

CITY OF CHICO
Administrative Procedure and Policy Manual

Subject:		Number: 13-15
EMPLOYEE COUNSELING		Effective Date: March 16, 2010
Department(s) Affected: All Departments		Supersedes: 13-15 Dated 08/15/95, 11/01/97
Authority: Sec. 2.12.010 Chico Municipal Code	File Reference: L-AGR-8-8-17	
Approved:		

I. PURPOSE

To establish a psychological, personal, and substance abuse counseling program and procedure for City employees in order to assist such employees in maintaining good psychological health. It is recognized that employees may be subject to certain stresses which may occasionally lead to personal or family problems. It is further recognized that the program established hereunder is one of "joint responsibility" in that the employee will be responsible for any additionally required counseling services over and above those provided by the City.

II. ESTABLISHMENT

- A. There is hereby established a counseling program (hereinafter referred to as "counseling services") for permanent full-time employees of the City (hereinafter referred to as "employees").
- B. Counseling services may also be provided to an employee's spouse and/or children (hereinafter referred to as "family") as long as such services are only provided in conjunction with, and are related to, the counseling of such employees.
- C. Counseling services shall be provided to such employees at the cost of the City, in accordance with the conditions and limitations as set forth below, and provided that funds have been budgeted therefor in the City's Annual Budget.

III. PROCEDURE

- A. Counseling Service Provider. The counseling service provider (hereinafter referred to as "provider") shall consist of an individual or firm which is licensed to provide personal and family psychological counseling in the State of California. Such provider shall be one that has entered into an agreement with the City to provide such services.
- B. Limit on Number of Counseling Sessions. Each employee shall be entitled to receive six individual counseling sessions per year for each different emotionally significant event or situation which has the potential of adversely affecting their job performance. Should employee and counselor agree that lower cost group counseling sessions would be more beneficial for employee, employee shall be eligible for City payment for group sessions, in combination with individual sessions, up to the maximum amount which would be payable for six individual sessions. City payment for combined individual and group counseling sessions shall not exceed cost for six individual counseling sessions.
- C. Confidentiality of Counseling Sessions.
 - 1. On Part of Counselor. The counselor shall not be required to reveal any information regarding any counseling session to the City except as follows:
 - a. A counselor's record shall be maintained by the counselor and each employee receiving services shall be assigned a specific number based on the calendar year of service and their sequence within the employees who have received counseling services during the course of the calendar year (e.g. 97-1, 97-2, 97-3, etc.). This number shall be utilized for billing purposes, and the record shall be utilized for audit purposes. These records, and any information relating thereto, shall be confidential and shall not be disclosed to any person or entity other than as set forth in paragraph III.F. below, or pursuant to a lawful and valid court order.
 - b. The counselor shall advise City's Human Resources and Risk Management Director (or City Manager) if it is apparent to the counselor that the employee poses a serious and immediate danger of inflicting serious bodily injury upon himself or herself or upon any other person. Upon receipt of such information, the employee's Department Head shall be advised and requested to take any appropriate action, including, but not limited to, relieving the employee from his or her duties.

2. On Part of City. City shall not disclose the names of any employee receiving counseling services to any person except as set forth in paragraph III.C.1.b. above; provided, however, that should such confidentiality be violated for reasons which are beyond the control of the City (i.e., by a court order, employee disclosure, etc.), the City shall not be liable or responsible for such breach of confidentiality.
- D. Use of Services by Employees. Employees may directly schedule appointments with the counselor when in need of counseling services. If questions arise as to eligibility or scheduling, employees may contact the Finance Director for assistance and/or clarification. Prior to the employee receiving counseling services hereunder, the employee shall execute a "Notice of Program Audit Procedures and Required Reporting" form (Exhibit "1") in the office of the provider. Such form shall be maintained by the Provider and given to the auditor conducting the audit pursuant to paragraph III.F. below.
- E. Audit of Provider's Records. The Finance Director may order an independent audit of the counselor's record as set forth in III.C. above, to determine that all billings and payments were in fact eligible. These records and any information relating thereto shall be confidential and shall not be disclosed to any person or entity other than pursuant to a lawful and valid court order. Such audit shall be conducted by an independent employee assistance professional retained by the City for such purpose.
- F. Finance Director Record. The Finance Director shall maintain a confidential file containing the results of the audit of Provider's records and shall not disclose such information to any person other than the City Manager, unless ordered to do so pursuant to a lawful and valid court order.
- G. Workers Compensation Exclusion. Psychological counseling sessions which are required as the result of an incident or occurrence which is compensable under workers compensation shall be excluded from this program. Examples of such incidents or occurrences include, but are not limited to, job related deaths or shooting incidents, serious motor vehicle accidents and the like.

IV. DISTRIBUTION OF ADMINISTRATIVE PROCEDURE

Upon approval, copies of this procedure shall be distributed to all eligible employees currently employed by the City. In addition, the Human Resources and Risk Management Director shall also provide copies of this procedure to new employees eligible to receive counseling services upon their employment.