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To: NRC Management Directives Custodians

Subject: Transmittal of Management Directive 10.122, "Employee Assistance and Wellness Services Program"

Purpose: Management Directive and Handbook 10.122 are being issued to disseminate information concerning the NRC Employee Assistance and Wellness Services Program, which includes health services, fitness services, ergonomic services, and the workers compensation program.

Office and Division of Origin: Office of Human Resources

Contact: Michael J. Fox, 415-7526

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Office of Administration
Michael T. Lesar, (301) 415-7163
Christy Moore, (301) 415-7086

Employee Assistance and Wellness Services Program

Directive

(Formerly
MC 4161) 10.122

Contents

Policy	1
Objectives	1
Organizational Responsibilities and	
Delegations of Authority	1
Executive Director for Operations (EDO)	1
Deputy Executive Director for Management Services (DEDM)	2
Director, Office of Human Resources (HR)	2
Regional Administrators	3
Office Director and Supervisors at All Levels	4
Applicability	4
Handbook	4
Specific Program Content	4
Employee Assistance Program (EAP)	4
Wellness Services Program	5
Records and Reports	6
Maintenance of Records on Individuals	6
Statistical Data	7
References	7



U. S. Nuclear Regulatory Commission

Volume: 10 Personnel Management

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Safety

HR

Employee Assistance and Wellness Services Program Directive 10.122

Policy

(10.122-01)

It is the policy of the U.S. Nuclear Regulatory Commission to establish and manage an agencywide Employee Assistance and Wellness Services Program.

Objectives

(10.122-02)

- To establish and maintain a program to provide services for the physical and mental well-being of NRC employees. (021)
- To assist in the reduction of absenteeism. (022)
- To inform employees of the services provided by the Employee Assistance and Wellness Services Program. (023)

Organizational Responsibilities and Delegations of Authority

(10.122-03)

Executive Director for Operations (EDO)

(031)

Oversees NRC's Employee Assistance and Wellness Services Program.

Organizational Responsibilities and
Delegations of Authority
(10.122-03)

Deputy Executive Director for Management Services (DEDM)
(032)

Provides general direction on issues involving NRC's Employee Assistance and Wellness Services Program.

Director, Office of Human Resources (HR)
(033)

- Develops, implements, and evaluates the Employee Assistance Program (EAP), as required by Public Law 91-616, Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970; Public Law 92-255, Drug Abuse Office and Treatment Act of 1972; and Section 503 of Public Law 100-71, Supplemental Appropriations Act of 1987. (a)
- Implements requirements of Section 503 of Public Law 100-71, Supplemental Appropriations Act of 1987, to achieve and maintain a drug-free Federal workplace, specifically, by providing mandatory supervisory training and employee education on illegal drugs in the workplace and by overseeing the administration of the contract with the Drug Rehabilitation Assessment Coordinator. (b)
- Develops and implements agencywide wellness services, including health, fitness, and ergonomics programs, as authorized by 5 U.S.C. 7901. (c)
- Establishes policies, administrative standards, and procedures for the program. (d)

Organizational Responsibilities and Delegations of Authority

(10.122-03) (continued)

Director, Office of Human Resources (HR) (033) (continued)

- Ensures that employees are aware of the agency's EAP and health, fitness, and ergonomics programs and how to obtain services. (e)
- Appoints the Employee Assistance and Wellness Services Program Manager. (f)
- Authorizes the Employee Assistance and Wellness Services Program contracts. (g)
- Advises and assists regional administrators in the application of administrative standards and procedures. (h)
- Serves as liaison with other Federal agencies on policy and administrative matters relating to the program. (i)

Regional Administrators (034)

- Designate regional contacts to serve as liaison with the Employee Assistance and Wellness Services Program Manager to implement the EAP and health and fitness services for their respective offices. (a)
- Provide oversight for the regionwide dissemination of program information. (b)
- Ensure compliance with the provisions of this directive and handbook. (c)

Organizational Responsibilities and Delegations of Authority

(10.122-03) (continued)

Office Directors and Supervisors at All Levels (035)

Ensure compliance with the provisions of this directive and handbook.

