



EAPA Code of Ethics

August 2009

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EAPA gratefully acknowledges the EAPA Ethics Task Force for its dedication in updating and revising the EAPA Code of Ethics. Thank you to Task Force members: Stephanie Beer, Beverly Brem, Jeff Christie (co-chair), Scott Cullen-Benson, Kaoru Ichikawa, Henrietta Menco, Jim O'Hair, Jim Printup, Marilyn Rumsey, Dave Sharar (co-chair), Linda Sturdivant, and Jan Price, EAPA staff liaison.

Preamble

Code of Ethics Purpose

This Employee Assistance Professionals Association (EAPA) Code of Ethics provides guidance regarding ethical conduct for employee assistance professionals (hereafter, EA professionals), and it defines the standards of ethical behavior for the benefit of their clients, both individual employees and employer organizations. This code will apply to the EA professional's activities and relationships with employees, employers, unions, employee assistance colleagues, professionals from other disciplines, the local community and society as a whole.

Ethical Principles

- **Service** The unique core technology of employee assistance allows EA professionals to minimize the impact of personal and/or work problems on productivity and safety. EA professionals are most effective when they are seen as professional, competent and impartial. EA professionals routinely provide consultation to multiple clients with potentially conflicting interests and goals: the individual employee or client, the client organization or company, and other stakeholders in an organization, such as labor unions. Recognizing the needs of all levels of an organization and directing services to meet these needs is a key focus of the EA professional.
- **Beneficence** EA professionals diligently work to benefit the individuals and organizations they serve and to protect the welfare and rights of those with whom they interact professionally. It is expected that conflicts will occur and that in finding resolution, the EA professional will seek to avoid or minimize the amount of harm that may occur. EA professionals understand that the decisions they offer may affect individual lives or the livelihood of the organization, and they strive to maintain awareness of the various influences that could impact their decisions.
- **Fidelity** EA professionals create trusting relationships with key stakeholders within the organizations they serve. Trusting relationships are developed with the individuals they counsel or with whom they consult, individuals who may be under duress or who are faced with difficult choices. EA professionals are aware of their role and responsibilities and the need to effectively manage conflicts in order to prevent them from resulting in exploitation or harm or the perception of exploitation or harm.
- **Integrity** EA professionals work to maintain and promote high standards of practice. They strive to clarify professional boundaries to minimize confusion of roles and outcomes. A primary goal is the practice and advancement of the values, knowledge and purpose of the profession. EA professionals work for the benefit of the individuals and organizations they serve and will strive to do no harm by theft, fraud or misrepresentation of fact.

- **Respect for client's rights** EA professionals value the dignity of all people and the rights of individuals to privacy and confidentiality. They also value the organization that provides the contracted services and the corresponding needs, rights, directives and mandates of the organization. EA professionals are aware of and respect differences based on gender, race, color, ethnicity, culture, national origin, religion, age, sexual orientation and disability. They work to eliminate biases based on these or other factors.
- **Competence** EA professionals work to become and remain proficient in professional practice and the performance of professional functions. They will provide services and represent themselves as competent only within the boundaries of their education, training, license, certification or other professional training. EA professionals will maintain current knowledge of employee assistance trends, research, emerging technology and issues within the profession by reviewing professional literature, seeking professional development education and maintaining involvement with other professionals. EA professionals will be knowledgeable of the EAPA Standards.

1.0 Responsibility to colleagues and other professionals

- 1.1 **Interdisciplinary teamwork and collaboration** EA professionals who participate in interdisciplinary teams will uphold the values and standards of the employee assistance profession. If participation in a committee or other team raises ethical concerns, the EA professional will pursue appropriate means of resolution, while maintaining adherence to the EAPA Code of Ethics.
- 1.2 **Confidential information between colleagues** EA professionals will seek the consultation of colleagues whenever doing so is in the best interest of a client. Consultation will occur with the confidentiality of the client protected, unless a release of information or a recognized exception for disclosure exists.
- 1.3 **Respect** Cooperation within a professional community precludes the denigration of other professionals to promote self interests. EA professionals will accurately and fairly represent the qualifications and skills of colleagues.
- 1.4 **Disputes** EA professionals will seek to resolve disputes with colleagues with fairness, accuracy and respect, and will never allow a dispute to interfere with the best interests of a client.
- 1.5 **Impairment of colleagues** EA professionals will endeavor to assist an impaired colleague in receiving appropriate assessment and treatment. EA professionals will strive to prevent the delivery of EAP or clinical services by an impaired practitioner.
- 1.6 **Incompetence of colleagues** EA professionals will strive to prevent the exposure of clients to a practitioner known to be incompetent in a respective discipline or in the problem area for which help is sought.

