. Then the overall response of all respondents who agree will be indicated by position type. These findings will be of the utmost importance to the UJS, because it will assist in evaluating whether the majority of judges and employees want an EAP or if just particular positions feel it is needed for the UJS. In addition, with limited resources it will assist in determining on average the most requested services to include in the EAP. These findings will also assist the UJS in determining how judges and employees would feel most comfortable with how an EAP is managed thereby increasing the likelihood of utilizing services.

The judge and employee survey findings follow:

Question 1 – What is your position in the South Dakota Unified Judicial System? A total of 45 judges and employees responded to the survey. Of those 45: no Supreme Court Justices replied, 100% of the Supreme Court staff replied, 57% of the Presiding Judges replied, 71% of the State Court Administrator Office staff replied, 100% of the Circuit Court Administrators replied, 60% of the Clerk or Deputy Clerks replied, 60% of the Information and Technology staff replied, and 65% of the Court Services staff replied.

Question 2 – As described, I believe that an EAP is a needed program for Judges and UJS employees. As the pie chart below indicates, 71% of the total respondents agree (includes Strongly Agree and Somewhat Agree) an EAP is a needed program for Judges and UJS employees.

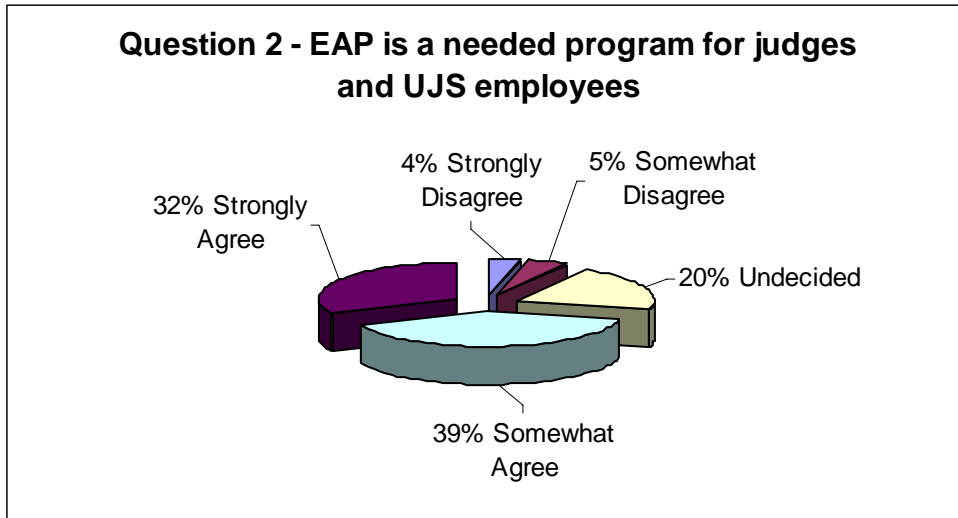


Table 2

In addition, the attached table shows the respondents who agree by position type⁴⁵:

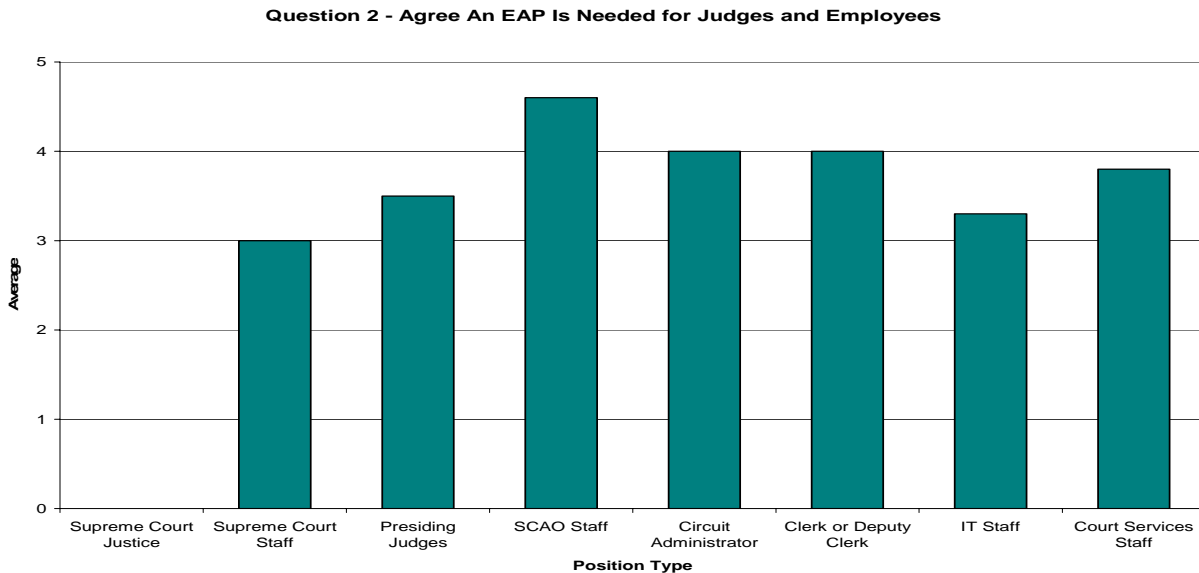


Table 3

⁴⁵ From here forward in all bar charts the Y Axis is titled Average and 0 = No response, 1 = Strongly Disagree, 2 = Somewhat Disagree, 3 = Undecided, 4 = Somewhat Agree, and 5 = Strongly Agree.

Question 3 – I believe that EAP services should be offered to the judges and employee’s spouse and dependent children. As the pie chart below indicates, 58% of the total respondents agree (includes Strongly Agree and Somewhat Agree) an EAP should be offered to judges, employee’s spouse, and dependent children.

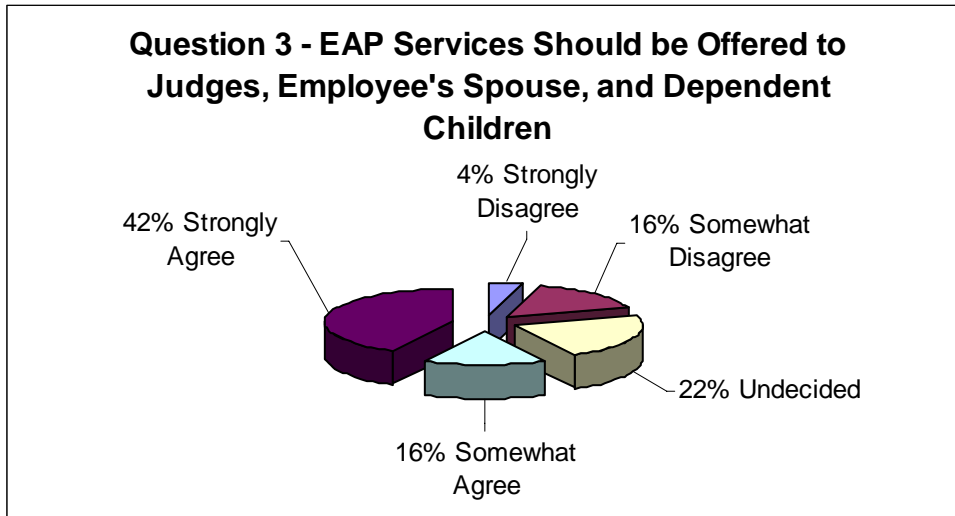


Table 4

The attached table shows the respondents who agree by position type:

Question 3 - An EAP should include Judges, employees, spouses, and dependent children

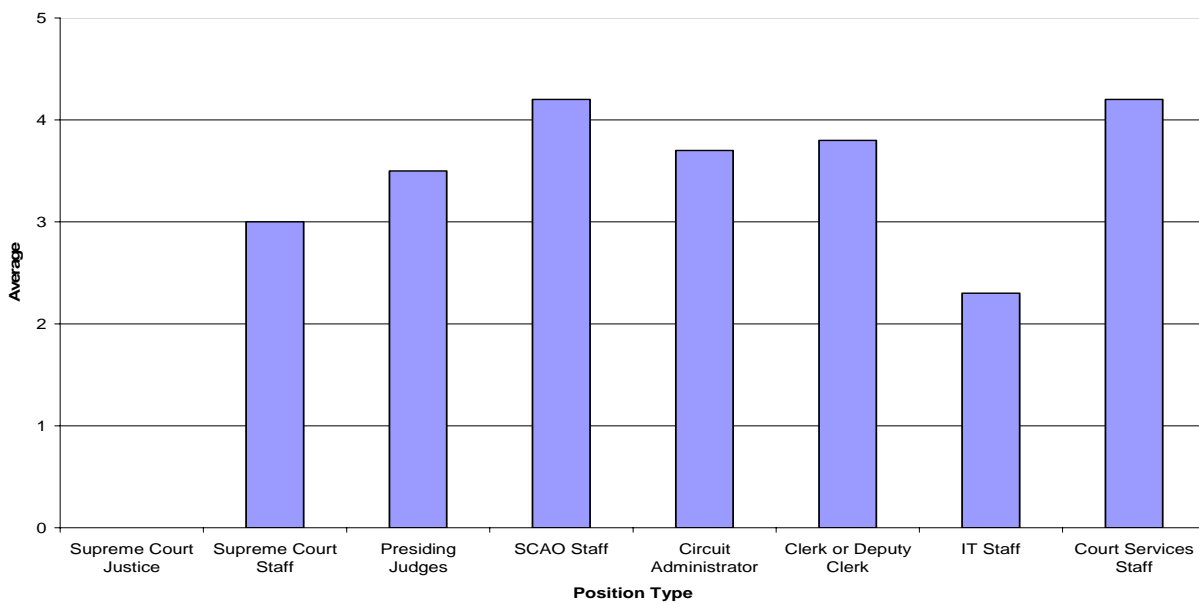


Table 5

Question 4 – I would be more likely to use an EAP if there was no initial cost to me.

As the pie chart indicates below, 85% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would be more likely to use an EAP if there was no initial cost to them.

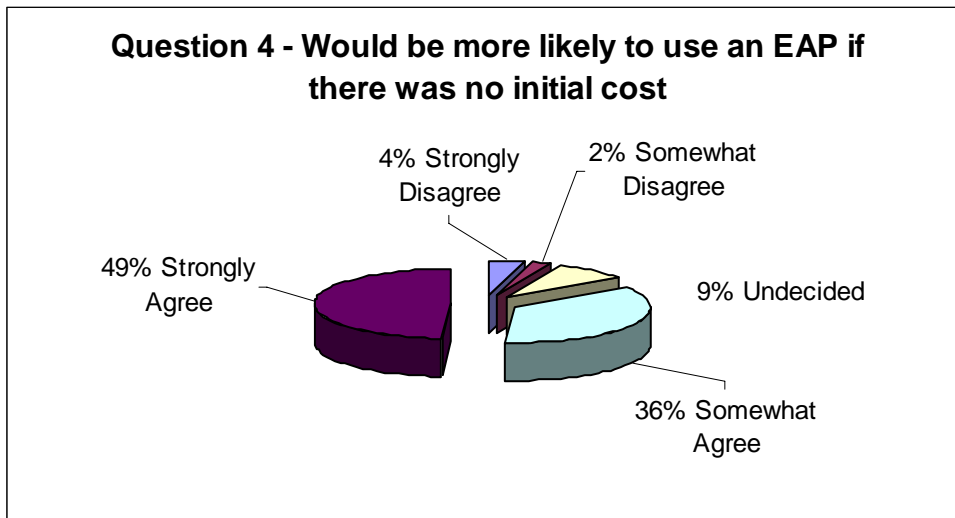


Table 6

The attached table shows the respondents who agree by position type:

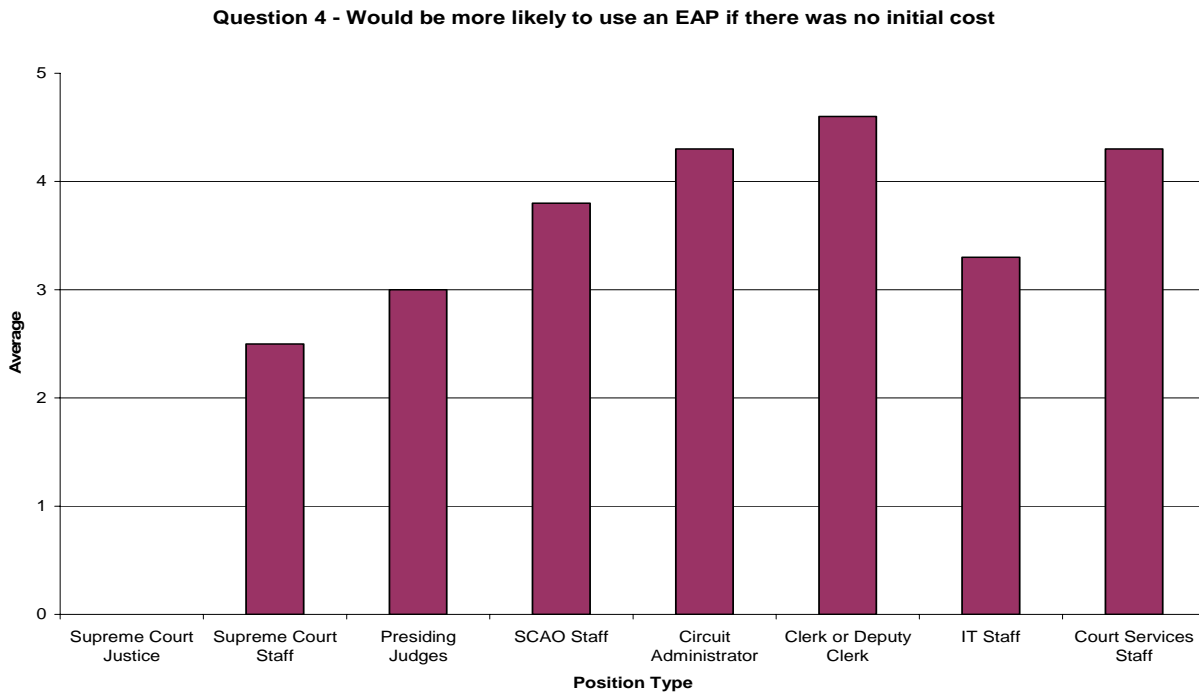


Table 7

Question 5 – If an EAP was available, I would use it if there was a nominal fee to me. As the pie chart below indicates, 69% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would use an EAP if there was a nominal fee to them.

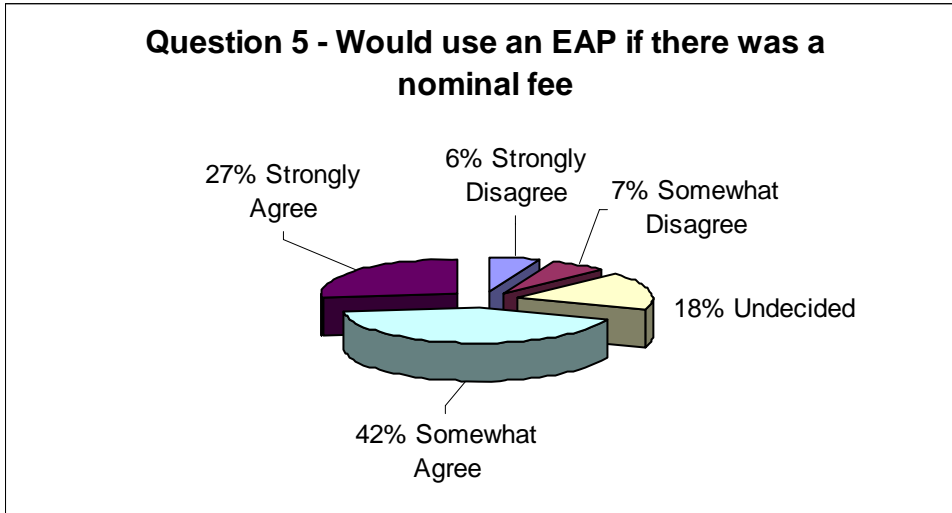


Table 8

The attached table shows the respondents who agree by position type:

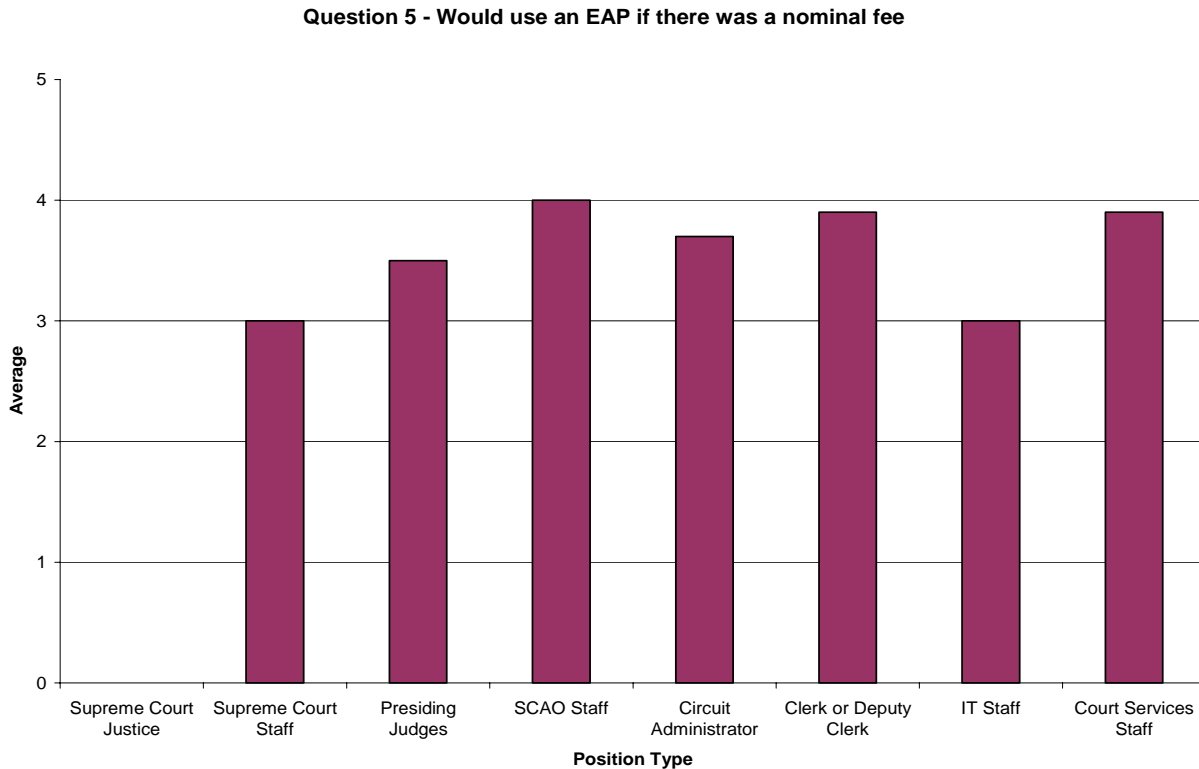


Table 9

Question 6 – I would like the EAP to be managed by a current UJS employee. As the pie chart below indicates, 16% of the total respondents agree (includes Strongly Agree and Somewhat Agree) and 50% disagree (includes Strongly Disagree and Somewhat Disagree) that they would like the EAP to be managed by a current UJS employee.