Applicability (10.122-04)

- The policy and guidance in this directive and handbook apply to all NRC employees. (041)
- Bargaining unit employees also are governed by the Collective Bargaining Agreement (CBA). When provisions of the CBA are in conflict with this directive and handbook, the provisions of the CBA apply. (042)

Handbook (10.122-05)

Handbook 10.122 contains information for personnel who administer and those who use the NRC Employee Assistance and Wellness Services Program.

Specific Program Content (10.122-06)

Employee Assistance Program (EAP) (061)

- Services (a)

Specific Program Content

(10.122-06) (continued)

Employee Assistance Program (EAP)

(061) (continued)

- Crisis intervention and referral (i)
- Assessment and short-term problem resolution and/or referral (ii)
- Employee education (iii)
- Supervisory consultation and education (iv)
- Mandatory supervisory training (v)
- Confidentiality (b)

Wellness Services Program

(062)

- Health Services (a)
 - Operation of headquarters onsite Health Center (i)
 - Emergency and first aid services at headquarters (ii)
 - Voluntary physical examinations (iii)
 - Medical tests based on physical requirements of position (iv)
 - Voluntary disease screening, immunizations, and health education (v)

Specific Program Content

(10.122-06) (continued)

Wellness Services Program

(062) (continued)

- First point of contact for workers compensation (OWCP [Office of Workers' Compensation Programs]) cases at headquarters (vi)
- Fitness Services (b)
 - Operation of headquarters onsite fitness center (i)
 - Subsidization of fitness services for regional personnel (ii)
- Ergonomics Services (c)

Assessments, recommendations, education, and training pertaining to ergonomics issues

Records and Reports

(10.122-07)

Maintenance of Records on Individuals

(071)

- Records on employees who have participated in the NRC EAP are maintained by the manager of the Employee Assistance and Wellness Services Program in accordance with the requirements of 42 CFR Part 2, "Confidentiality of Alcohol and Drug Abuse Patient Records," and NRC's Privacy Act System of Records, NRC-14, "Employee Assistance Program Files." (a)

Records and Reports

(10.122-07) (continued)

Maintenance of Records on Individuals

(071) (continued)

- Medical, health, and fitness records generated by the Wellness Services Program are maintained by the manager of the Employee Assistance and Wellness Services Program in accordance with NRC's Privacy Act System of Records, NRC-43, "Employee Health Center Records," and NRC-44, "Employee Fitness Center Records." (b)
- The Health Center will maintain separate Employee Medical Files (EMFs) for all Criminal Investigators in the Office of the Inspector General and the Office of Investigations apart from the nonoccupational records. The EMF will consist of a copy of the signed certification of fitness for investigators, a copy of the physical examination document, and any other documents that are related to fitness for duty. Upon transfer of an employee to another agency, the EMF for that employee will be transferred to the other agency. (c)

Statistical Data

(072)

Data collected and used to evaluate program effectiveness and to prepare periodic program reports are maintained by the manager of the Employee Assistance and Wellness Services Program.

References

(10.122-08)

Public Law 91-616, Section 201, Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 (42 U.S.C. 290dd-1).

References

(10.122-08) (continued)

Public Law 92-255, Section 413, Drug Abuse Office and Treatment Act of 1972 (42 U.S.C. 290ee-1).

Public Law 93-112, Rehabilitation Act of 1973, as amended (29 U.S.C. 791).

Public Law 98-24, Alcohol and Drug Abuse Amendments of 1983, (42 U.S.C. 201 note).

Public Law 99-570, Title VI, Section 6001, Federal Employees Substance Abuse Education and Treatment Act of 1986 (5 U.S.C. 7301 note).

Public Law 100-71, Section 503, Supplemental Appropriations Act of 1987 (5 U.S.C. 7301 note).

Confidentiality of Alcohol and Drug Abuse Patient Records (42 CFR Part 2, as authorized by 21 U.S.C. 1175 and 42 U.S.C. 4582, as amended).

Authorization for Heads of Agencies to Establish Employee Health Services Programs (5 U.S.C. 7901).