- 1.7 Responsibility to supervisees and interns** In all instances, the supervisor/supervisee or field instructor/intern relationship will remain professional. Sexual relations with supervisees or interns are unethical.
- 1.8 Non-Discrimination** In regards to the hiring of staff and other employment issues, EA professionals will provide equal opportunity for all actual and prospective EA staff and will not discriminate against any person on the grounds of race, gender, color, ethnicity, religion, national origin, political affiliation, disability, sexual orientation, age, marital status or education. EA professionals will comply with all relevant legislation and employment law concerning such discrimination.
- 2.0 Responsibility to employees as clients**
- 2.1 Informed consent** EA professionals will adequately inform their clients of their rights regarding the scope of limited communications during the assessment, referral and follow-up process. Clients will be informed of all statutory requirements and/or duty-to-warn laws that require the reporting of child/elder abuse and imminent threats of violence that apply to EA practice.
- 2.2 Privacy and confidentiality** EA professionals will treat all client related information as confidential unless released in compliance with statutory requirements, a proper court order or subpoena, or with the written authorization and informed consent of the client. EA professionals may not disclose a client's clinical information to a client company representative without a signed release of information form.
- Disclosure may occur when the EA professional has reasonable grounds to believe that failure to report such circumstances could place in imminent danger the physical safety of a particular client or of any person who might be threatened by that client. When necessary, the EA professional will seek professional consultation with appropriate professionals, including but not limited to, supervisors, peers, or EAPA's Ethics Panel of Experts.
- EA professionals will further protect confidentiality by ensuring that the physical facilities of their work environment, the methodology used to store and transmit records, and the technology utilized to provide services to clients in remote locations will not allow inadvertent breach of client information.
- 2.3 Screening and assessment** Service decisions will be made according to the client's best interest. EA professionals will recognize the boundaries of their competence and their professional discipline. EA professionals will only provide services in areas in which they are qualified and trained. When providing telephonic, online or other remote services, professionals will have received training specific to working with clients via the specific method of service delivery. EA professionals will be competent in addressing chemical dependency and emotional/mental health disorders.

2.4 Referrals All referrals will be made with the best interest of the client as paramount. Referrals will be based on client need, void of any conflicts of interest, and in compliance with all pertinent confidentiality laws and regulations. EA professionals will refer employee clients to other professionals based on the client's needs and the professional's expertise, education, credentials, and competence in treating the client's assessed problem.

EA professionals will also consider other issues in ensuring a successful referral, including the relationship fit of the professional and the employee and any employee concerns regarding costs, availability and distance.

EA professionals will self-refer only in the absence of other viable referral options and only after a review of all available options with the client and a decision by the client to continue with the EAP professional.

EA professionals will not accept payments of any type (in-kind, monetary, gifts, etc.) for referrals made to a specific person, program or company.

2.5 Follow up The EA professional will provide follow up to EAP clients until assured that the client's welfare, needs, and risk factors are properly addressed.

2.6 Sexual conduct The relationship between the EA professional and the client is built on trust and non-exploitation. The EA professional will not engage in sexual conduct with a former client for a period of no less than five years from the last date of EAP service.

2.7 Professional competence EA professionals will practice only within the boundaries of their competence and discipline based on their education, professional training, supervised and/or advisement experience and corresponding credentials. EA professionals will participate in continuing education and professional training programs to maintain and enhance their proficiency and competency.

2.8 Representation of qualifications EA professionals will only present themselves in areas for which they have expertise, training, education and direct experience. EA professionals will be forthcoming in disclosing those areas outside their qualifications and competence. When an EA professional holds an additional professional license or certification, the EA professional must recognize any ethical code discrepancies from other licenses that could inhibit their competence and success. When the EA professional is in the EAP role, the EAPA Code of Ethics will be considered primary and the most relevant in dealing with strictly EAP related issues.

2.9 Non-Discrimination EA professionals will not discriminate because of a client's race, color, ethnicity, religion, national origin, culture, marital status, education, political affiliation, disability, gender or sexual orientation, age, marital status or education.

2.10 Avoiding harm EA professionals will conduct themselves in such a manner that their business concerns will not harm or in any way interfere with their

professional responsibilities to clients, employer organizations and the community at large.

EA professionals will manage the duality of obligation inherent in serving the needs of employee and employer alike. When EA professionals encounter conflict in reconciling such dual obligations, they will seek professional consultation to guide them to resolution.

EA professionals will be advocates for both their organizational and individual clients. EA professionals must seriously consider situations where preservation of human life may supercede confidentiality and, whenever possible, obtain professional consultation before taking action.

- 2.11 Full disclosure** EA professionals will make full disclosure to their clients and employer organizations regarding the functions and purposes of their employee assistance program.