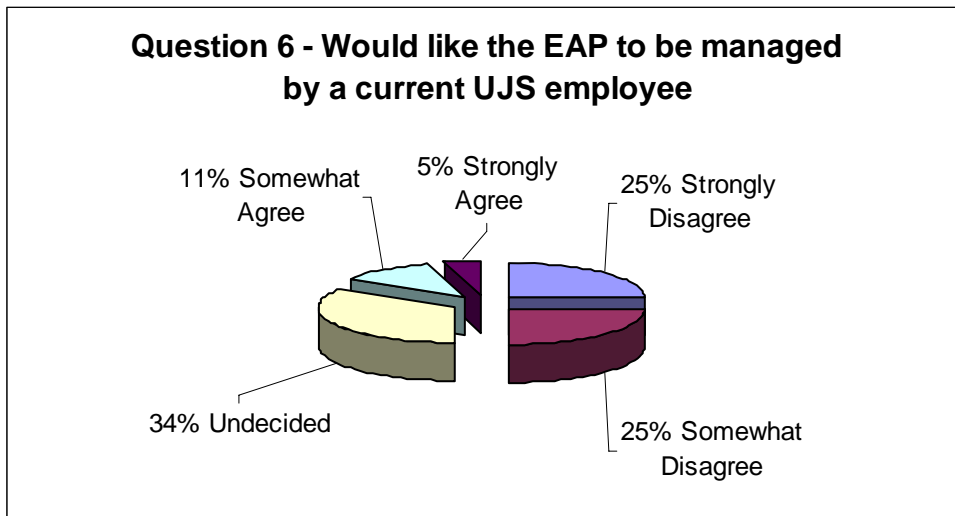


Table 10

The attached table shows the respondents who agree by position type:

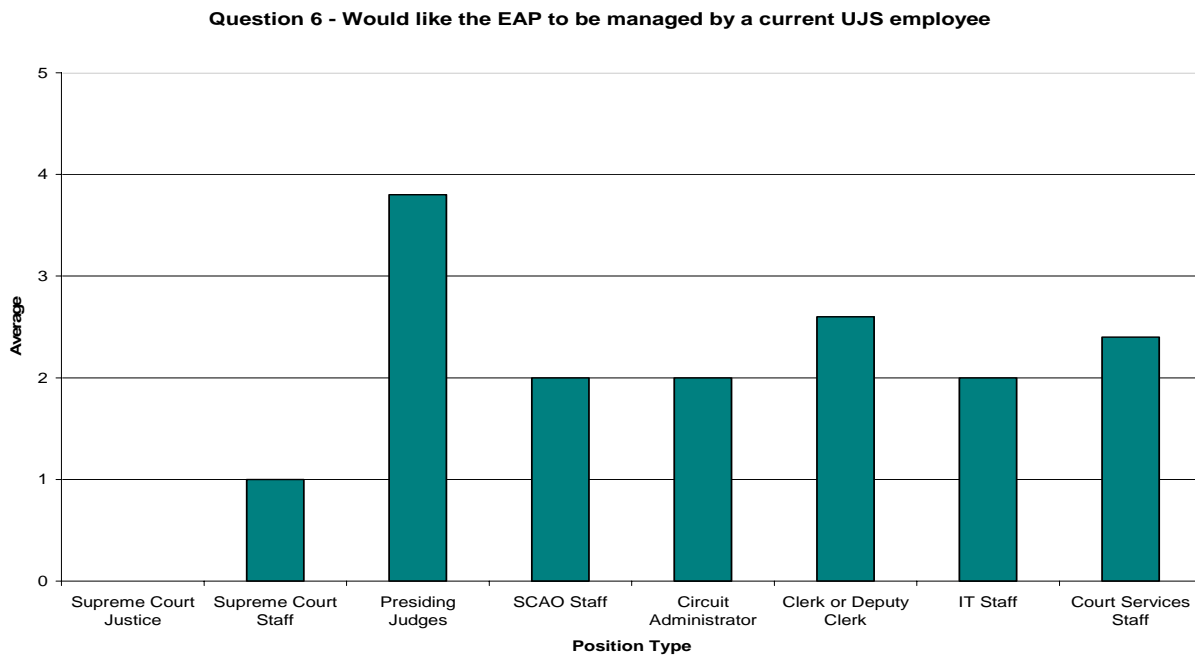


Table 11

Question 7 – I would like the EAP to be managed by a third-party/contracted

vendor. As the pie chart below indicates, 57% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like the EAP to be managed by a third-party/contracted vendor.

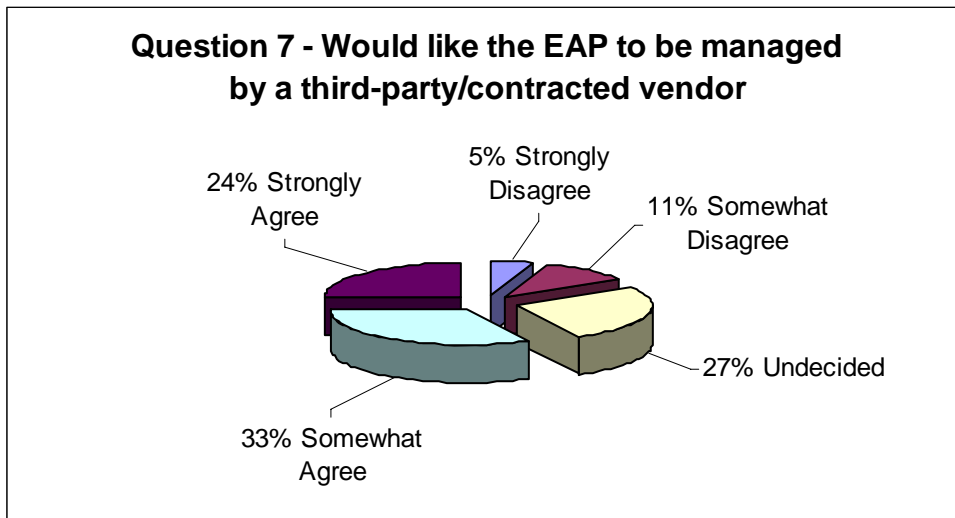


Table 12

The attached table shows the respondents who agree by position type:

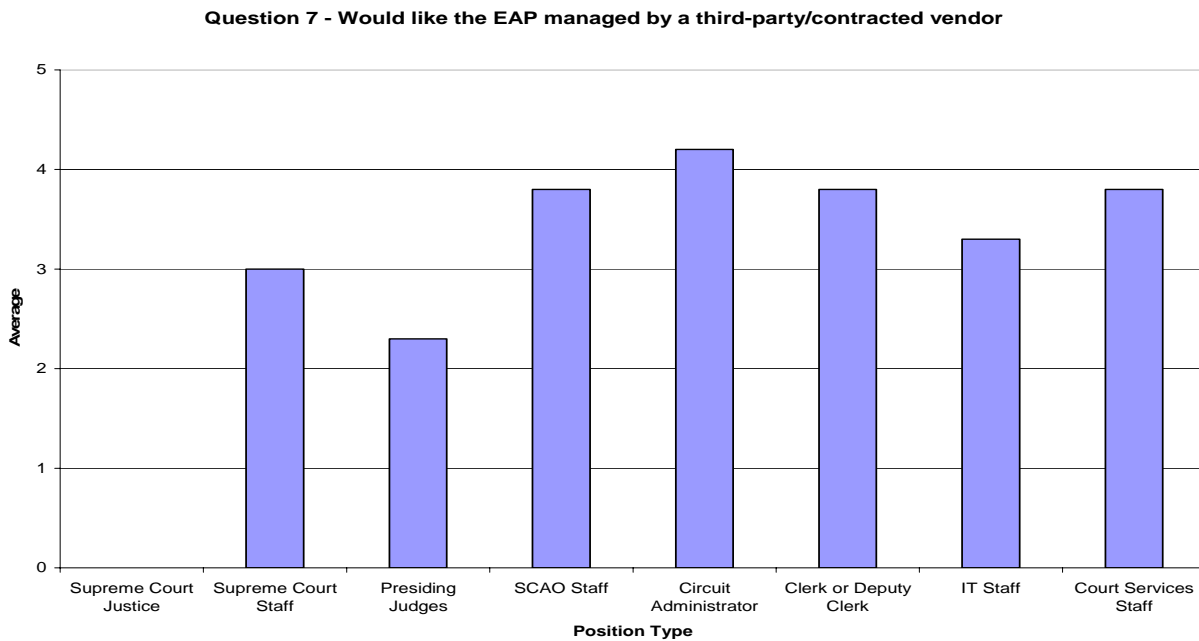


Table 13

Question 8a – I would like the following services available in an EAP – Financial.

As the pie chart below indicates, 64% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like the EAP to include financial services.

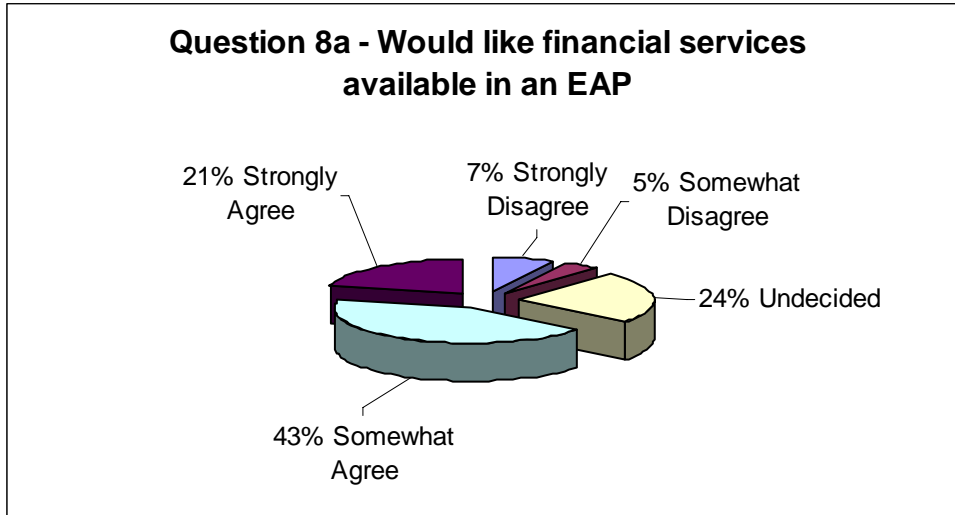


Table 14

The attached table shows the respondents who agree by position type:

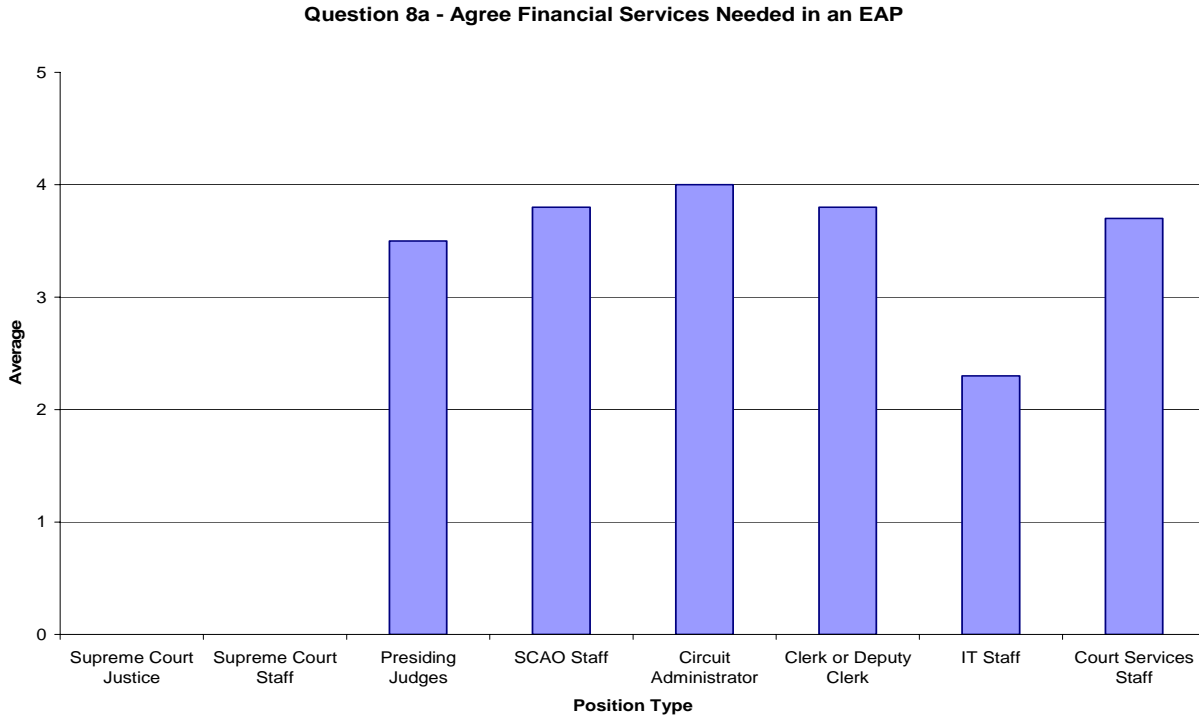


Table 15

Question 8b – I would like the following services available in an EAP – Chemical Dependency (Alcohol and Drug). As the pie chart below indicates, 75% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like the EAP to include chemical dependency (alcohol and drug) services.

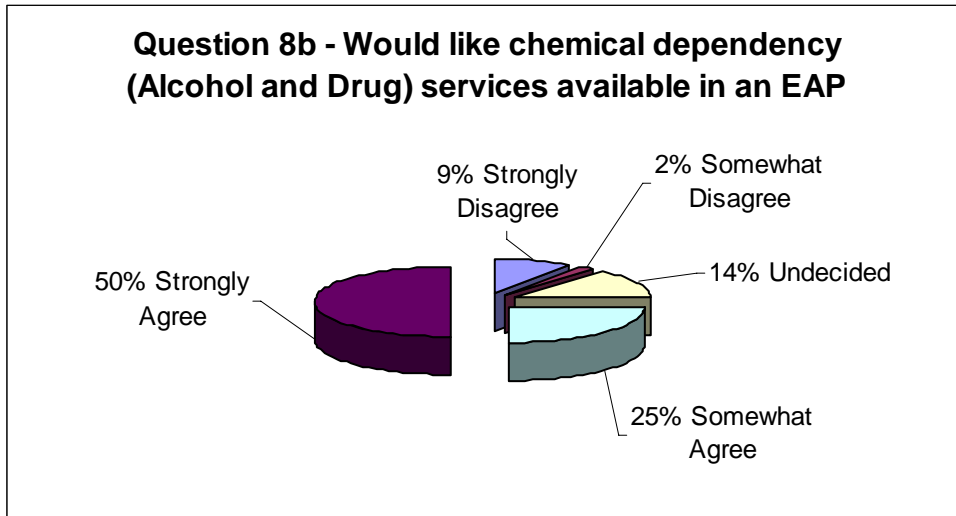


Table 16

The attached table shows the respondents who agree by position type:

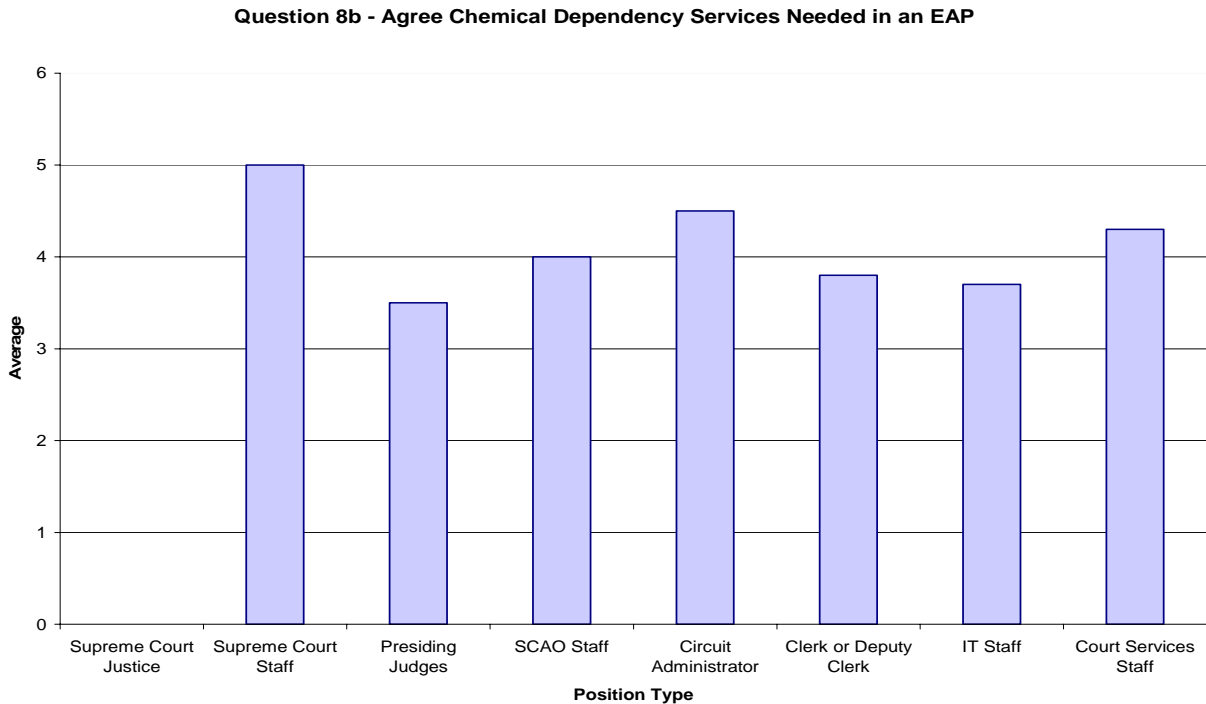


Table 17

Question 8c – I would like the following services available in an EAP – Legal. As the pie chart below indicates, 66% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include legal services.