Privacy Act of 1974, as amended (5 U.S.C. 552a) (10 CFR Part 9).

NRC's Privacy Act System of Records, NRC-14, "Employee Assistance Program Files" (65 FR 56424).

NRC's Privacy Act System of Records, NRC-43, "Employee Health Center Records" (65 FR 56446).

NRC's Privacy Act System of Records, NRC-44, "Employee Fitness Center Records" (65 FR 56448).

Employee Assistance and Wellness Services Program

Handbook

(Formerly
Appendix 4161) 10.122

Contents

Part I

Employee Assistance Program (EAP)	1
Purpose (A)	1
Services (B)	1
Types of Services (1)	1
Eligibility for Services (2)	3
Accessing Services (3)	3
Cost of Services and Leave Status (4)	3
Confidentiality (C)	4
Records and Reporting (D)	4
Case Records (1)	4
Statistical Reports (2)	5

Part II

Wellness Services Program	6
Purpose (A)	6
Health Services (B)	6
Types of Services (1)	6
Eligibility for Services (2)	9
Cost of Services and Leave Status (3)	9
Service Providers (4)	9
Fitness Services (C)	10
Types of Services (1)	10
Eligibility for Services (2)	10
Cost of Services and Leave Status (3)	11
Service Providers (4)	11
Ergonomics Services (D)	11
Types of Services (1)	11
Eligibility for Services (2)	12
Cost of Services (3)	12
Service Providers (4)	12
Office of Workers' Compensation Programs (OWCP) (E)	13

Part I

Employee Assistance Program (EAP)

Purpose (A)

The purpose of the EAP is to accomplish the following:

- Assist employees in identifying and resolving personal concerns that may affect job performance or conduct, that is, alcohol and drug abuse, emotional distress, chronic illness, marital and family problems, childcare and elder care concerns, work-related difficulties, and legal and financial issues. (1)
- Provide education to managers and supervisors on NRC's drug-free workplace and workplace threats and violence programs and assist them in managing employees whose personal problems are negatively affecting job performance or conduct, interfering with productivity, or creating a hostile or unsafe work environment . (2)
- Provide education to all employees on the NRC's alcohol and drug policies, the types and effects of drugs, and the effects of drugs on performance and conduct; treatment and rehabilitation; and confidentiality issues; and provide education and information on mental health and related topics of employee interest. (3)
- Publicize the EAP so that all employees are aware of the services available. (4)

Services (B)

Types of Services (1)

Crisis intervention and referral are available through contractor personnel on a 7-day-per-week, 24-hour-a-day basis via an 800

Services (B) (continued)

Types of Services (1) (continued)

telephone number. Clients are referred to local mental health providers or other appropriate professionals. (a)

Assessment and short-term problem resolution and/or referral is provided by in-house and contractor personnel for up to six visits per case. If the EAP assessment indicates that a problem cannot be resolved within six visits, the employee is referred to a local health provider or to his or her managed care provider for treatment. (b)

Employee education is provided on substance abuse, mental health, and related issues by means of onsite training, lunchtime workshops and seminars, videotapes, health fairs, and distribution of newsletters and other written materials. (c)

Supervisory consultation and education are provided by onsite and contractor personnel, when requested by a supervisor or manager. Services include individual meetings to deal with specific management issues, as well as work group sessions to address a specific topic. EAP staff can provide guidance to managers on intervening with employees whose personal problems have negatively affected job performance or conduct. (d)

Mandatory supervisory training, "Managing the Troubled Employee," is offered at headquarters on a regular basis and as requested by regional offices. It is a basic supervisory core course for new supervisors and managers. A refresher course for all supervisors and managers is required every 5 years. The course includes an overview of NRC's drug-free workplace policies and programs, guidelines on preventing workplace violence, education on drugs, and resources available within the agency to assist supervisors. (e)

Services (B) (continued)

Eligibility for Services (2)

Any NRC employee who has a personal problem or an alcohol or drug abuse problem that currently interferes with satisfactory work performance or that, without assistance, may interfere with work performance in the future, is eligible for services. Family members who are concerned about an employee's alcohol or drug abuse problem may also consult with the EAP. Managers or supervisors who suspect that an employee's performance or conduct problem may be due to an alcohol, drug abuse, or other personal problem are eligible for EAP services.