EA professionals will also provide total transparency regarding: non-professional relationships; potential conflicts of interest; dual relationships; financial arrangements or fiduciary relationships with providers, programs, agencies or professionals; or other services that might be offered to the employee, regardless of whether or not they are considered clients of the EA professional.

- 2.12 Delivering EAP services via telephone or other remote technologies** EA professionals will remove barriers to providing timely, effective services to clients while protecting their confidentiality. When using service delivery methods other than face-to-face, EA professionals will operate according to established policies and procedures that comply with applicable privacy laws. Prior to delivering services the EA professional will develop appropriate technological skills and obtain specialized training in working with clients in the specific distance modality to be used (i.e., email, chat, virtual environment, telephone etc.).

3.0 Responsibility as professionals

- 3.1 Boundaries of competence** EA professionals will be proficiently competent and knowledgeable about the employer organization, human resource management, EAP policy and administration and the delivery of EAP direct services, and they will demonstrate a competence in applying this knowledge in their employee assistance practice. EA professionals will be knowledgeable of applicable governmental laws and regulations, professional standards and the corresponding professional codes of conduct relevant to the work organization.

- 3.2 Continuing education and training** EA professionals will participate in continuing education and professional training programs to maintain and enhance their proficiency and competence.

- 3.3 Supervision, consultation and advisement** EA professionals will provide supervision, consultation and advisement within their scope of competence.

- 3.4 Integrity** EA professionals will refrain from misrepresenting or falsifying their experience, credentials, or areas of competence, and will not deceive others in regard to themselves, other practitioners or the benefits or risks of proposed employee assistance strategies and services.
- 3.5 Acknowledging credit** EA professionals will be clear and straightforward in recognizing the contributions of other professionals in any work or presentation in which they have collaborated and will not claim the work of others as their own through omission or direct statement.

4.0 Responsibility to employers or work organizations

- 4.1 Accurate representation of capability and capacity** EA professionals will accurately and honestly market or sell only those services that are deliverable within the professional and technical limits and capabilities of their employee assistance program. EA professionals will accurately represent their capabilities and capacity in regard to their services, including but not limited to: quantitative and qualitative limits to workplace consultation; emergency procedures; after hours coverage; trainings and educational programs; geographical coverage; and the experience, credentials, and competencies of professional staff.
- 4.2 Contracting truthfully** EA professionals will accurately offer and deliver services as proposed and defined in their service contracts with client organizations. EA professionals will take full responsibility for the limitations of their services if they fail to deliver their claimed benefits, and they will take corrective action promptly and professionally.
- 4.3 Accuracy and honesty in reporting utilization, program results and outcomes** All reports to employers or client organizations will accurately, honestly and fairly reflect the activities and utilization of the program's services. The utilization report will be calculated in accordance with the standards set by EAPA. Applicable client confidentiality and information privacy laws and regulations will be fully considered in reporting utilization, program results and outcomes, client satisfaction and any other performance metrics.
- 4.4 Provision of management training and consultation** EA professionals will provide training and consultation only within their scope of competence. When an EA professional seeks to provide such service, the EA professional will first obtain further training on any EAP-related aspects of management consultation for which he/she is not currently competent.
- 4.5 Consultation on organizational policies or work conditions** EA professionals will work to advance their client or employer organizations' policies, procedures and benefit plans as they relate to improved access, coverage and treatment for those with mental health, substance abuse, stress, harassment or other behavioral problems.
- 4.6 Employer confidentiality** EA professionals will earn and maintain the trust of the employer organization's management. EA professionals will not disclose the

content of any organizational, management or customer consultation to a third party without consent to do so by the party receiving the consultation.

4.7 Commitment to employers By accepting compensation, the EA professional assumes the responsibility and obligation to serve the client or employer organization with dignity and to bring no negative publicity upon the client company. Should the EA professional believe an unethical practice is occurring in the client or employer organization, the EA professional will raise the concern with the client or employer organization, seek appropriate consultation from colleagues, and work toward an ethical resolution.

4.8 Billing EA professionals will take reasonable steps to ensure the accuracy of billing and reporting of the nature and extent of services provided and to protect the individual client's confidentiality.

While the payment of commissions or other incentives normally does not benefit the EA professional, the EA professional will ensure that there is transparency and full disclosure around such transactions.

4.9 Pricing and rate setting Though pricing and rate services are business decisions, the pricing of employee assistance services will reflect ethical practice and transparency. Per capita rates will be sufficient to fund all contracted services. Services will clearly address whether contacts are in person or by telephone.