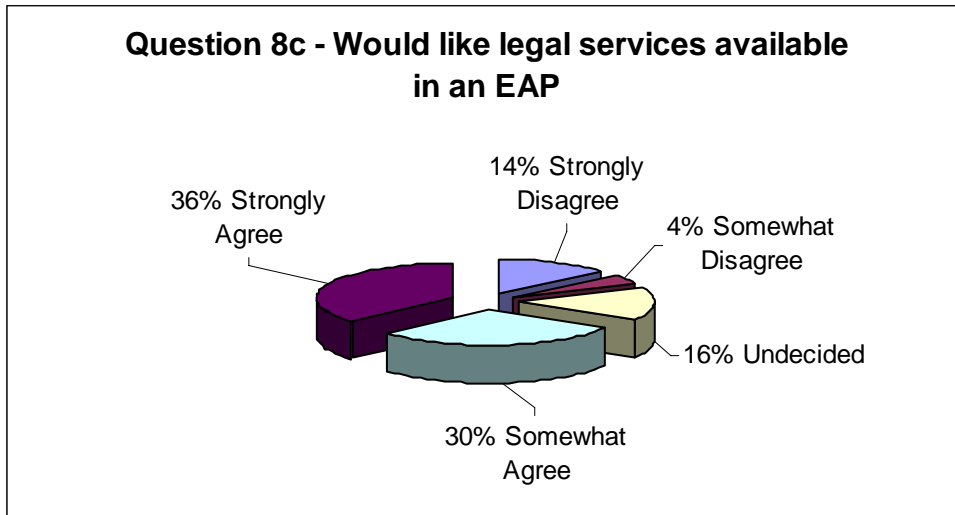


Table 18

The attached table shows the respondents who agree by position type:

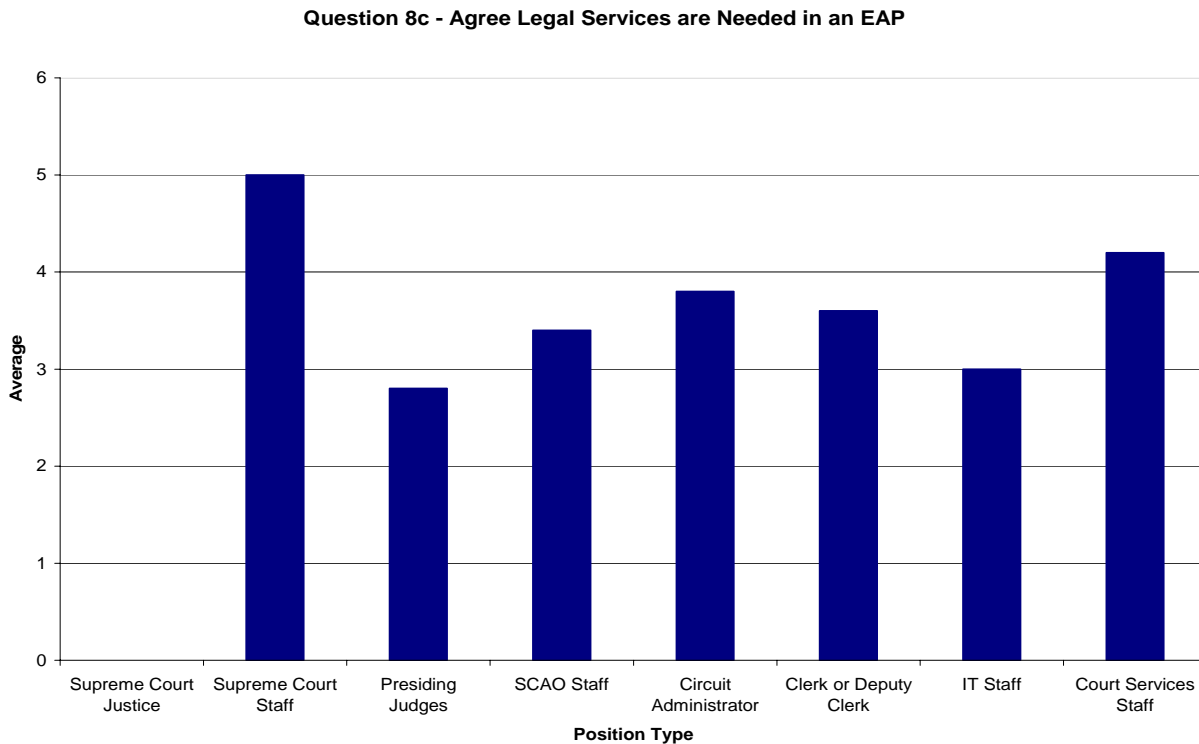


Table 19

Question 8d – I would like the following services available in an EAP – Real Estate.

As the pie chart below indicates, 32% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include real estate services.

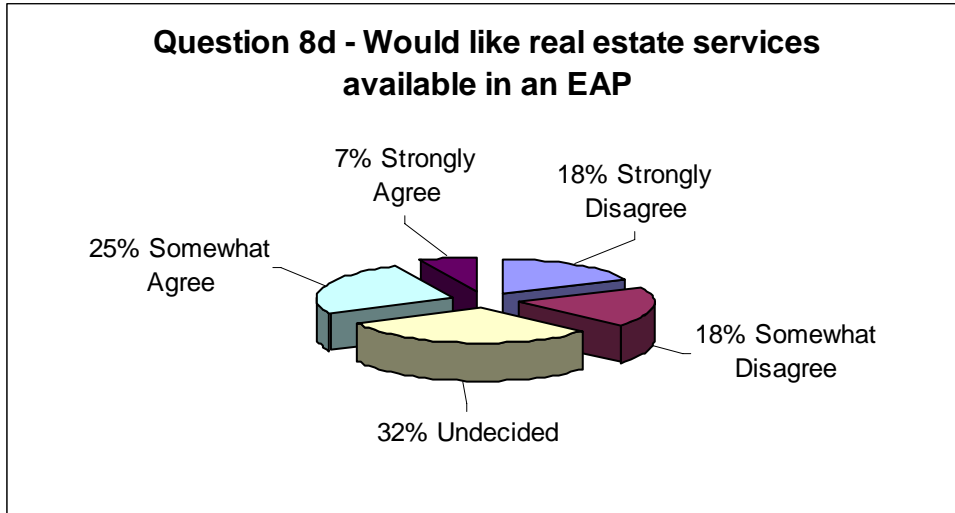


Table 20

The attached table shows the respondents who agree by position type:

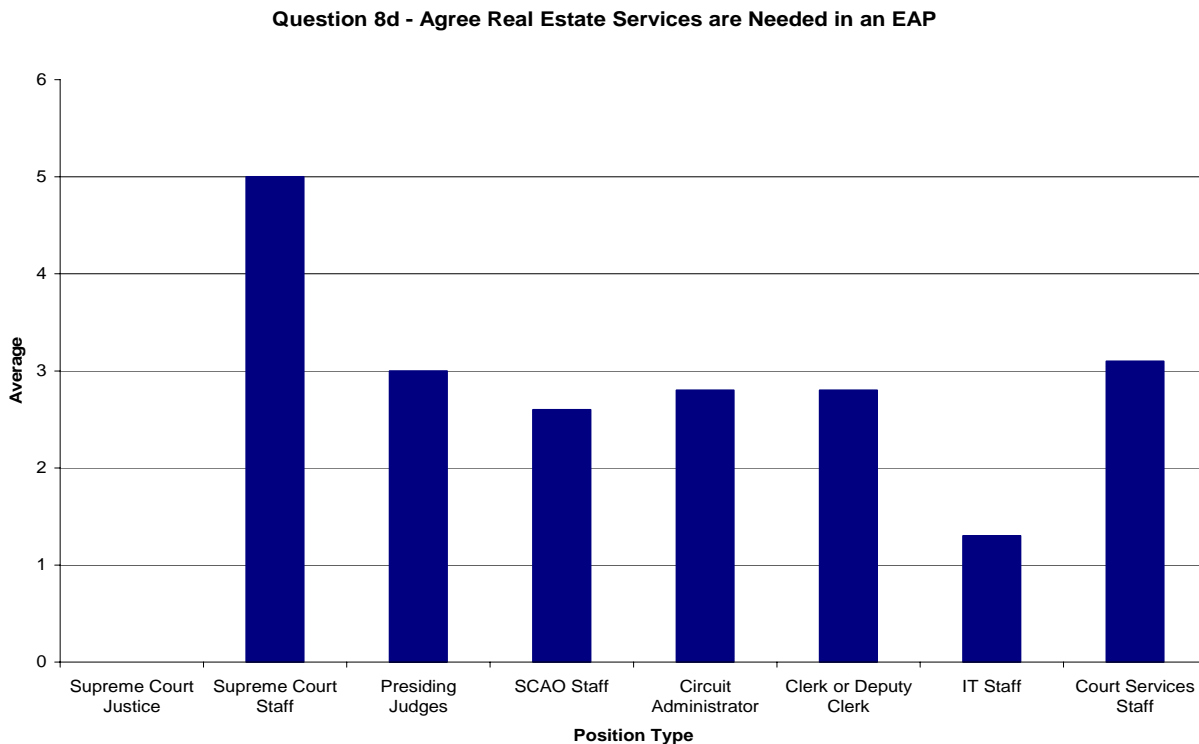


Table 21

Question 8e – I would like the following services available in an EAP – Mental

Health. As the pie chart below indicates, 77% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include mental health services.

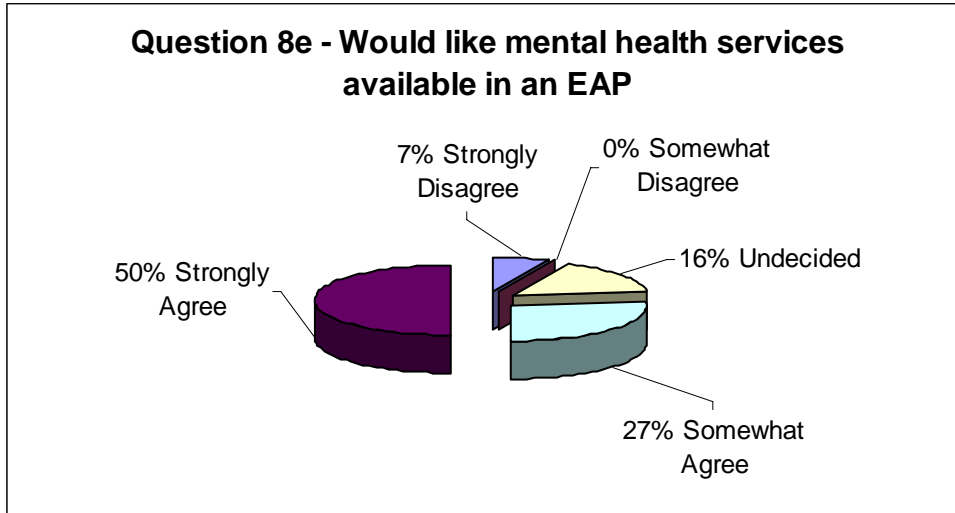


Table 22

The attached table shows the respondents who agree by position type:

Question 8e - Agree Mental Health Services are Needed in an EAP

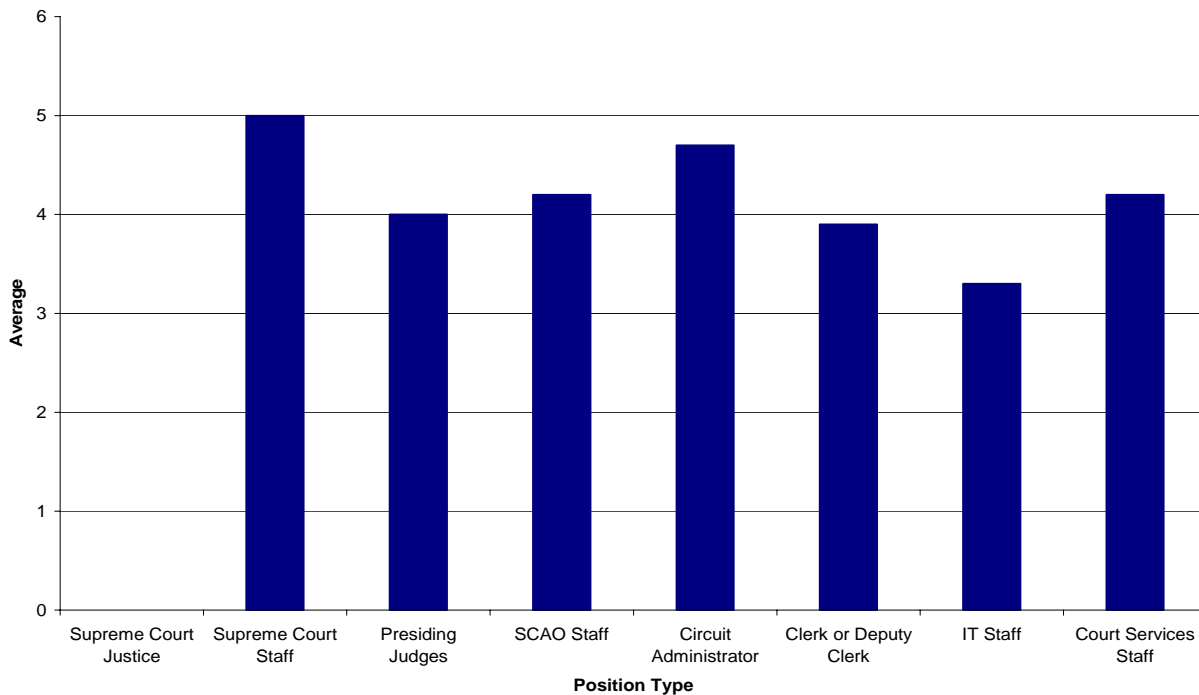


Table 23

Question 8f – I would like the following services available in an EAP – Day Care.

As the pie chart indicates below, 48% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include day care services.