Accessing Services (3)

Employees may self-refer; they may be referred by a manager, a Health Center staff member, or other agency representative; they may be referred as the result of a positive drug test; or they may be referred as a result of their voluntary disclosure of illegal drug use and request for "safe harbor" under the NRC's Drug-Free Workplace Program. (a)

Employees may speak to an onsite counselor or request an appointment with a contract provider via the 800 telephone service. (b)

Participation in the EAP is strictly voluntary; however, the continued employment of an employee who tests positive for illegal drug use or who invokes "safe harbor" will depend on that person's willingness to participate in the EAP and successfully complete whatever program has been recommended by the EAP. (c)

Cost of Services and Leave Status (4)

EAP services are free of charge to the employee. Any treatment initiated as the result of an EAP referral, however, is the responsibility of the employee. EAP counselors will take into

Services (B) (continued)

Cost of Services and Leave Status (4) (continued)

consideration the employee's financial status and health insurance coverage when making referrals to treatment providers. (a)

Employees who request time away from work to obtain EAP services may be granted excused absence by their supervisor. Those who choose to keep their participation confidential may schedule appointments before or after work hours or during lunchtime, or they may request sick or annual leave. (b)

Confidentiality (C)

Confidentiality is the cornerstone of the EAP. Employee information and records are protected by Federal confidentiality regulations (42 CFR Part 2) and privacy statutes. Access is limited to the EAP staff, with the following exceptions: (1) to others when directed by, and with the written consent of, the client; (2) to medical personnel to respond to a bona fide medical emergency; (3) when a client threatens imminent harm to self or others; (4) in child or elder abuse or neglect cases; (5) when authorized by appropriate court order (records cannot be subpoenaed); and (6) to qualified personnel conducting scientific research or program evaluations (client identity is protected).

Records and Reporting (D)

Case Records (1)

Individual case files are maintained according to the NRC's Privacy Act System of Records, NRC-14, "Employee Assistance Program Files." The system contains information on those individuals who have been counseled by or referred to the EAP; specifically, information as to the nature of the problem, subsequent treatment, and progress. (a)

Records and Reporting (D) (continued)

Case Records (1) (continued)

Information is maintained on paper in file folders and on computer media. It is kept in a safe, under the immediate control of the Employee Assistance and Wellness Services Program Manager. Files are accessed by the EAP identification number and the name of the individual. (b)

Case files are destroyed 3 years after termination of counseling. (c)

Statistical Reports (2)

Anonymous information is collected, that is, the numbers of employees counseled at each NRC location, the number of sessions attended, and categories of problems. This information is maintained by the Employee Assistance and Wellness Services Program Manager and discarded when no longer needed.

Part II

Wellness Services Program

Purpose (A)

The purpose of the Wellness Services Program is (1) to provide employees with a health promotion and disease prevention strategy to enhance job performance and decrease absenteeism and (2) to provide medical tests based on the physical requirements of specified positions.

Health Services (B)

Types of Services (1)

Headquarters Onsite Health Center (a)

This center is a 2,600-square-foot facility located in the agency's One White Flint North Building in Rockville, Maryland. The center's contractor medical staff, including a medical director/ physician and registered nurses, provides emergency and first aid services, physical examinations and screening tests, immunizations, health education and individual counseling, referrals to community resources, and is the first point of contact for workers who are injured on the job (OWCP [Office of Workers' Compensation Programs]) at headquarters. In addition, the physician or nurse may, at his or her discretion, administer treatments or medications furnished by the employee and prescribed in writing by the employee's personal physician. Bed rest may be provided for short periods, at the discretion of the medical staff. Employees may voluntarily participate in special medical programs, such as weight control and smoking cessation.

Health Services (B) (continued)

Types of Services (1) (continued)

Emergency and First Aid Services at Headquarters (b)

Employees and visitors who are injured or become ill while at the NRC site may receive services at the onsite Health Center during its normal hours of operation. Services are limited to a primary diagnosis and initial palliative treatment within the competence of the professional staff and the facilities available.