5.0 Responsibility in conducting research

5.1 Informed consent Participants (or subjects of research endeavors) have the right to consent or refuse to participate in research. EA professionals/researchers will obtain voluntary and written consent from participants, when appropriate, without any consequence or penalty for refusal to participate. Participants have the right to withdraw consent at any time.

EA professionals planning or engaged in research will always seek the approval of and coordinate with the client or employer organization.

5.2 Institutional approval When institutional review is required, EA professionals/researchers will provide accurate information about their research proposal and obtain approval before conducting the research. When EA professionals/researchers do not have access to an Institutional Review Board (IRB), they will consult with researchers who are familiar with IRB procedures or ways to safeguard participant rights.

5.3 Inducements EA professionals/researchers will take reasonable efforts to avoid offering excessive or inappropriate incentives or inducements for research participation and to avoid any sense that participants were coerced into participation.

- 5.4 Avoiding injury and minimal interference** EA professionals/researchers will take precautions to avoid any injurious effects to participants and to avoid causing disruptions in the lives of participants as a result of their participation in research.
- 5.5 Reporting results** EA professionals and researchers will not falsify or fabricate data, and when errors are discovered, they will ensure that steps are taken to correct such errors using appropriate communication and publication means. The result of any research that has professional value will not be withheld, including results that reflect unfavorably on programs, services or prevailing opinions.
- 5.6 Avoiding plagiarism** EA professionals and researchers earn and maintain the respect of the wider community by ensuring the proper credit of authorship of professional writings and presentations. EA professionals and researchers will not present another's work as their own.
- 5.7 Publication credit** When reporting results of research or evaluation studies, EA professionals/researchers will give recognition to previous work on the topic and give full credit to those to whom credit is due.
- 5.8 Participant confidentiality** EA professionals/researchers engaged in research will ensure the anonymity or confidentiality of participants and, as appropriate, client or employer organization data obtained from participants. Participants will be informed of any limits of confidentiality.
- 5.9 Relationships with participants** EA professionals/researchers will avoid nonprofessional relationships with participants and will remain alert to potential conflicts of interest or dual relationships with participants. The participants' interests are primary when taking steps to resolve any conflicts of interest or other concerns.
- 5.10 Disclosure of sponsors/Informing sponsors** Sponsors or funders of research will be identified, and EA professionals/researchers will inform these sponsors regarding research methodologies, procedures, results or outcomes, and the publication of findings.

6.0 Responsibility to vendors and providers

- 6.1 Selection, contracting and pricing** EA professionals will treat their external providers in a fair, lawful, reasonable and professional manner by:

Providing those vendors chosen to compete for business with identical information and an equal opportunity to quote on requirements and submit proposals;

Not permitting any prospect of illicit gain or other corrupt motive to influence any decision by the EA professional in relation to the purchase or supply of any employee assistance services;

Accepting the tender which, in the opinion of that EA professional, offers the best value for the money;

Treating all vendors' quoted prices and information as confidential, except to the extent that such quoted prices and information are public knowledge.

6.2 Conflict of interest The EA professional will not:

Benefit from referral to outside treatment resources;

Refer a client to a spouse, partner or family member who is a therapist, counselor, treatment provider, or other professional resource;

Refer a client to another EA professional of the same group practice;

Accept financial incentives for referring a client to a particular treatment provider or counseling service or recommending a particular EAP provider;

Attempt to limit service usage in order to minimize costs or obtain greater profits in their contracts.

6.3 Payment EA professionals who purchase EA services will treat their external providers in a fair manner by:

Being fair in their demands and settling accounts promptly when services have been provided;

Resolving all claims and disputes on a factual, just and prompt basis.

6.4 Non-Discrimination EA professionals will use all reasonable means in negotiating and contracting with vendors to provide equal opportunity for all actual and prospective contractors. As such, EA professionals:

Will not discriminate against any person on the grounds of race, gender, color, ethnicity, religion, national origin, political affiliation, disability, sexual orientation, age, marital status or education, and will, under all circumstances, comply with all relevant legislation and applicable employment law concerning such discrimination;

Will use all reasonable means to ensure that any party with whom an EA professional contracts or sub-contracts for the provision of employee assistance services operates a policy of equal opportunity consistent with these provisions.

7.0 Responsibility to the employee assistance profession and broader society

7.1 Public statements concerning the EA field and/or EAPA EA professionals will not make public statements that are knowingly false or

deceptive concerning their profession or the Employee Assistance Professionals Association (EAPA).

- 7.2 Advertising, marketing, sales, representation and other public statements** Marketing and sales of employee assistance services will adhere to high ethical standards in the advertisement of services and the corresponding rate structure. EA professionals will not knowingly make false or deceptive statements in paid or unpaid advertising, research, the presentation of professional background and credentials, endorsements or other public statements.