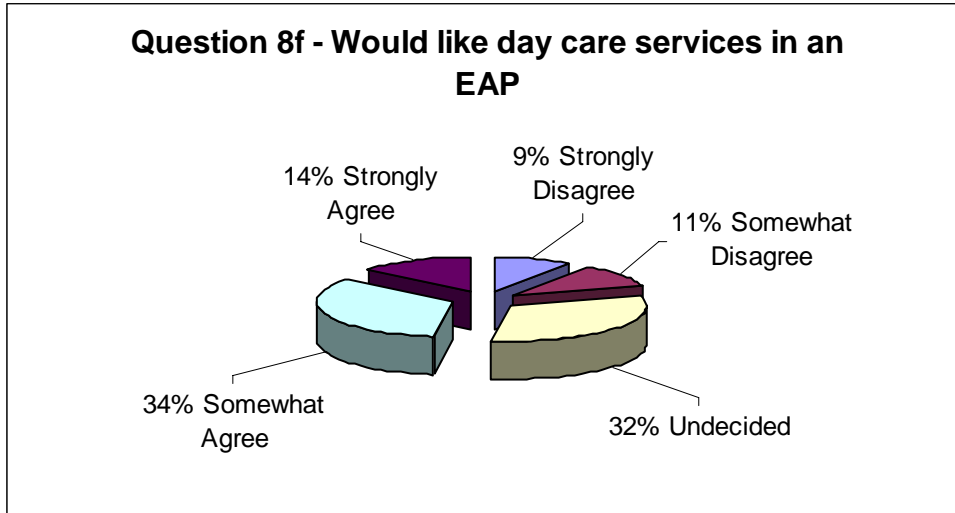


Table 24

The attached table shows the respondents who agree by position type:

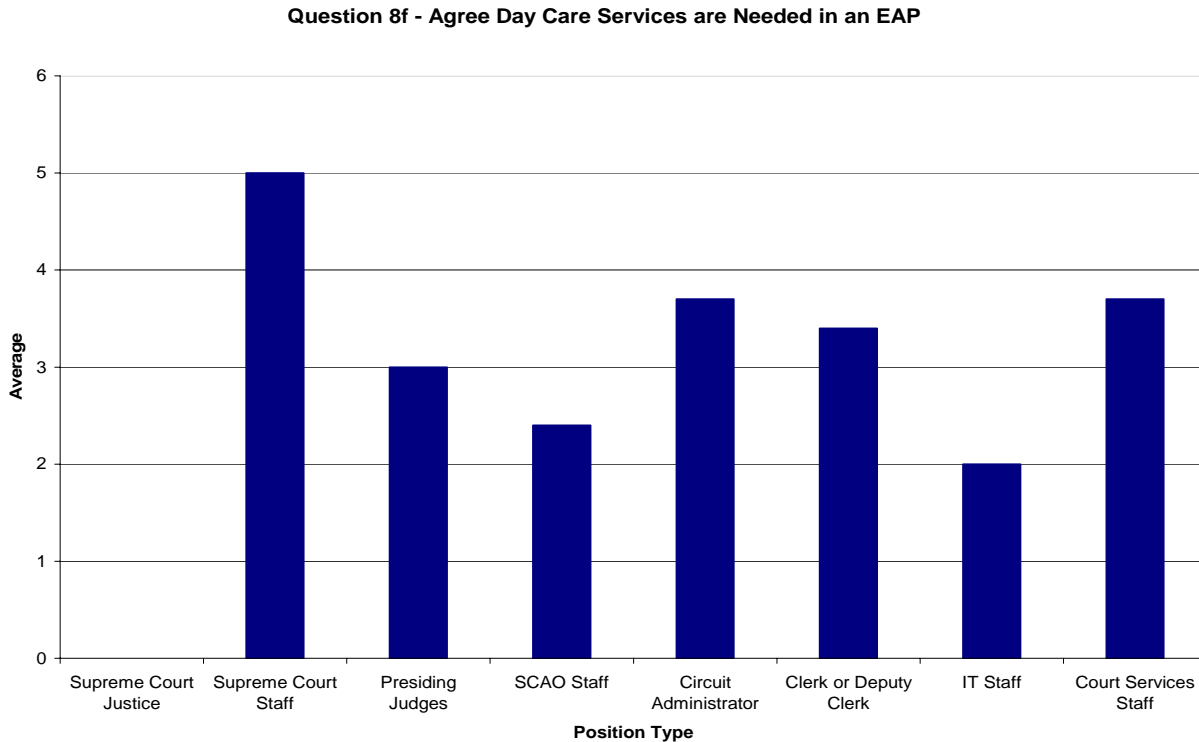


Table 25

Question 8g – I would like the following services available in an EAP – Elder Care.

As the pie chart below indicates, 50% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include elder care services.

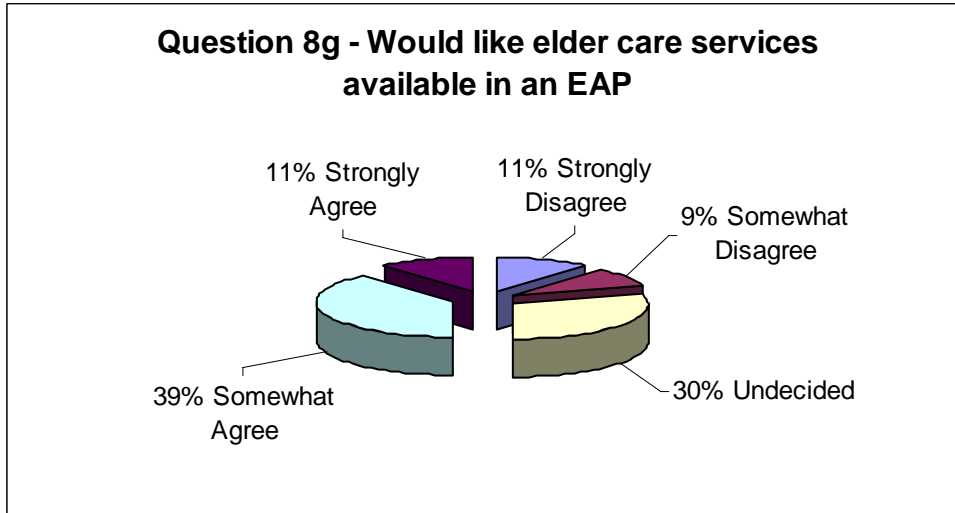


Table 26

The attached table shows the respondents who agree by position type:

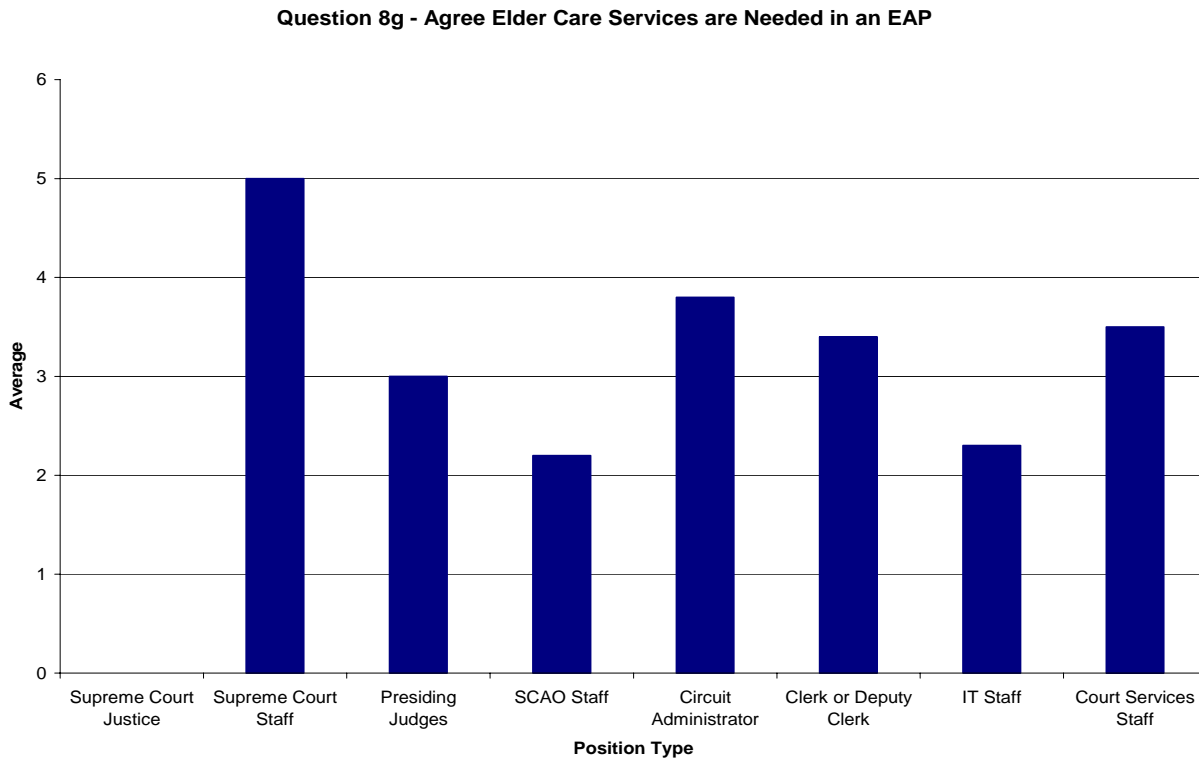


Table 27

Question 8h – I would like the following services available in an EAP – Stress

Management. As the pie chart below indicates, 85% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include stress management services.

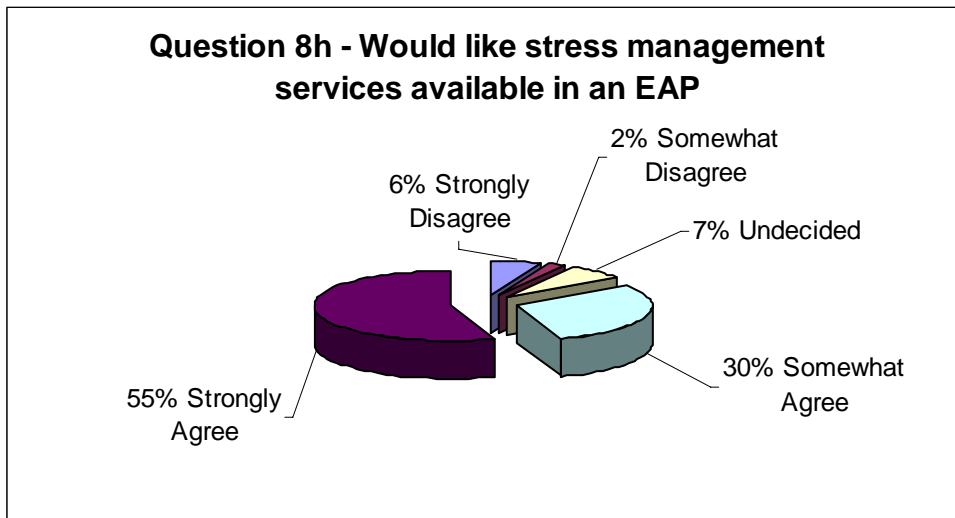


Table 28

The attached table shows the respondents who agree by position type:

Question 8h - Agree Stress Management Services are Needed in an EAP

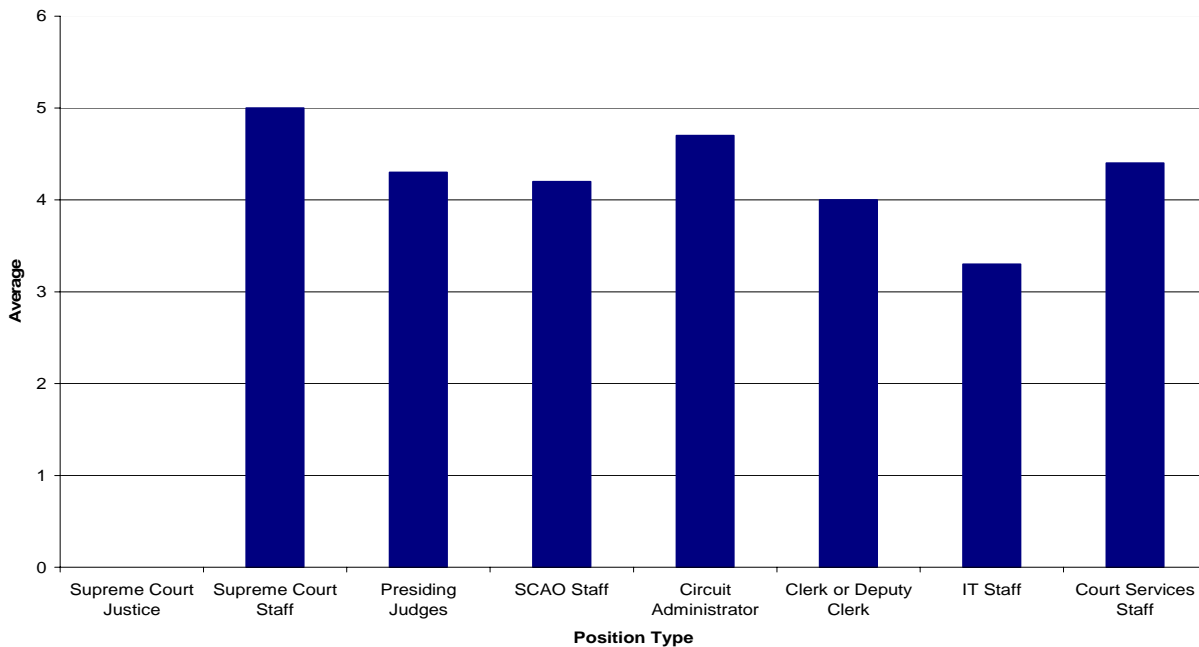


Table 29

Question 8i – I would like the following services available in an EAP – Layoffs. As the pie chart below indicates, 64% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include layoff services.

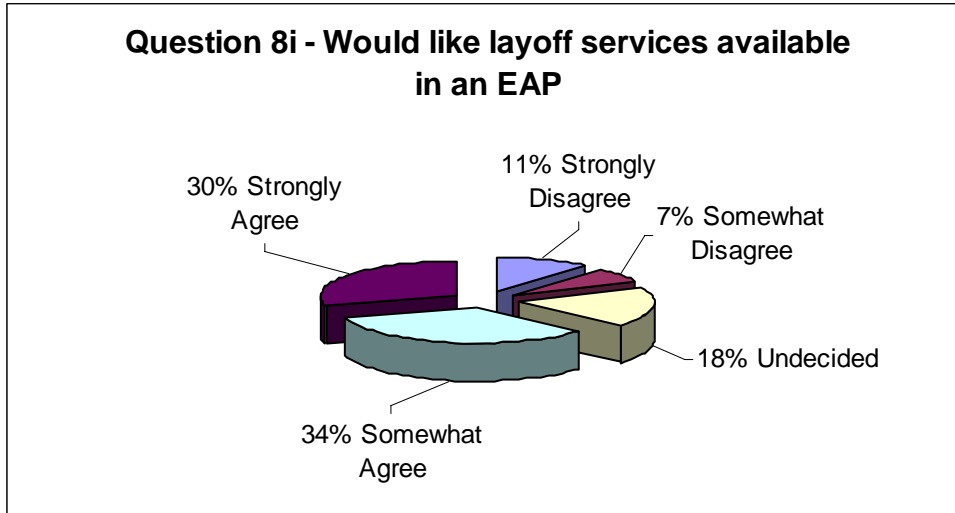


Table 30

The attached table shows the respondents who agree by position type:

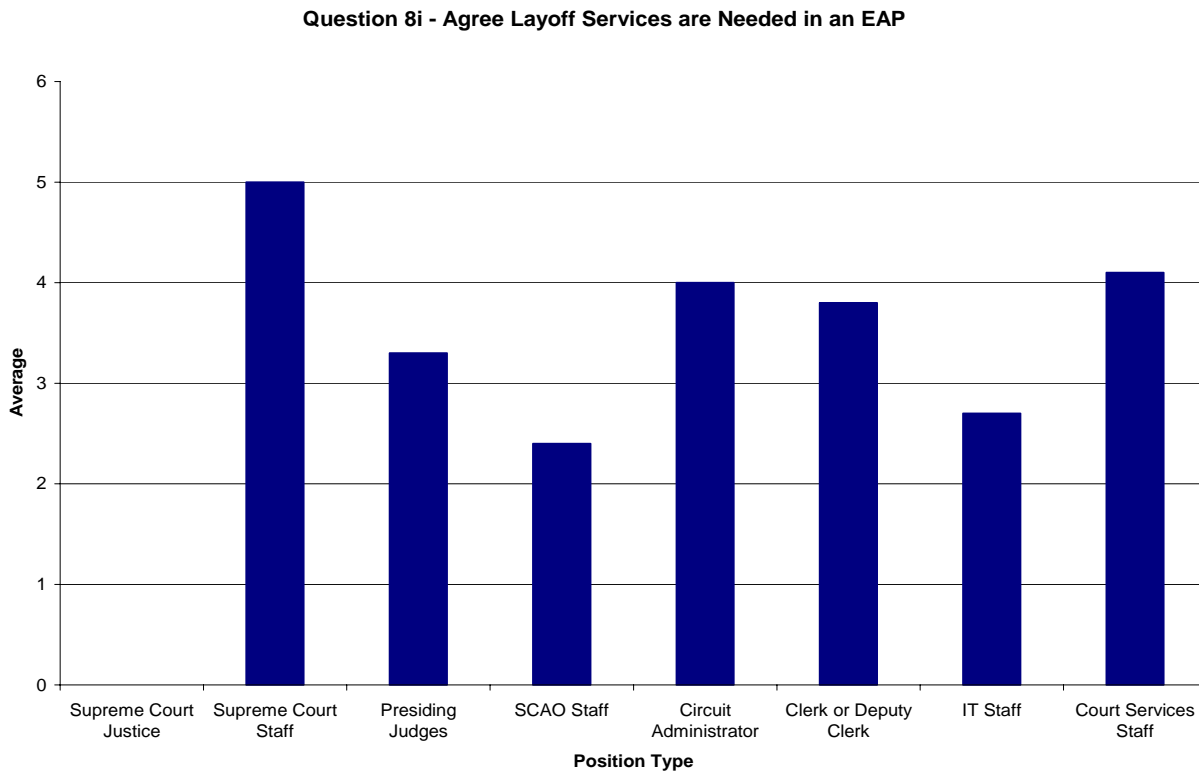


Table 31

Question 8j – I would like the following services available in an EAP – Grief and Loss Issues. As the pie chart below indicates, 71% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include grief and loss issue services.