Voluntary Physical Examinations (c)

Employees age 40 and over are eligible for a biennial screening physical examination, which includes medical and family history, blood and urine tests, electrocardiogram, visual and hearing tests, and examination by and consultation with a physician.

Position-required Medical Tests (d)

Routine physical examinations and/or other medical tests may be performed to ensure that certain designated employees are physically fit to perform their duties, that is, investigators, motor vehicle operators, and inspectors who may be required to wear respirators.

Voluntary Disease Screening and Immunizations (e)

Various tests are offered to employees to screen for conditions, such as hypertension, diabetes, heart disease, high cholesterol, glaucoma, and breast and prostate cancer. Immunizations will be provided that are required by law for official travel or work involving special occupational hazards. Other immunizations that are compatible with good public health and preventive measures, that is, influenza, tetanus, and tuberculosis, are provided to employees on a voluntary basis.

Health Services (B) (continued)

Types of Services (1) (continued)

Health Education and Individual Health Care Counseling (f)

Health education is provided in a variety of formats, that is, onsite programs, health risk assessment tools, newsletters, brochures, bulletin board notices, and video presentations. Individual health care counseling is provided following physical examinations by the physician, and at other times upon the request of the employee, by the physician or nursing staff, in person or by telephone.

First Point of Contact for Office of Workers' Compensation Programs (OWCP) Cases at Headquarters (g)

Health Center staff, acting as the first point of contact for employees who suffer a job-related illness or injury, will provide diagnosis and treatment within the capabilities of the staff and the facility. When treatment beyond their capabilities is required, the employee is referred to an appropriate physician or a physician of the employee's choice. For further information on OWCP, refer to Management Directive (MD) 10.130, "Safety and Health Program Under the Occupational Safety and Health Act."

Cardiopulmonary Resuscitation, Basic First Aid, and Blood-borne Pathogen Training (h)

This training is provided on a regular basis to headquarters and regional employees who are designated by the NRC. The individuals certified under this training are identified as first responders at their respective locations.

Automatic External Defibrillator (AED) Program (i)

An AED is a briefcase-size piece of equipment that is used to assist a person suffering a heart attack until health or emergency

Health Services (B) (continued)

Types of Services (1) (continued)

medical service providers arrive. AED units have been made available at headquarters, each of the regional offices, and the Technical Training Center. Designated employees have been trained in their use, and their names are posted at their respective locations.

Eligibility for Services (2)

All NRC employees are eligible for participation in disease screening, immunization programs, and health education and individual health care counseling. Eligibility for physical examinations and position-required medical tests is outlined in Section B(1), above.

Cost of Services and Leave Status (3)

With a few exceptions, services are provided free of charge to the employee. Special programs or screening tests that are outside the scope of the wellness contract may be offered from time to time; there would be a charge to employees who participate in such programs.

Service Providers (4)

The NRC negotiates an agreement with another Federal agency or contracts with qualified private or public resources for professional wellness services. The agreement or contract provides for operation and staffing of the headquarters Health Center with a board-certified medical director/staff physician and registered nurses, and for subcontracting with qualified medical professionals to provide services to regional and remote site personnel. The medical director is the contractor's representative responsible for the coordination, performance, and oversight of all aspects of the agencywide wellness program.

Fitness Services (C)

Types of Services (1)

Headquarters Onsite Fitness Center (a)

This center is a 5,500-square-foot facility located in the agency's Two White Flint North Building in Rockville, Maryland. The center contains aerobic, cardiovascular, and strength training areas, a testing room, men's and women's locker rooms, and a reception/administrative area. A team of professionals, with appropriate certifications, provides a full array of services, including physical fitness assessment and followup evaluations, a personalized fitness program, and aerobic and exercise programs scheduled during high-usage time periods. Particular emphasis is placed on employees requiring improvement from a medical standpoint.