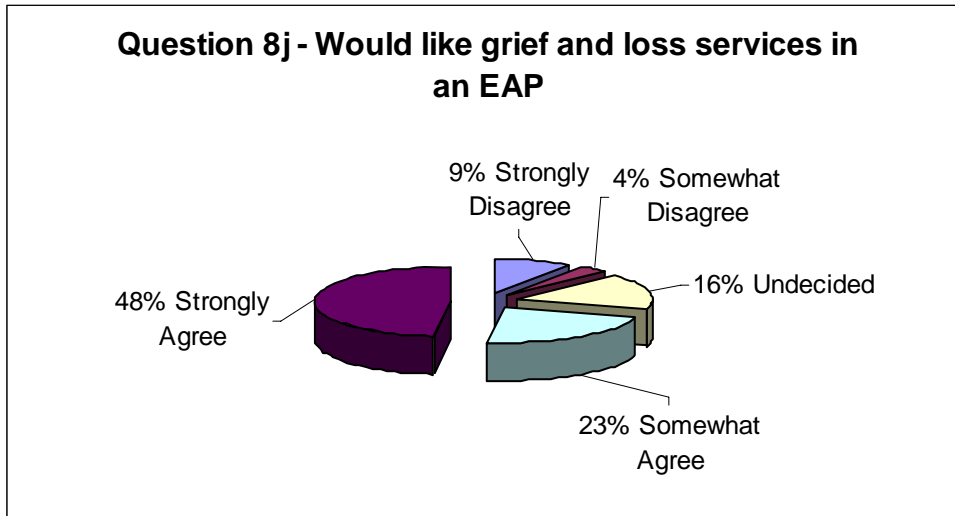


Table 32

The attached table shows the respondents who agree by position type:

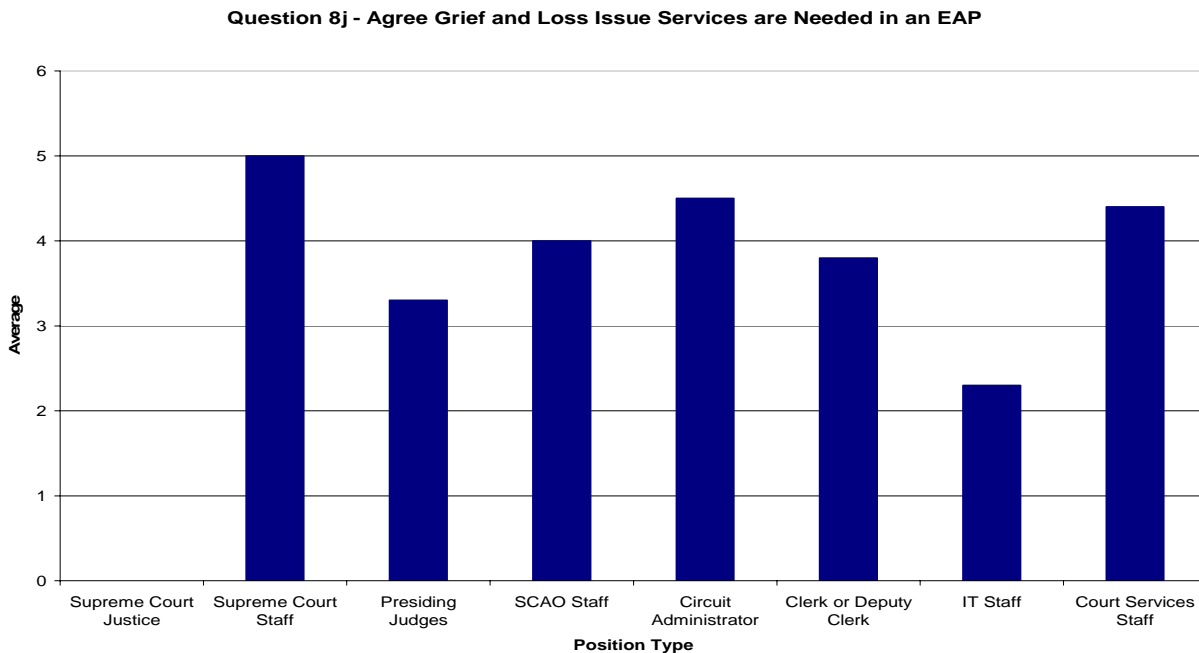


Table 33

Question 8k – I would like the following services available in an EAP – Domestic Violence. As the pie chart below indicates, 70% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include domestic violence services.

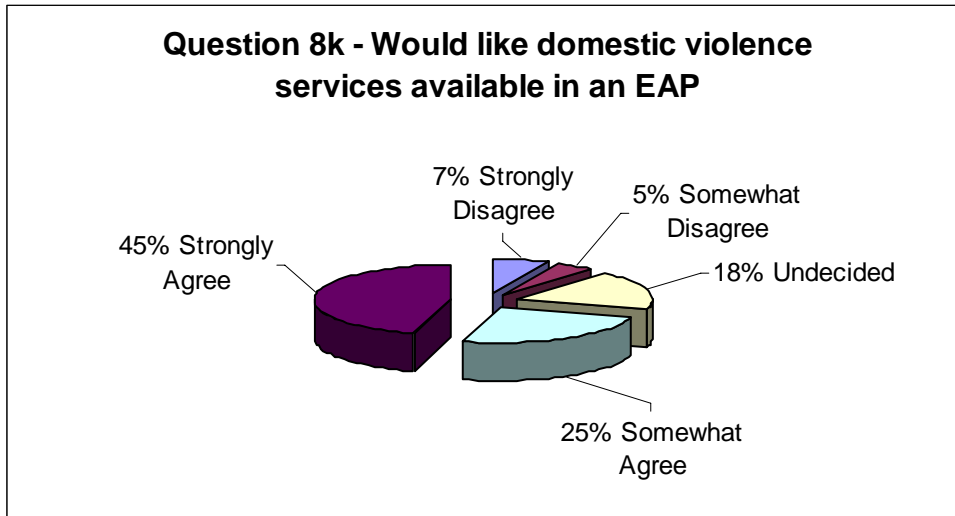


Table 34

The attached table shows the respondents who agree by position type:

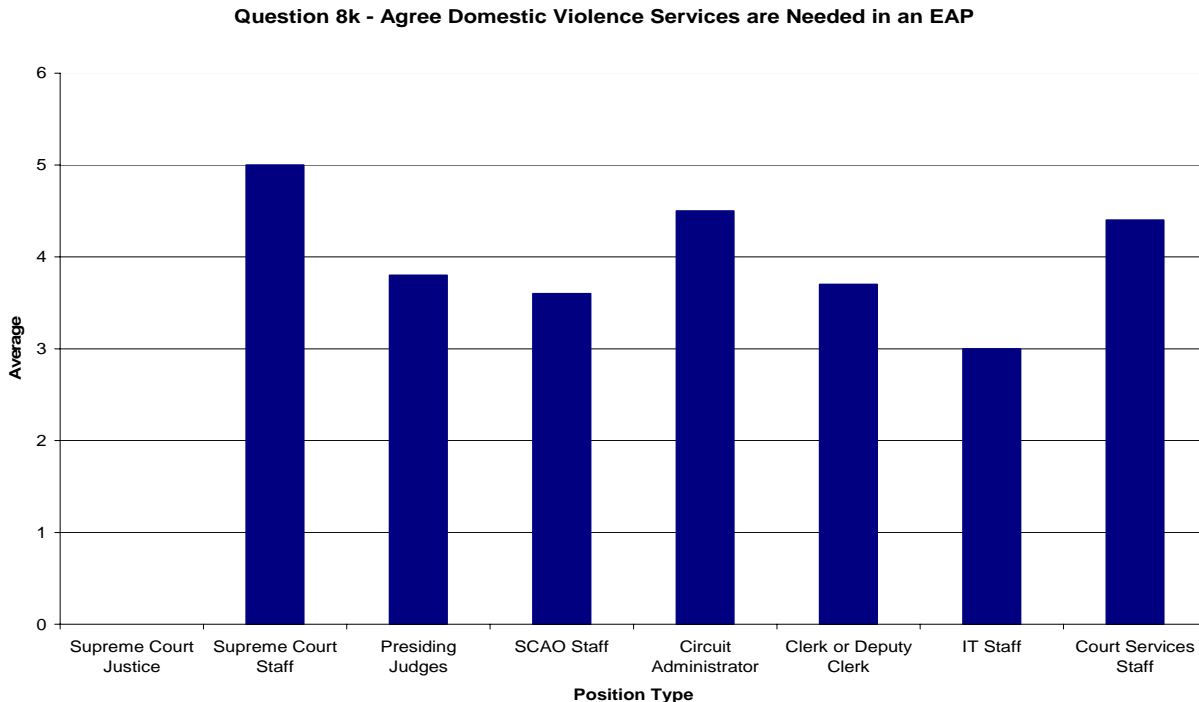


Table 35

Question 8I – I would like the following services available in an EAP – Work-

Related Issues. As the pie chart below indicates, 75% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include work-related issue services.

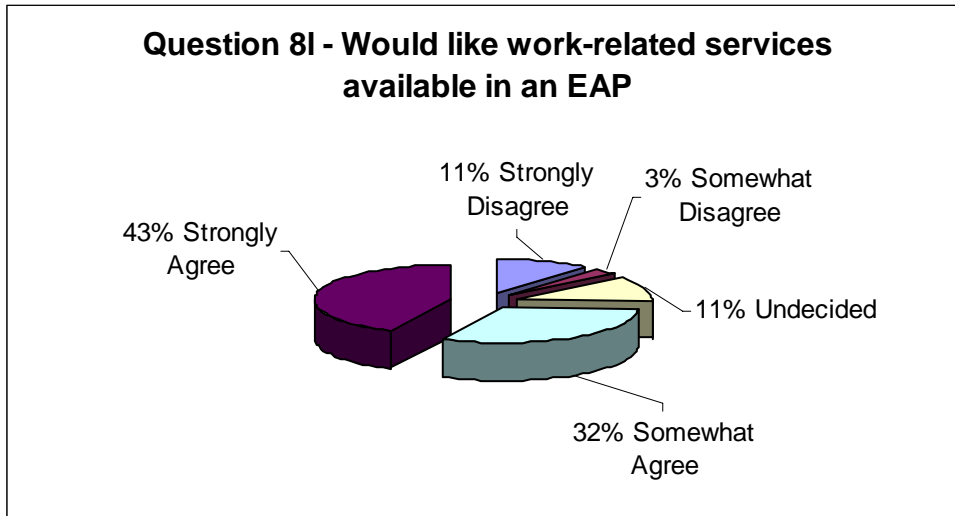


Table 36

The attached table shows the respondents who agree by position type:

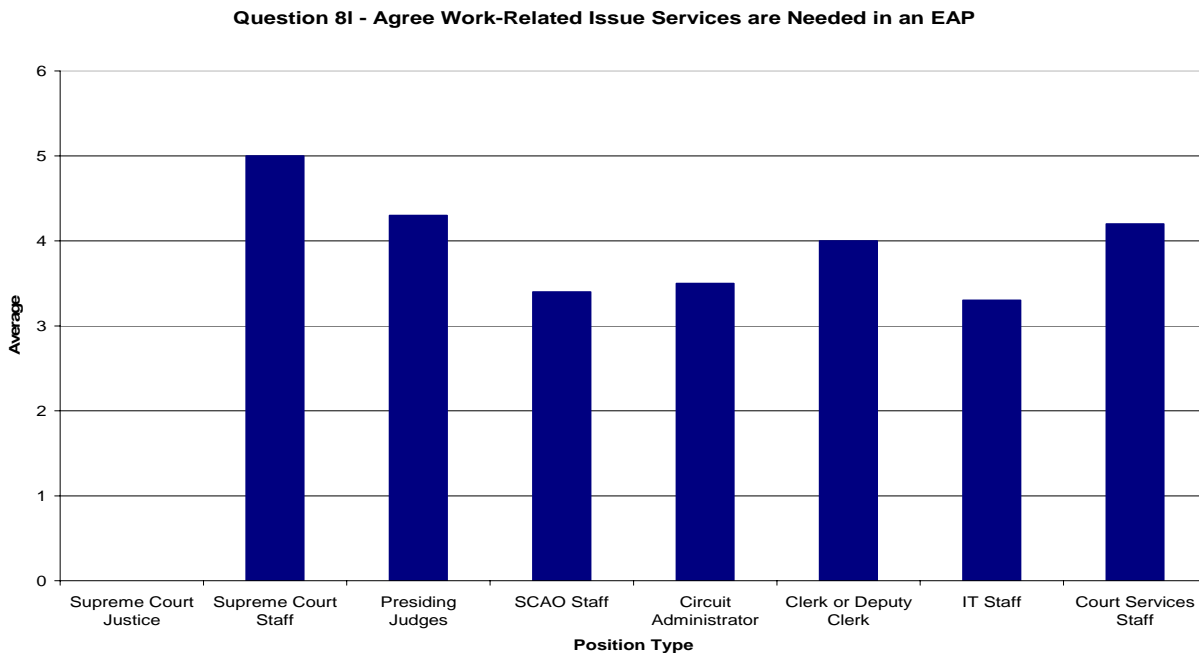


Table 37

Question 8m – I would like the following services available in an EAP – Marital Counseling. As the pie chart below indicates, 68% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include marital counseling services.

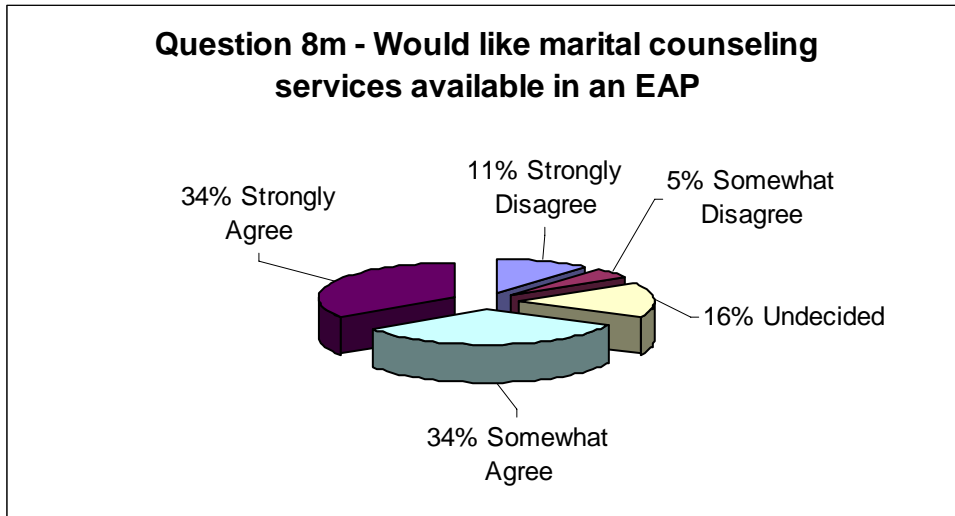


Table 38

The attached table shows the respondents who agree by position type:

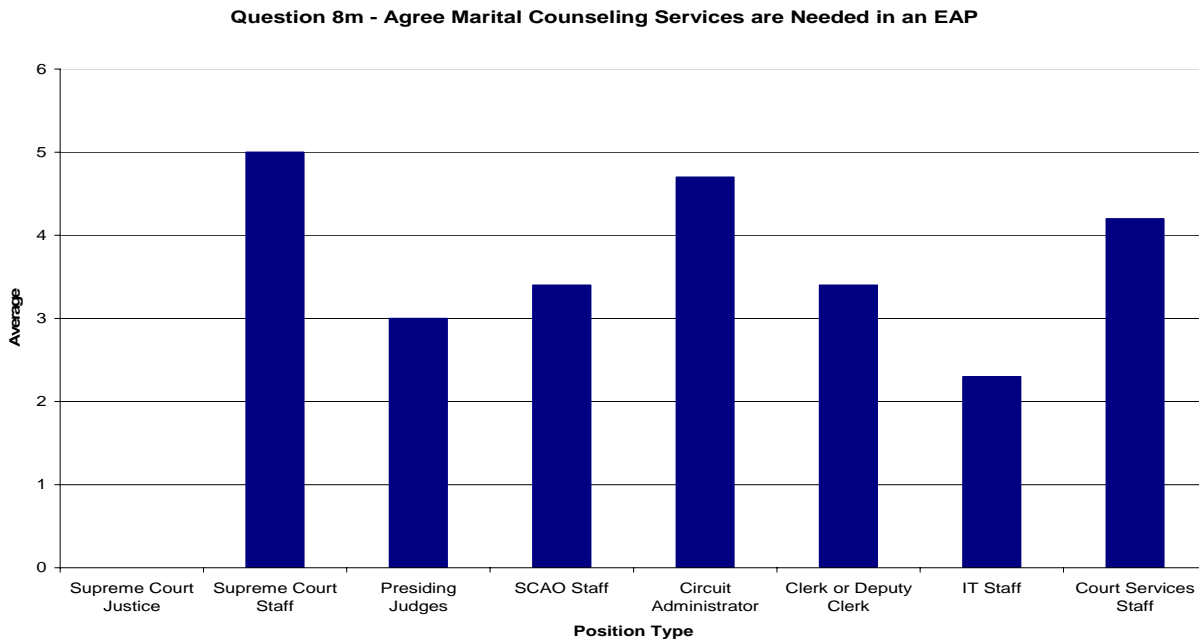


Table 39

Question 8n – I would like the following services available in an EAP – Family Counseling. As the pie chart below indicates, 70% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include family counseling services.

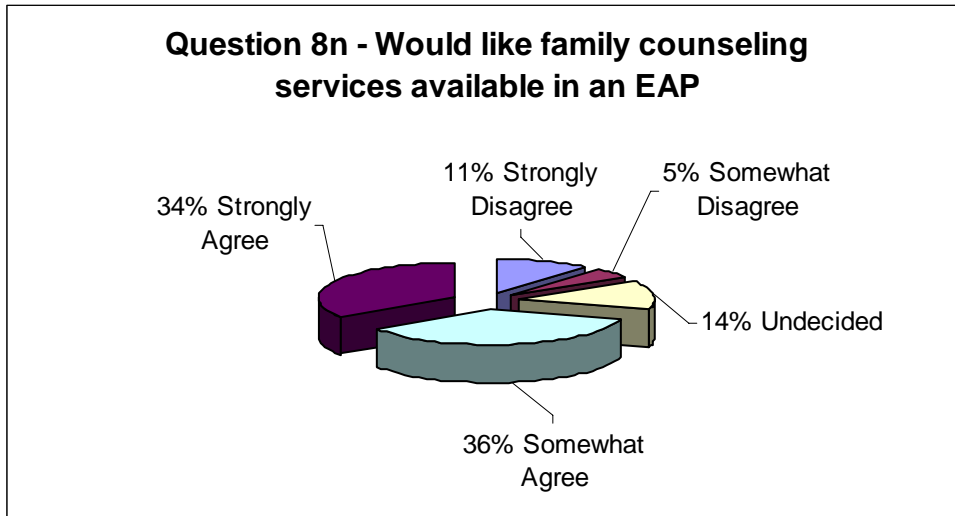


Table 40

The attached table shows the respondents who agree by position type:

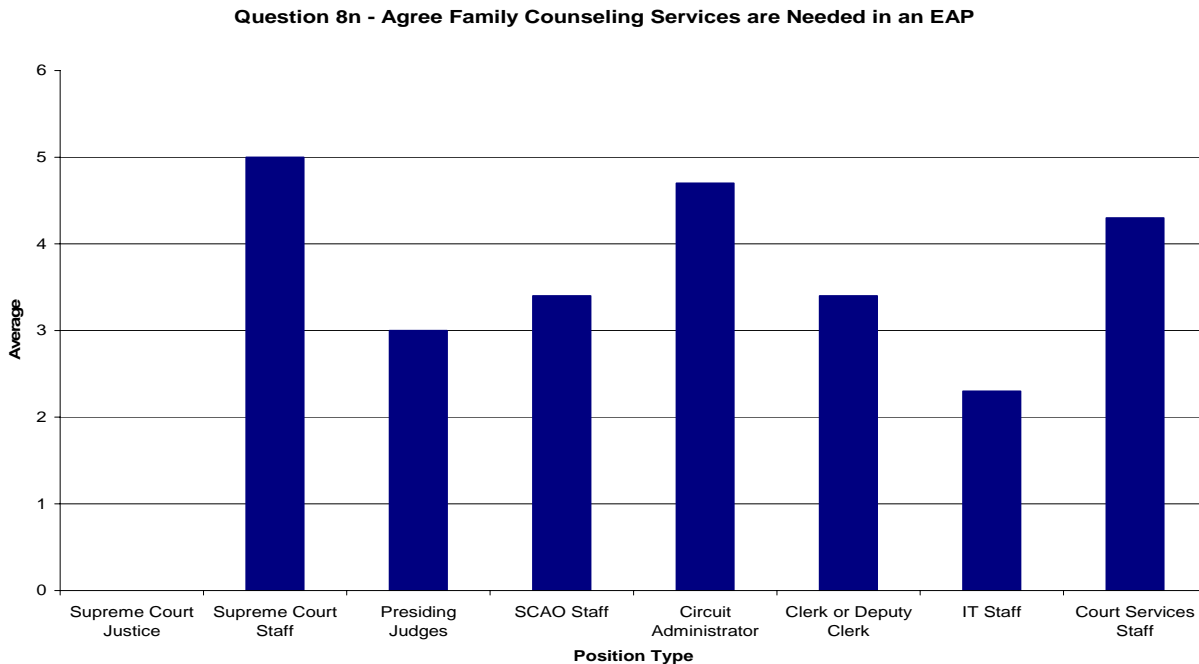


Table 41

Question 80 – I would like the following services available in an EAP – Career

Development/Counseling. As the pie chart below indicates, 74% of the total respondents agree (includes Strongly Agree and Somewhat Agree) they would like an EAP to include career development/counseling services.

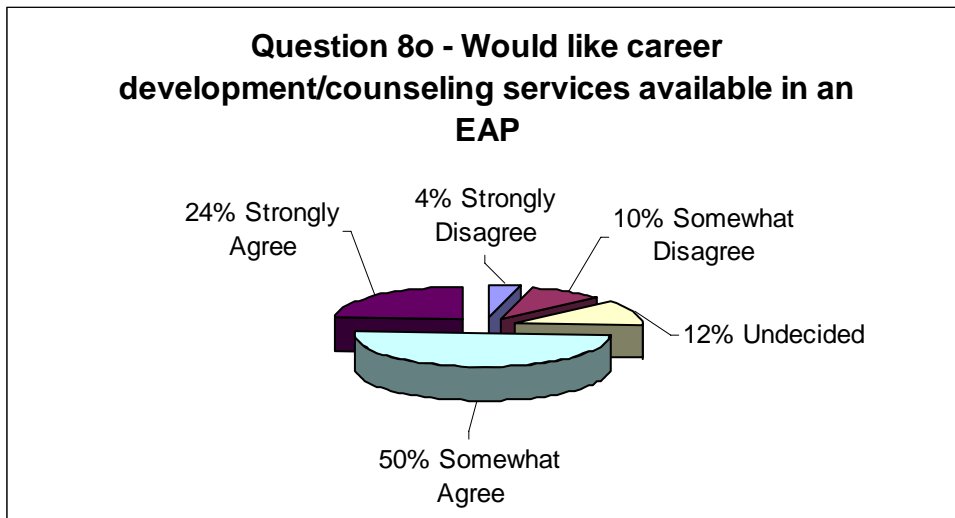


Table 42

The attached table shows the respondents who agree by position type:

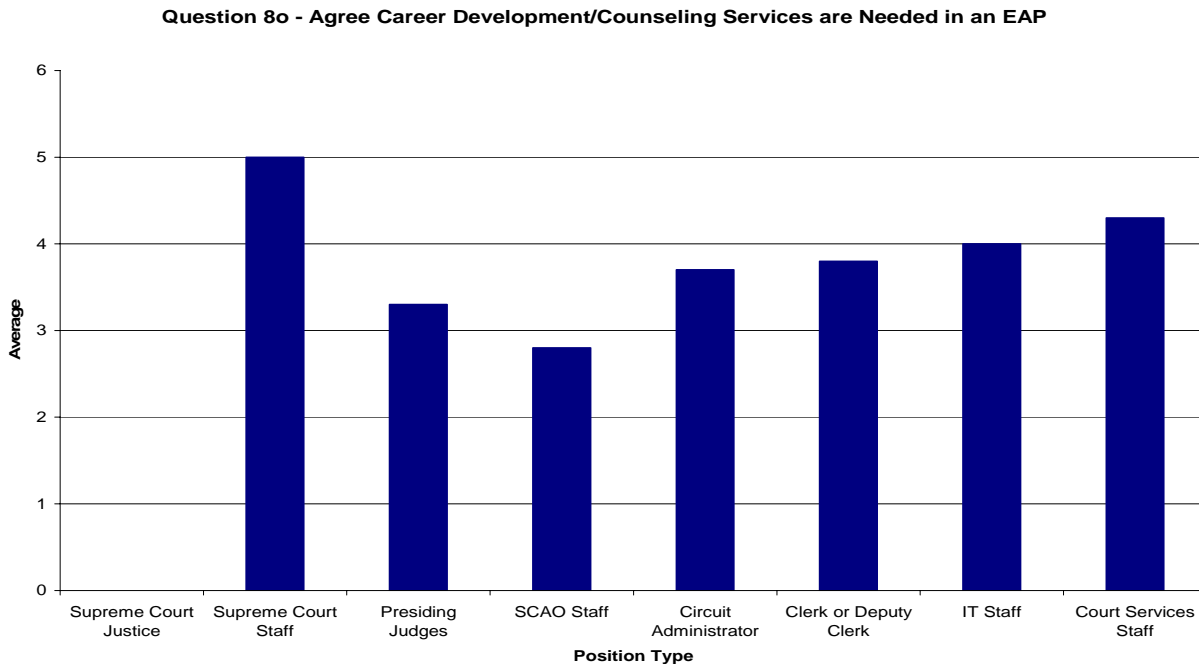


Table 43

Question 8p – I would like the following services available in an EAP – Other. Three survey respondents added other services they felt should be included in an EAP if developed. These services were: cancer/health issues, gambling issues, and assistance in handling coworker issues and disagreements. One individual added a comment to the survey indicating this is a judicial system, not a social service agency. This individual felt, if they personally had these types of problems the last place they would seek help is through the UJS. This respondent felt coworkers would then have access to confidential information about them and other employees.

FINDINGS – Regional Judicial Branch’s Survey

As explained above, survey results were not coded, but instead placed in a table to track consistencies and differences across the three surveyed states. Please refer to Appendix L to view the table of regional judicial branch survey summary. These findings will be of the utmost importance to the UJS, because it will assist the UJS in knowing how other EAP’s are run in similarly situated states and associated costs. In addition, the information will be helpful in program design should the UJS proceed with implementing an EAP. The regional judicial branch’s survey findings follow.

Question 1 – Does your state have an EAP? All three states (Nebraska, Iowa, and North Dakota) responded yes they have an EAP. **Question 2 – How is your EAP funded?** Nebraska responded their EAP is funded through the court budget and Iowa and North Dakota indicated their EAP’s are funded by state, but not through the health plan. **Question 3 – What is the annual cost to operate your EAP?** Nebraska was the only response and indicated the cost is \$17.92 per FTE (full-time equivalent, which is defined as the total number of paid hours during a period to include part-time and full-time staff by the number of working hours in a time period) per 1000+ FTE. **Question 4 – Who can participate in your EAP?** All three states indicated Judges, employees, spouses, and children can participate in the EAP. **Question 5 – How many visits per year does the EAP provide free to participants?** Nebraska responded they provide one to three visits each year. Iowa indicated they provide up to three visits for each problem/issue. North Dakota responded they provide four to six visits per year. **Question 6 – Is there a cost to an EAP participant to use their services?** Both Nebraska and Iowa indicated there is no cost unless there is a need for extended services. North Dakota indicated no. **Question 7 – How many employees (and family members) are eligible to use the EAP?**

Nebraska indicated all employees and family members, Iowa indicated they did not know, and North Dakota indicated 338 families. **Question 7 continued – What do you estimate to be your cost per employee per year?** Nebraska indicated \$17.92. Iowa indicated the state EAP gives the Judicial Branch a choice of funding options. They can pay approximately \$10 per employee per year or choose to pay for the services on a pay-as-you-go basis at the rate of \$80.00 per hour of service. Iowa currently chooses to use the pay-as-you-go method and so far believes they are money ahead. North Dakota did not answer this question. **Question 7 continued – What do you estimate to be your cost-savings per employee per year?**

Nebraska, Iowa, and North Dakota did not answer this question. **Question 8 – How is the EAP managed?** All states reported their EAP's are managed by the out-of-house model or externally managed, which means the employer contracts with a vendor to provide an employee assistance staff and services. **Question 9 – In question #8, what have you found to be beneficial and challenging about how your program is managed?** Nebraska indicated they are in the process of considering a change – going with what other state employees currently use. Iowa indicated because they are immersed in the program used by the rest of state government, they have little to no control over how the program is used and funded. North Dakota did not respond.⁴⁶

Question 10 – What are some benefits you have seen with the implementation of your EAP? Nebraska indicated that assisting employees in times of crisis, helping staff deal with death in the workplace, and helping supervisors with problem employees have been beneficial. Iowa indicated a benefit to their EAP is it gives supervisors a tool to help deal with employees who bring family and personal problems to the office. It also provides assistance to employees who would otherwise be using work time to cope with personal or family problems. In addition,

⁴⁶ From this point forward, North Dakota did not respond to the questions. This author made a further attempt to contact North Dakota, but due to the vacancy of the Human Resource Director was unable to receive further information.

it is a good addition to a benefit package for recruiting and helps maintain productivity. North Dakota did not respond. **Question 11 – What are some problems/challenges you have encountered when implementing your EAP?** Nebraska indicated a challenge when implementing the EAP was finding adequate services statewide. Iowa indicated no challenges during implementation come to mind. North Dakota did not respond. **Question 12 – If you had the opportunity to redesign your EAP, what would you do differently?** No state responded to this question.

In addition, please note Table 1 beginning on page 17 in the literature review. This table identifies additional EAP information on these surveyed states along with other surrounding states' EAP information.

CONCLUSIONS AND RECOMMENDATIONS

The South Dakota Unified Judicial System personnel have experienced issues from absenteeism to suicide. Issues both nominal and substantial should be avoided. It is felt an EAP could assist in ascertaining this goal within the UJS. Of course, not all tragedies can be avoided. However, as a responsible, altruistic employer it is felt an EAP will help accomplish greater flexibility and assistance to our employees and their families.

After evaluating literature and survey findings this author has assembled both conclusions and recommendations to be presented in this report and provided to the Chief Justice and State Court Administrator.

CONCLUSION #1 – Most employees favor developing and implementing an EAP for the South Dakota Unified Judicial System. Seventy-one percent of those responding indicated an EAP is a needed program for Judges and UJS employees. The literature review completed by this author indicates surrounding states offer an EAP to their employees. In fact, the literature review also indicated 94% of government agencies offer an EAP which has proven to assist companies with job performance, attendance, and productivity issues. In addition, more than half of the respondents agreed the EAP should include judges, employees, spouses, and dependent children.

RECOMMENDATION #1 – Develop EAP policies and procedures in conjunction with the advice and approval of the State Court Administrator and Chief Justice. This can be addressed by following the implementation steps below:

Step 1 – Develop a written policy statement that clearly outlines the EAP, who is eligible for EAP services, how confidential information will be handled, credentials of EAP contracted staff, and program evaluation. Furthermore whether time spent in an EAP is considered work

time or not, how records are maintained, and roles and responsibility of the vendor and UJS staff should be clearly outlined as well. This author recommends the creation of an EAP steering committee to work on the EAP guidelines and policies. In addition, program creation should involve the UJS legal counsel to ensure programs comply with all state and federal laws.

Step 2 – Determine services to be provided to judges and employees, spouses, and dependent children.

Step 3 – Ensure confidentiality of EAP participants.

Step 4 – Send out a request for proposal (RFP) for an EAP and identified services. Ensure that qualified professionals are obtained to provide EAP services. In addition, ensure that statewide services are obtained to serve all judges, employees, spouses, and dependent children.

Step 5 – Ensure funding is available by presenting information to legislature and requesting funds.

Step 6 – Implement the EAP and provide supervisors and employees training and education on EAP, services, and when and how to obtain services.

Step 7 – Program evaluation and adjustment.

CONCLUSION #2 – Provide initial EAP services free to participants and put a request for proposal out to third-party vendors for EAP services. On average, most of the respondents indicated they would be more likely to utilize the EAP if it was offered at no cost to them. All regional surveyed states indicated they provide services within the scope of the EAP free to participants. Although 69% of survey respondents indicated they would still use an EAP if it costs them a nominal fee, this indicates that respondents are willing to expend their own funds to participate in an EAP. However, most respondents 85% indicated they would be more likely to use an EAP if there was no initial cost to them. In addition, as the literature review and

regional survey indicated, most surrounding states offer a limited number of visits and initial EAP services free to participants.

Most of the respondents indicated they would be more likely to use the EAP if managed by a third-party/contracted vendor versus a current UJS employee. In fact, only 16% of respondents indicated they would like the EAP to be managed by an existing UJS employee. Per this author's literature review, the most popular response was an externally managed EAP and beneficial for organizations spread over multiple locations such as the South Dakota UJS. Therefore, both the survey findings and literature reviewed support providing a limited number of visits and initial EAP services at no cost to participants and allowing a third-party/contracted vendor to provide EAP services.

RECOMMENDATION #2 – Identify a third-party or contracted vendor to manage the EAP and provide cost information. Based on survey results the top eight services needed are: stress management, mental health, chemical dependency (alcohol and drug), work-related issues (work performance, etc.), career development/counseling, family counseling, domestic violence, and grief and loss issues. In consultation with the State Court Administrator and Chief Justice these top eight services will be evaluated and finalized to be included in the request for proposal (RFP) to potential vendors to determine cost and viable vendors to meet UJS judge and employee needs. The cost of the EAP in Nebraska was \$17.92 per 1000+ FTE, which would be an annual cost of approximately \$17,920. This seems like a very reasonable price for an EAP. The Unified Judicial System has approximately 534 FTE. Therefore, the cost per FTE may be a little higher. However, it is reasonable to believe the UJS should not have to pay more than the approximately \$17,920/annually. The actual cost would need to be determined through the RFP process.

A proposal with an identified vendor and associated costs shall be put together to present to the legislature for approval of funding and EAP implementation. The human resources office staff will be responsible for working with the identified vendor to ensure program implementation, direction, and administration of EAP employee guidelines and policies.

CONCLUSION #3 – Program evaluation should be completed annually to ensure program effectiveness and usefulness. This author’s literature review shows EAP’s should be continually monitored and adjusted to meet the needs of participants. In addition, this makes good business sense; only EAP’s that prove effective should continue operating.

RECOMMENDATION #3 – The following program evaluation steps should be followed:

Step 1 - The initial judge and employee survey administered by this author should be redesigned and administered annually to evaluate EAP services and ensure employees’ needs are met.

Step 2 – The third-party/contracted vendor should survey EAP participants about their opinion on program effectiveness and operation and share these findings with the UJS annually.

Step 3 – The third-party/contracted vendor should be able to provide metrics in regard to program usage and successes without identifying particular participants.