Subsidization of Fitness Services for Regional and Remote Site Personnel (b)

The NRC provides a subsidy for regional and remote site employees who do not have access to an onsite fitness center. In locations in which the number of participants warrants, the wellness contractor negotiates a reduced membership fee with a fitness facility within close proximity to the NRC office; the employee pays a share of the fee and the NRC subsidizes the remainder. In remote locations with few employees, the NRC will reimburse an employee a portion of the membership fee, which the employee negotiates with a local fitness center.

Eligibility for Services (2)

All NRC employees are eligible for participation in the fitness program.

Fitness Services (C) (continued)

Cost of Services and Leave Status (3)

The cost to the employee of NRC-sponsored fitness services depends on the location of the employee, the fee negotiated with outside providers, and the availability of appropriate funds to sponsor such programs. Unless physical fitness is a job requirement, employees participate in fitness programs on their own time.

Service Providers (4)

The NRC negotiates an agreement with another Federal agency or contracts with qualified private or public resources for wellness services, which include fitness. The agreement or contract provides for operation and staffing of the headquarters fitness center with a director, an associate director, a fitness specialist, and fitness instructors; for subcontracting with qualified fitness centers to provide services to regional personnel; and for administering the remote site subsidization program. The medical director is the contractor's representative responsible for the coordination, performance, and oversight of all aspects of the agencywide wellness program, including fitness.

Ergonomics Services (D)

Types of Services (1)

Ergonomic Assessments and Recommendations (a)

Headquarters employees who experience physical problems related to their workstation setup should notify their supervisor, then schedule an appointment with the onsite Health Center to request a workstation assessment. Regional office and Technical Training Center employees can request an assessment through their designated contact. Approval by the Office of Human

Ergonomics Services (D) (continued)

Types of Services (1) (continued)

Resources (HR) Project Officer is required for all assessments. After performing the assessment, the ergonomic specialist will write a report summarizing the findings and making recommendations for correction of any problems found. The report will be forwarded by the HR Project Officer to the employee's supervisor for appropriate action, if indicated.

Education and Training (b)

Three educational brochures have been developed for distribution to all employees: "Introduction and Background," "Adjusting Your Workstation to Suit Yourself," and "The Importance of Exercise and Posture in the Workplace." These brochures provide information on repetitive stress injuries, workstation adjustments, individual workstation assessments, and identification of workstation modifications, equipment, and accessories for ergonomic use. Formal training is provided, as required.

Eligibility for Services (2)

All NRC employees are eligible for ergonomic services. The level and extent of workstation assessments may be limited, however, as a result of budget constraints.

Cost of Services (3)

There is no cost to the employee for ergonomics services.

Service Providers (4)

NRC's wellness contract provides for qualified ergonomic specialists on an as-needed basis. The providers are required to have ergonomics education and training from an accredited

Ergonomics Services (D) (continued)

Service Providers (4) (continued)

source and at least 5 years of experience in performing ergonomic evaluations and conducting training. Each major NRC location has a primary and a backup provider.

Office of Workers' Compensation Programs (OWCP) (E)

Part 10 of Title 20 of the *Code of Federal Regulations*, "Claims for Compensation Under the Federal Employees Compensation Act," as amended, outlines the procedures to be followed by employees and their supervisors when an employee suffers an occupational disease, injury, or accident. NRC MD 10.130 also discusses OWCP procedures. (1)

Immediate notice must be given to the employee's official supervisor, who will provide the required CA-1, "Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation," and CA-2, "Notice of Occupational Disease and Claim for Compensation," forms. At NRC locations with an onsite Health Center, or at regional locations with the capability to provide OWCP case management assistance, the medical staff acts as the first point of contact for the employee. If initial treatment is beyond the capabilities available, the employee will be referred to an appropriate physician or a physician of the employee's choice. In every instance, the medical staff will issue to the employee a CA-16, "Authorization for Examination and/or Treatment," as well as other required forms. The CA-16 cannot be issued more than 1 week after a traumatic injury has occurred. (2)

At locations without an onsite Health Center, employees shall seek appropriate medical treatment and provide to the NRC completed Forms CA-17, "Duty Status Report"; CA-20, "Attending Physician's Report"; and CA-20a, "Attending Physician's Supplemental Report," as required. (3)