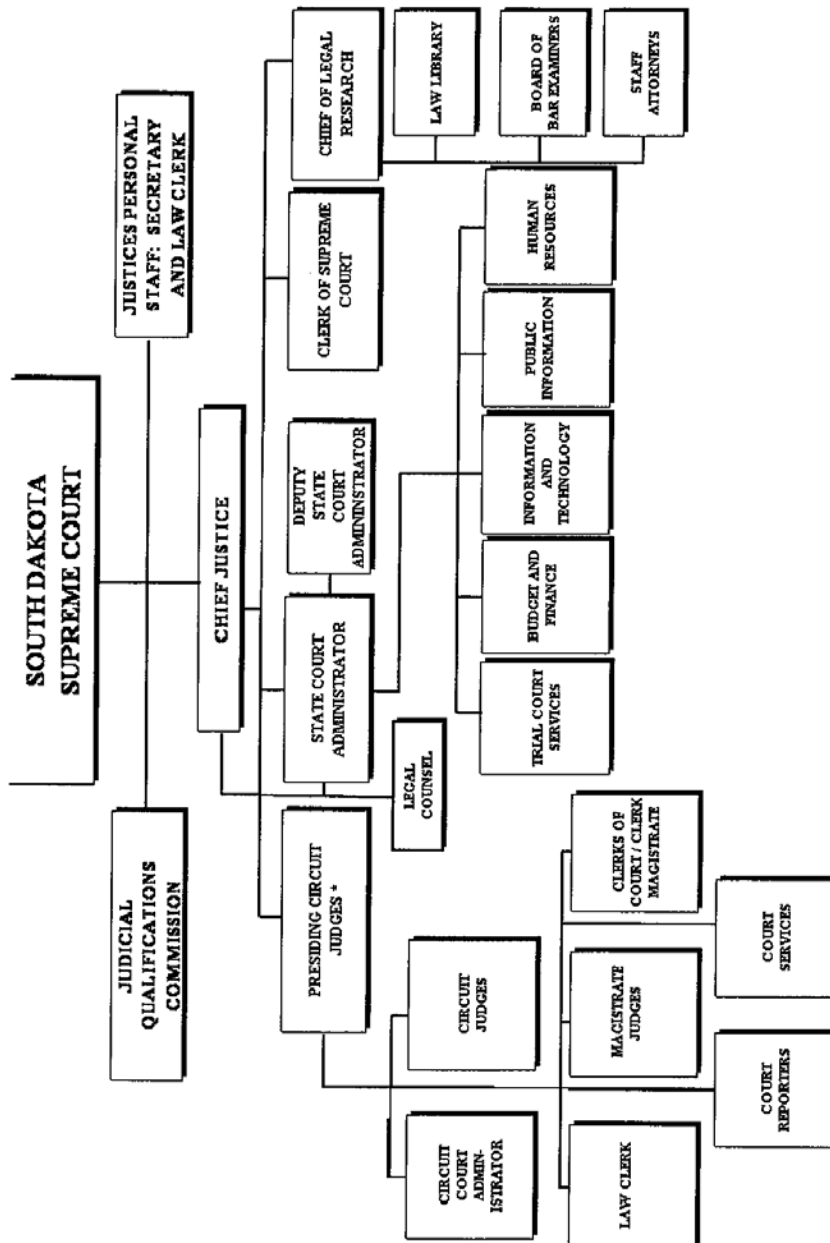
Step 4 – The human resources office should be able to show if the EAP has any impact on turnover or absenteeism such as sick leave usage. It should be noted here it can take several years to see benefits of an EAP.

Step 5 – An annual supervisor’s survey should be developed to gauge referrals and EAP effectiveness and enhancement of labor/management relationships.

FINAL CONCLUSION and RECOMMENDATION – The South Dakota Unified Judicial System judges, employees, and management can realize many benefits through the proper development, implementation, and management of an EAP. As identified in this author’s literature review and through the regional survey findings, an effective EAP can be an invaluable tool for managers. Some benefits include tools in assisting employees in times of crisis, helping supervisors with employees exhibiting job performance issues, and providing assistance to employees who may have otherwise used work time to cope with personal and family problems.

Great care should be taken to ensure confidentiality, qualified professionals administering the EAP services, and available services statewide. This author has found the UJS is ready to implement an EAP for judges, employees, spouses, and dependent children and this endeavor will prove to be needed and feasible.

APPENDIX A



* One presiding judge for each circuit.

APPENDIX B



What is EAP?

Since its inception in 1978, the mission of the state Employee Assistance Program (EAP) has been to provide confidential, accessible services to individual employees, their family members and state agencies in order to restore and strengthen the health and productivity of employees and the workplace.

EAP is designed to assist in the identification and resolution of personal, family, and workplace

EAP's full range of services

The state Employee Assistance Program's counseling and referral services are provided at *no cost*. If assistance beyond the scope of EAP services is needed the employee or organization will be responsible for the cost.

EAP is a *confidential* resource. Without your permission no one will be informed that you have contacted EAP—neither your supervisor, family, coworkers, human resources office nor anyone else.

EAP provides these services:

- Brief counseling for personal and work-related concerns
- Consultation and coaching for managers and supervisors
- Consultation to state agencies and work-groups

EAP Counseling Services for individuals

651.259.3840 800.657.3719

Each of us—regardless of our position or job—may face a variety of problems in our daily lives. Usually we can work them out. But sometimes our problems become too much to handle and begin to affect personal happiness, family relationships, performance at work, and health. When this happens, we can benefit from seeking professional help. The Employee Assistance Program provides that help for State of Minnesota employees and their families.

Information, assessment and referrals for personal concerns:

- Troubled relationships
- Grief and loss issues
- Chemical abuse/addictive behaviors
- Family care issues
- Mental health problems
- Legal or financial problems
- Difficulty balancing demands
- Personal problems that affect work performance
- Career/job stress issues
- Conflict with coworkers or supervisors
- Workplace crises


APPENDIX C

The Employee Assistance Program is provided through an agreement with:
Your employer and Medcenter One.

Medcenter One
Employee Assistant Program

"Our mission is to optimize personal and professional wellness and productivity through identifying and resolving life concerns today."

*Building Better Lives,
Stronger Businesses and
Healthier Communities*




*Building Better Lives,
Stronger Businesses and
Healthier Communities*

1

Medcenter One
medcenterone.com
300 N. Seventh St. • Bismarck, ND 58501
701-323-6000

Medcenter One Employee Assistance Program



*Building Better Lives,
Stronger Businesses and
Healthier Communities*

1

Medcenter One
medcenterone.com

"Life is a promise; fulfill it."

Dealing with Life's Ups and Downs

Our goal is to stay healthy and balance our lives between families, work, fun, and the many other parts of our lives that demand attention. Most of us work at taking care of the relationships we feel are important. We have dreams for ourselves and our families and desire to see those dreams achieved.

However, life typically is not stress free. We have bills that won't quit, family demands on our time and competing priorities to constantly juggle.

Also problems/concerns can come in all areas. It can be family troubles, child discipline issues, divorce, alcohol/drug problems, grief issues, financial difficulty, legal problems, career issues, job relationships, emotional concerns, or just too many life stresses.

Usually we are capable of handling what life sends our way. However *there* are times our knowledge, resources, and coping mechanisms just don't work.

Personal concerns can become so overwhelming they have the potential to interfere with our regular work performance leading to further affects on our jobs and/or our futures. That's when to seek assistance from the Employee Assistance Program.

The Employee Assistance Program provides a trained professional to listen and help you problem solve i.e. choose options that will help you deal with your concerns.


"In the middle of a difficulty lies opportunity."

Costs

Because the ability to function well at home and on the job is critical to our overall well-being your employer is providing you and your family an Employee Assistance Program (EAP) free of charge.

How it Works

- Contact your local Employee Assistance Program (EAP) provider to arrange an appointment time that is convenient for you.
- An EAP professional will talk with you to help define the problem and discuss possible solutions.
- If needed, the EAP professional will refer you to an agency or professional in the community experienced in dealing with a specific problem.





Confidentiality Protected

- The EAP doesn't report names to your workplace. You don't need permission from your workplace to access the EAP - it's a work benefit.
- There are times that supervisors will be concerned, or see your work performance affected, and may direct you to contact the EAP. This can be either an informal or formal referral. The session is still completely confidential. The only information reported back to the supervisor is whether you attended the appointment.
- Once again, names and specifics of your discussions are never reported back to your workplace without your authorization.

Eligibility

- Your employer is providing this as a benefit to you the employee.
- Your spouse and dependent children are also eligible to use the services. You simply need to identify your company name and Medcenter One EAP to the provider.

Contents of the EAP Benefit Package

- **Eight sessions** with a licensed mental health professional per issue, per year, per family member.
- **One hour free legal consultation** with our contracted firms per year per issue. Call 701-323-8879 or 1-800-932-8758 ext. 8879 for a referral.
- **Drug/Alcohol assessments**
- **Monthly newsletters**
- **Access to web site:** www.medcenterone.com/chs/cap.htm
- **Financial counseling/ Money management** services available in a limited service area.
- **Fitness Testing Consultation** - A personal trainer completes a fitness assessment which typically includes:
 - Aerobic capacity
 - Body composition
 - Flexibility
 - Muscular strength

You then receive an explanation of the results and a recommended routine for better health. Available in Bismarck, Dickinson, Fargo, and Standing Rock (for employees only).



For Assistance in North Dakota call:

- Bismarck**
 Medcenter One 701-323-6543
 Toll Free..... 800-526-8648
- Devils Lake**
 Sandi Christofferson 701-665-3030
 New Horizons Counseling Serv. 701-665-2241
- Dickinson**
 Westwind Consulting Center .. 701-225-1050
 Badlands Human Service Ctr. . 701-227-7515
- Ellendale**
 LifeSeasons Counseling 877-679-4800
- Fargo**
 Catholic Charities ND 701-235-4457
 Merit Care Assistance 701-234-5835
 Only Human Counseling 701-476-0497
- Grafton**
 MAB Counseling Center 701-352-1667
- Grand Forks**
 Jarman Counseling Services ... 701-772-8446
 Lipp, Carlson, Lommen & Witucki, Ltd. 701-746-8376
- Jamestown**
 Prairie Counseling 701-252-8939
 Jamestown Hospital EAP 1-800-932-8758 ext. 8879 for referral
- Minot**
 Carveaux, Eaton & Associates
 Bryce Veazey 701-839-0474
 Denise Roerick 701-776-5627
 Psychological Services, PC 701-852-9113
- Oakes**
 LifeSeasons Counseling 877-679-4800
- Valley City**
 Life Seasons Counseling 877-679-4800

Williston

- Mercy Recovery Center 701-774-7409
 Mercy Behavioral Health 701-774-7477

For Assistance in South Dakota call:

- Mobridge**
 Northeastern Mental Health Ctr. 605-845-2941
- Rapid City**
 Catholic Social Services 605-348-6086
- Fitness Testing**
- Bismarck**
 Women's Health Center 323-8879
- Dickinson**
 The Healing Place 701-483-9600
 St. Joseph's Cardiac Rehab & Fitness 701-264-4000
 Southwest Physical Therapy ... 701-225-0767
- Fargo**
 Meritcare Fitness Center 701-234-8750
- Fort Yates**
 Standing Rock Diabetes Ctr ... 701-854-7132
- Money Management Services**
 Call 323-8879 or 1-800-932-8158 ext. 8879 for a referral - limited service area
- Drug & Alcohol Assessment**
- Bismarck**
 Heartview Foundation 701-222-0386
 Whole Person Recovery Ctr. . 701- 224-1261
- Dickinson**
 Heart River Alcohol/Drug Ctr. . 701-483-0795
- Fargo**
 First Step Recovery 701-293-3384
- Minot**
 Cornerstone Addiction 701-839-0474
- Any questions or concerns about services please contact the EAP coordinator at 323-8879 or 1-800-932-8758 ext. 8879.*

additional employee benefits

Employee Assistance Program (EAP)

WHAT IS THE EMPLOYEE ASSISTANCE PROGRAM (EAP)?

The Employee Assistance Program (EAP) provides confidential, professional assistance to employees and family members of employees of the Executive, Legislative and Judicial Branches of state government. Services are provided by Employee & Family Resources (EFR), and include assessment, short-term counseling, and referral to appropriate community agencies.

EAP counseling services are provided by a private agency under contract with the state. The counselors are not state employees. Calls to EAP counselors are confidential within strict legal limits. They will not tell anyone you called or release any information without your written permission unless a legal exception applies. Legal exceptions include child or dependent adult abuse or neglect or life threatening situations.

WHAT TYPES OF SERVICES DOES EAP PROVIDE?

Counseling Services

EAP counseling services are intended to help people before problems interfere with job performance. Problems for which the EAP counselors can provide help include:

- Alcohol or other drug abuse
- Marriage or family problems
- Financial consultation (budgeting, investing)
- Health or stress concerns
- Career struggles/job burn-out
- Death/dying issues
- Interpersonal conflicts
- Workplace conflicts
- Legal concerns (personal, non-employment related)

Appointments with EAP counselors are available

some evening and weekend hours, as well as during business hours. You may see a counselor on your own time and no one will need to know. If you need to see an EAP counselor during work time, you will need to:

- Get approval from your supervisor for time away from work.
- Sign a release of information form provided by the EAP counselor. This allows the counselor to confirm your work time attendance with your supervisor. No other information will be released without your written permission.

Life Coaching Services

Life Coaching services are intended to help you and your family members resolve life issues. Coaching services provide a trained life coach, a personal, secure website, scheduled telephone sessions with your life coach, and the ability to communicate with your life coach through your personal website.

A few examples of the areas where life coaching might be of help to you include: Family Issues, Caring for a Dependent Adult, Couple/Marital Relationships, Grief/Loss, Weight Management, Smoking Cessation, and Work/Life Balance. These are just a few examples of the types of situations where life coaching might be a good alternative to in-person counseling.

Of course, the choice is yours. You can still have face-to-face contact with a counselor if you prefer. Life Coaching services are offered as an alternative to the in-person assessment and brief counseling services that are currently offered.

HOW MUCH WILL IT COST (TO GO TO EAP)?

There is no charge to you for services provided by the EAP. However, EAP services are intended to be short-term in nature. Life coaching services are generally provided for up to nine weeks.

additional employee benefits

Counseling services are limited to three (3) sessions with an EAP counselor per incident. If an EAP counselor refers you to other resources for additional help, those resources may charge for their services. EAP counselors will work with you to identify resources that are affordable or that may be partially covered by your health insurance. If you have questions about whether you are covered by the EAP, contact your Personnel Assistant or District Court Administrator.

CONTACT THE EAP

515-244-6090 (Des Moines area)
1-800-EAP-IOWA (or 1-800-327-4692)
Outside of Iowa: 1-800-327-3020
Or visit EFR's web site at:
www.efr.org/eap/your_eap/login.php.

APPENDIX E

Kansas Health Policy Authority

Kansas Health Policy Authority

- [About Us](#)
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- [Family Budget Calculator](#)

LIFELINE Employee Assistance Program

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[ASSISTANCE](#) [WELLNESS](#) [NEWSLETTER](#)
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[KANSAS.GOV](#)

LIFELINE...
Helping With Life's Stresses

1-800-284-7575
TDD/TTY 800-796-3777

A Service of the State of Kansas
HealthQuest Program

What is the LIFELINE Program?

The **LIFELINE** Employee Assistance Program (EAP) is a special service provided for State of Kansas benefits eligible employees and their dependents at no charge. **LIFELINE** provides information, short-term counseling, advice, and referrals from licensed professionals who understand the typical stresses we all face day in and day out.

In today's fast-paced world, trying to manage work, home, family, and all the associated demands can sometimes be a real test. And occasionally, wouldn't it be nice if there were an experienced, objective professional who could answer a confidential question or help with one of life's concerns?

- [How It Works](#)
- [Services Offered](#)
- [Agency Services](#)
- [LIFELINE FAQs](#)
- [Articles](#)

Who Is Eligible to Use the LIFELINE Program?

- The **LIFELINE** Program is available to all active, benefits-eligible employees of the State of Kansas, their family members living in the same household or dependent children.
- Non-state Employer Group Participants.
- Retirees and COBRA participants are not eligible to participate.

An Introduction to Authentic Happiness

Do you want to know what makes people positive, generous, funny, kind, or original? Are you born with these traits, or can you develop them? How do intimate relationships influence positive traits, and how are they related to depression, insecurity, and pessimism? It is possible to be happier—to feel more satisfied, to be more engaged with life, find more meaning, have higher hopes, and probably even laugh and smile more, regardless of one's circumstances. During this presentation, you will learn what it means to be authentically happy and how to accomplish it:

APPENDIX F

Office Of State Employment Relations: Employee Assistance Program

The screenshot displays the website for the Office of State Employment Relations (OSER). The header includes the Wisconsin state logo, the text "wisconsin.gov", and navigation links for "state agencies" and "subject directory". The OSER logo features a globe and the text "SERVING PEOPLE WHO SERVE WISCONSIN". A search bar with the text "Enter Keyword:" and a "Go!" button is present. A horizontal menu contains links for "Home", "About OSER", "Employee Programs", "Human Resource Services", "Jobs", "Reference Center", and "Training". Below the menu, there are links for "Return to Employee Programs Menu" and "Print Version".

Employee Assistance Program

The employee assistance program (EAP) is a confidential, voluntary work-site program to assist state government employees affected by behavioral, medical or productivity concerns or problems. EAP helps in the prevention, identification and resolution of these problems and concerns.

These problems include, but are not limited to:

- health
- marital and relationship
- family and parenting
- financial
- alcohol and other drug abuse
- legal
- emotional
- stress or anxiety
- life crisis
- work

EAP also is there to help employees deal with critical incidents or potential layoffs or agency restructuring. Family members are also eligible for EAP services.

In short, EAP informs the employee about the available resources best qualified to assess, diagnose and/or treat an issue confronting the employee. Click one of the links below for more information.

http://oser.state.wi.us/section_detail.asp?linkid=352&linkid=26 (1 of 3) 1/4/2008 11:56:42 AM

- [Coping with Change for Employees](#)
 - [* Workforce Reduction Resources](#)
 - [Changes, Challenges and Choices by Tom Jadin](#)
 - [Coping with Job Loss](#)
 - [Helpful Links to Other Listings of Job Opportunities](#)
 - [Helping Kids Cope with Change](#)
 - [Preparing Your Resume](#)
 - [Steps you can take to enhance your career opportunities now!](#)
 - [Ten Commandments for Coping with Job Loss](#)
 - [The Family Corner](#) +
 - [The Road to Resilience](#) +
 - [Tips for Self Care](#)
 - [Understanding Job Loss – Taking Control of Your At Risk Situation](#)
 - [What To Do If You're Being Laid Off: 39 tips](#) +
 - [When Your Income Decreases, but Your Bills Don't](#)
- [EAP Forms \(scroll down to EAP section\)](#) +

(+) External Link - Browser opens in a new window.

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[Return to Employee Programs Menu](#)

Quick Links:

2007 - 2008 Collective Bargaining Agreements	2007-2008 Classification Surveys	2007-2008 Compensation Plan	AA Planning for State Agencies
Anthem's DentalBlue and Other Dental Coverage	Civil Service Centennial Website	Enterprise Leadership Academy (ELA)	Enterprise Management Development Academy (EMDA)
Wellness Initiative, State of Wisconsin	Wisconsin Workforce Planning & Fact Book 2006-2008	Workforce Planning for Wisconsin State Government	

[Site Map](#) | [Home Page](#)
[Legal Notices](#) | [Privacy Notice](#) | [Acceptable Use Policy](#)

Office of State Employment Relations
101 East Wilson Street, 4th Floor
Madison, WI 53702
Contact OSER
FAX: 608-267-1020

Web Site Provided by Dept. of Administration

APPENDIX G

NEBRASKA DEPARTMENT OF HEALTH & HUMAN SERVICES

Home

BEHAVIORAL HEALTH CHILDREN & FAMILY SERVICES DEVELOPMENTAL DISABILITIES MEDICAID & LONG TERM CARE PUBLIC HEALTH VETERANS' HOMES

Diets NEBRASKA

Search

Employee Assistance Program

The DHHS offers employees confidential counseling and referral services through the Employee Assistance Program (EAP). The program is administered by [Best Care EAP](#).

Who will know?	What help is available?
What is the cost?	How do I get help?
Training	

Why was the program established?

At times, personal problems are hard to leave at home and begin to surface in the workplace. When this happens, professionally trained counselors are available to provide needed assistance.

The philosophy of Best Care EAP is that nearly every problem can be successfully handled, once it is recognized and assistance is provided. Therefore, this program provides the opportunity for employees to identify and resolve personal problems that may adversely affect their family life, relationships, self-esteem, or job.

[Top of Page](#)

Who will know?

When employees use the services of Best Care EAP, they're assured of confidentiality. If an appointment is set up with a Best Care EAP counselor, no one will know. All sessions are confidential, a critical element in Best Care EAP's success. Information is not released without the employee's written permission.

[Top of Page](#)

What help is available?

Employees and their families can discuss personal problems openly and confidentially with a licensed professional counselor in a comfortable and relaxed setting. The counselor will help provide an objective viewpoint of the problem and guide employees toward potential solutions.

[Top of Page](#)

What is the cost?

Best Care EAP services are a free benefit. In some cases, the help of community resources may be needed. If so, the counselor will provide a referral to the most appropriate resource. When a referral is made, those expenses become the employee's responsibility.

[Top of Page](#)

How do I get help?


To arrange for a private and confidential appointment call:
Best Care EAP
(402)-354-8000 OR (800)-666-8606
If no answer, call (402)-354-2710.

Best Care EAP office hours are:

Monday – Friday	8 a.m. to 4:30 p.m.
Saturday	8 a.m. to 1:00 p.m.

<http://www.dhhs.ne.gov/bur/wsp.htm> (1 of 3):11/4/2008 9:08:37 AM


Nebraska DHHS: Employee Assistance Program

When meeting with an EAP counselor during your regularly scheduled work hours, please refer to the  [DHHS-Work Place Policies](#) to determine how to record your time.

[Top of Page](#)

Training

EAP provides periodic training for employees on various topics. Access the Best Care EAP link above to view training that is available.

Documents in  PDF format require the use of Adobe Acrobat Reader which can be downloaded for free from [Adobe Systems, Inc.](#)

[Human Resources & Development Page](#)

Site Best Viewed at 1024x768 [Screen Resolution](#)

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301 Centennial Mall South, Lincoln, Nebraska 68509 (402) 471-3121

[Home](#) - [Contact Us](#) - [Security, Privacy & Accessibility Policy](#) - [General Disclaimer](#)

APPENDIX H

633 17th Street, Suite 1100
Denver, CO 80202
Phone: 303-866-4314
Tollfree: 800-821-8154



Colorado State Employee Assistance Program (C-SEAP)

Your Confidential Resource for Workplace and Personal Issues

C-SEAP is a professional assessment, referral, and short-term counseling service offered to State employees with work-related or personal concerns, as well as a resource for supervisors and managers. The presence of C-SEAP reflects the State's commitment to improving the quality of life for its entire workforce.

Confidential Counseling

Confidential, cost free counseling and coaching are available for active State employees with concerns such as Work Related Challenges, Anxiety, Substance Abuse, Stress, Couples/Family Problems, Depression, Parenting Difficulties, Anger, Personal/Professional Growth, Grief, and Domestic Violence.

Manager and Supervisory Consultation

For managers and supervisors, we're here when you need an objective resource. Feel free to contact us regarding performance issues, workplace conflict, violence risk reduction, or other managerial concerns. Our counselors will assist you in finding potential solutions, strategies, and additional resources. C-SEAP also offers coaching for managers and supervisors, a service designed to help improve performance, reduce turnover, obtain business goals, and enhance quality of life.

Conflict Resolution

Interpersonal conflict is frequent in most workplaces. C-SEAP can help with informal mediation, group facilitation, and other interventions. Our goal is to promote a safe and healthy working environment while building and strengthening relationships between State employees.

Workplace Violence Risk Reduction

Workplace violence has become a crucial area of concern for all employers. Workplace violence risk can be recognized, assessed, and reduced, increasing safety, morale, and productivity. C-SEAP can assist with: Risk Awareness and Risk Reduction Training, Threat Assessment Training, Manager and Supervisor Consultation, Policy Development, Urgent Intervention, Problem Solving Groups, & Anger Education Classes

<http://www.colorado.gov/dpa/eo/sep/> (1 of 3) 11/4/2008 9:13:38 AM

Urgent Intervention

A workplace crisis may leave employees and supervisors shaken, distressed, and demoralized. Confidence and productivity may be damaged and difficult to restore. C-SEAP can help recreate a safe, collaborative, and caring work environment by providing: Manager and Supervisor Consultation, Facilitated Groups, Stress Management Group Education, & Individual Counseling.

Workshops and Training

C-SEAP provides customized workshops, training classes, and orientations. We can schedule an interactive session at your jobsite during normal business hours, conduct "brown bag" lunch presentations, or provide longer, more detailed programs on interpersonal and psychological factors in the workplace. Sample titles include: Anger Education, Coping with Stress, Dealing with Difficult People, Communication Strategies, How to Manage Change, Mental Health in the Workplace, Building Resiliency, & Identifying and Reducing Workplace Violence Risks. Call us to discuss your needs.

C-SEAP is a valuable resource for all State employees and is available from 8:00 AM to 5:00 PM, Monday through Friday. Please call 303-866-4314 or 800-821-8154.

These documents may be presented in PDF format, which requires the [Adobe® Reader](#).

For more information about the Employee Assistance Program, or to schedule an appointment or workshop, contact [EAP](#). **If this is an emergency situation, DO NOT leave a message. Hang up and dial 911, or call the phone number on your insurance card, or go to the nearest hospital emergency room.**

Related Links

[C-SEAP Annual Report](#)

[HIPAA Privacy Notice](#)

[Classes](#)

[Frequently Asked Questions](#)

[External Mental Health Resources](#)

[C-SEAP Internship Program](#)

Articles written by C-SEAP staff

[Conflict Resolution \(Part 1\)](#)

[Conflict Resolution \(Part 2\)](#)

[Coping with Change](#)

[Coping with Workplace Change](#)

[Depression](#)

[Dual Responsibilities: Work and Eldercare, \(Part I\)](#)

[Family Conflict](#)

[Grief in the Workplace](#)

[Help for the Humorless](#)

[Making Marriage Work](#)

[Self-Care Following a Disaster](#)

[Your Relationship Matters](#)

APPENDIX I



Supreme Court STATE OF SOUTH DAKOTA

David Gilbertson
CHIEF JUSTICE

Dear Judge or UJS Employee:

Beth Urban our Human Resources Manager is working on completing her project paper for the Court Executive Development Program (CEDP) through the National Center for State Courts. Her paper is in regard to Employee Assistance Programs and the feasibility of implementing such a program for our judges and employees.

An Employee Assistance Program (EAP) is a program designed to help identify and facilitate the resolution of behavioral, health, and productivity problems that may adversely affect an employee's well-being and job performance. The focus is wide-ranging, covering alcohol and other drug abuse; physical and emotional health; and marital, family, financial, legal, and other personal concerns that may affect judges and employees negatively. There are internally managed EAP program models and third-party program models that can be used.

EAP's are voluntary and completely confidential and are intended as tools for judges, employees, and management. No information is shared with your employer, except baseline statistics to monitor program effectiveness, usefulness, and cost effectiveness.

You have been selected to participate in the attached survey and provide valuable information in regard to the need and possible services for an EAP. Please note that we are in the information gathering stage now and that this is an educational pursuit to assist in Beth's completion of CEDP paper requirements. However, the information you provide will be valuable as we discuss whether an EAP would be advantageous to offer.

If you have any questions or comments, please feel free to contact Beth directly at (605) 773-4869 or beth.urban@ijs.state.sd.us. Thank you for your time and attention to this request. I encourage your participation in this survey.

Sincerely,

A handwritten signature in black ink that reads "David Gilbertson".

David Gilbertson
Chief Justice

APPENDIX J

Dear Judge or UJS Employee:

The Unified Judicial System is researching the possibility of implementing an Employee Assistance Program (EAP). You have been selected to provide input into how this program should function and what services should be provided. **This survey will take approximately three minutes to complete.**

Please return the completed survey by **August 22, 2008** to:

Beth Urban
Unified Judicial System
Human Resources
500 E Capitol Avenue
Pierre, SD 57501;

or fax to (605) 773-8437; or email beth.urban@uj.s.state.sd.us. **All individual responses will be kept confidential and only aggregate information will be reported.**

1. What is your position in the SD Unified Judicial System?
 - Supreme Court Justice
 - Supreme Court staff
 - Presiding Judge
 - State Court Administrator Office staff
 - Circuit Administrator
 - Clerk or Deputy Clerk
 - Information and Technology staff
 - Court Services staff

2. As described, I believe that an EAP is a needed program for Judges and UJS employees.
 - Strongly Disagree
 - Somewhat Disagree
 - Undecided
 - Somewhat Agree
 - Strongly Agree

3. I believe that EAP services should be offered to the judges and employees' spouse and dependent children.
 - Strongly Disagree
 - Somewhat Disagree
 - Undecided
 - Somewhat Agree
 - Strongly Agree

4. I would be more likely to use an EAP if there was no initial cost to me.
 - Strongly Disagree
 - Somewhat Disagree
 - Undecided
 - Somewhat Agree
 - Strongly Agree

5. If an EAP was available, I would use it if there was a nominal fee to me.

- Strongly Disagree
- Somewhat Disagree
- Undecided
- Somewhat Agree
- Strongly Agree

6. I would like the EAP to be managed by a current UJS employee.

- Strongly Disagree
- Somewhat Disagree
- Undecided
- Somewhat Agree
- Strongly Agree

7. I would like the EAP to be managed by a third-party/contracted vendor.

- Strongly Disagree
- Somewhat Disagree
- Undecided
- Somewhat Agree
- Strongly Agree

8. Use the following scale to respond to this question:

- 1 = Strongly Disagree**
- 2 = Somewhat Disagree**
- 3 = Undecided**
- 4 = Somewhat Agree**
- 5 = Strongly Agree**

I would like the following services available in an EAP (check one in each category):

- a. Financial 1 2 3 4 5
- b. Chemical Dependency (Alcohol and Drug) 1 2 3 4 5
- c. Legal 1 2 3 4 5
- d. Real Estate 1 2 3 4 5
- e. Mental Health 1 2 3 4 5
- f. Day Care 1 2 3 4 5
- g. Elder Care 1 2 3 4 5
- h. Stress Management 1 2 3 4 5
- i. Layoffs 1 2 3 4 5
- j. Grief and loss issues 1 2 3 4 5
- k. Domestic violence 1 2 3 4 5
- l. Work-related issues (Work performance, etc.) 1 2 3 4 5
- m. Marital counseling 1 2 3 4 5
- n. Family counseling 1 2 3 4 5
- o. Career development/counseling 1 2 3 4 5
- p. Other: _____

Thank you for completing this survey!

APPENDIX K

Regional State Survey – Employee Assistance Programs (EAP’s)

The South Dakota Unified Judicial System is evaluating the possibility of developing and implementing an EAP. This survey will be used to gather data from regional states in regard to their EAP’s and assist South Dakota in developing and implementing our own EAP should we determine that an EAP be viable.

Please complete and return your survey by **August 29, 2008** to:

Beth Urban, Human Resources
Unified Judicial System
500 E Capitol Avenue
Pierre, SD 57501;

or fax to (605) 773-8437; or email to Beth.Urban@uj.s.state.sd.us; or call me to discuss at (605) 773-4869.

Along with your completed survey, please include a **copy of your state’s EAP including policies and guidelines.**

NAME: _____ TITLE: _____

STATE: _____

ADDRESS: _____

TELEPHONE NUMBER: _____ FAX NUMBER: _____

EMAIL ADDRESS: _____

1. Does your state have an EAP?
 Yes, continue to question #2 No, do not complete the rest of the survey, but please return as directed above.

2. How is your EAP funded? (Check one)
 Funded as part of health plan
 Funded by State, but not through the health plan
 Partially State funded, but not through the health plan
 Funded by each participating agency/court
 Not funded
 Other _____

3. What is the annual cost to operate your EAP? _____

4. Who can participate in your EAP? (Check all that apply)
 Judges
 Judges and spouse
 Judge, spouse, and children
 Employee
 Employee and spouse
 Employee, spouse, and children
 Other _____

5. How many visits per year does the EAP provide free to participants? (Check one)
- 1-3 visits per year
 - 4-6 visits per year
 - Unlimited number of visits per year
 - Other _____
6. Is there a cost to an EAP participant to use their services? _____ If yes, what is the cost and how is it determined? _____
7. How many employees (and family members) are eligible to use the EAP? _____ What do you estimate to be your cost per employee per year? _____ What do you estimate to be your cost-savings per employee per year? _____ (If you have any reports or statistics, please mail them to UJS)
8. How is the EAP managed? (Check one)
- In-house model.* The entire employee assistance staff is employed by the employer.
 - Out-of-house model.* The employer contracts with a vendor to provide an employee assistance staff and services.
 - Consortium model.* Several employers pool their resources to develop a collaborative program and thus maximize individual resources.
 - Affiliate model.* A vendor subcontracts with a local professional rather than use salaried staff. Usually this model is used in conjunction with a model that involves employer paid staff.⁴⁷
 - Other, please specify _____
9. In question #8, what have you found to be beneficial and challenging about how your program is managed? _____

10. What are some benefits you have seen with the implementation of your EAP?

11. What are some problems/challenges you have encountered when implementing your EAP?

12. If you had the opportunity to redesign your EAP, what would you do differently?

Thank you for taking the time to complete this survey!

⁴⁷ The AMA Handbook for Developing Employee Assistance & Counseling Programs, edited by Dale A. Masi, Editor. Published and printed by AMACOM, New York City in 1992.

APPENDIX L

Regional Judicial Branch Survey Results

State	EAP	Funded	Annual Cost	Participants	Visits per yr free	Cost to participant	# eligible for EAP	cost per employee per yr	cost-savings per employee per year	Managed	Benefits and Challenges -	Benefits from EAP	Problems/challenges in implementing the EAP	What would you do differently?
Nebraska	Yes	Court budget	\$17.52/FTE 1000+ FTE	Judges, employees, spouses, and children	1-3 per year	No - unless there is a need for extended services	All	The state EAP program gives the Judicial Branch a choice of funding options. We can pay approximately \$1/employee per year or we can choose to pay for the services on a pay-as-you-go basis at the rate of \$80/employee. We have chosen the pay-go method and so far we believe we are money ahead.	Out-of-house model	We are in the process of creating a program with what other state employees currently have	assisting employees in times of crisis, helping them to deal with the workers helping supervisors with problem employees	Finding adequate services statewide		
Iowa	Yes	Funded by State, but not through the health plan	Don't track	Judges, employees, spouses, and children	provide up to 3 visitings for each problem/issue	No - unless there is a need for extended services	Don't know		Don't know	Out-of-house model	Because we are immersed in the program used by the rest of state we have little to no control over how the program is used and funded.	It gives supervisors a tool to use to help deal with employees who bring family and personal problems to the office. It provides assistance to employees who would otherwise be using work time to cope with personal or family problems. It's a good program to benefit package recruiting. It helps maintain productivity.	None that come to mind.	
North Dakota	Yes	Funded by State, but not through the health plan	Don't answer	Judges, employees, spouses, and children	4.5 per year	No	338 families			Out-of-house model				

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