

POLICY TITLE	Employee wellness Policy
DATE APPROVED	24 October 2022
IMPLEMENTATION DATE	01 November 2022

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1. PREAMBLE

The policy aims:

- 1.1 To improve the quality of life of all employees by providing support and assistance in alleviating the employee's everyday work, personal and family challenges; and
- 1.2 To establish and maintain a professional, effective and qualitative Programme aimed at supporting and developing the present and potential capacity of employees and to create an environment that allows employees to have positive behavioural and psychological attachment to the Entity thereby ensuring improved health, quality of life and productivity within uMgungundlovu Economic Development Agency.

2. PURPOSE

The purpose of this policy is to provide a framework that outlines the fundamental approach of the Entity towards employee health and wellbeing.

3. SCOPE

- 3.1 This policy applies to all employees of the Entity unless specifically excluded in a particular provision; and
- 3.2 The Entity may choose to extend the EAP to other parties such as close family members of employees after due consideration and approval by the Chief Executive Officer and the Entity's Board who shall consider each case on its own merit.

4. LEGISLATIVE FRAMEWORK

This policy is underpinned by the following prescripts:

- 4.1 Basic Conditions of Employment Act, 75 of 1997 as amended;
- 4.2 Occupational Health and Safety Act 85 of 1993;
- 4.3 Protected Disclosures Act 26 2000;
- 4.4 uMgungundlovu Economic Development Agency Code Conduct and Disciplinary Procedure;
- 4.5 uMgungundlovu Economic Development Agency Grievance Procedures;
- 4.6 uMgungundlovu Economic Development Agency Performance Management Policy;
- 4.7 uMgungundlovu Economic Development Agency Sexual Harassment Policy; and
- 4.8 uMgungundlovu Economic Development Agency Working Hours and Leave Policy.
- 4.9 South African Local Government Bargaining Council (SALGBC)
- 4.10 Code of Good Practice

5. ABBREVIATIONS AND DEFINITIONS

BU	Business Unit
BUM	Business Unit Manager

Chief Executive Officer	The person appointed as Chief Executive Officer of uMgungundlovu Economic Development Agency (UMEDA)
Confidentiality	The obligation to refrain from willingly disclosing information that has been received in confidence and not to situations in which a court or statute compels a person to disclose information.
Discipline	The maintenance of proper conduct and work performance in the workplace via a system of clearly defined rules and standards.
Discrimination	To make a distinction on one or more grounds, including race, gender, sex, pregnancy, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language and birth.
Employee	As defined in Section 213 of the Labour Relations act 66 1996
Employee Assistance Programme (EAP)	The approved means of assistance, counselling or referral to external professionals for employees whose work performance is believed to be adversely affected by wellbeing-related problems.
EAP Designated person	Refers to an internal employee appointed by CEO to co-ordinate matters relating employee assistance activities or programme.
Employee Wellness Policy	Means a policy framework which guides the implementation of the Entity's Employee Assistance Programme.
Purpose	In the context of this policy, purpose refers to why this policy exists.
The Board	Refers to uMgungundlovu Economic Development Agency Board of Directors
Wellbeing Problems	Personal problems such as lifestyle illnesses, HIV/ AIDS, alcohol and drug (substance) abuse, mental and emotional issues, financial problems, marital and family distress, legal problems and other life concerns, trauma as well as occupational problems such as work-related stress

6. POLICY STATEMENT

The Entity is fully aware of many pressures experienced by employees which have impact on their ability to function effectively within the working environment. The Entity values all its employees and commits itself to putting in place preventative and rehabilitative interventions to contribute to employees achieving work-life balance.

To this effect the Entity has a wellness programme which seeks to integrate wellness and performance. Integration is the only way in which wellness strategies can truly add value to business outcomes, by enhancing performance and productivity, whilst simultaneously supporting individual health and wellness.

7. POLICY PROVISIONS

7.1 General Principles

- 7.1.1 This is not Employee Assistance Programme (EAP) but an Employee Wellness Policy (EWP) which is a framework within which the Entity EAP operates;
- 7.1.2 The Entity is committed to ensuring that Employee Wellness Policy (EWP) is implemented fairly and consistently and that all employees have equal access to the EAP;
- 7.1.3 Employees that access EAP assistance and support will not be jeopardised in any way in terms of job security, compensation, promotional opportunities and/or reputation;
- 7.1.4 Employees are encouraged to voluntarily seek assistance and support at the earliest opportunity, and preferably before incapacity or risky behaviour sets in; and
- 7.1.5 The Entity will assist employees in encouraging them to take responsibility for addressing their personal and work-related problems that are affecting or may affect their performance and ability to operate effectively within the work environment.

7.2 Wellness Activities

The Entity's wellness programmes involves the following activities:

- 7.2.1 Executive programme;
- 7.2.2 Stress management;
- 7.2.3 Fitness assessments;
- 7.2.4 World's Aids Day;
- 7.2.5 Annual corporate sporting events;
- 7.2.6 Financial management; and
- 7.2.7 Wellness talks.

7.3 EAP Areas of Assistance

The EAP will aim to highlight common issues / concerns that are prevalent in the lives of the Entity's employees. The programme will offer assistance in respect of the following:

- 7.3.1 HIV/AIDS and other dreaded diseases;
- 7.3.2 Substance Abuse (alcohol, drugs, prescription medication);
- 7.3.3 Marital, Family and Relationship problems;
- 7.3.4 Addictive Behaviour (e.g. gambling);
- 7.3.5 Anger Management;
- 7.3.6 Bereavement and Loss;
- 7.3.7 Career guidance;
- 7.3.8 Sexual Harassment and general harassment at work;
- 7.3.9 Coping with illness of others;
- 7.3.10 Depression, Anxiety, Self Esteem and Psychotherapy;
- 7.3.11 Workplace and Domestic Violence;
- 7.3.12 Financial Management problems/ Debt Counselling;
- 7.3.13 Job loss / Redundancy;
- 7.3.14 Racial and Diversity issues;
- 7.3.15 Sexual abuse /Rape;
- 7.3.16 Trauma counselling in the case of a car hijacking, etc; and
- 7.3.17 Legal problems.

The list above is not exhaustive and should an employee be faced with a problem outside of the scope of the programme, the Entity will take reasonable steps to assist the employee.

7.4 Principles of the EAP

7.4.1 Confidentiality on Consulting and Record Keeping

- 7.4.1.1 Confidentiality is critical to the success of any EAP. The EAP practitioner must protect the identity of employees who use the services and assures them that they can trust him/ her with their most private concerns. All communication between the external professional and Human Resources Business Unit is privileged and protected. However, the Entity will be entitled to report on progress the employee is making without disclosing of the nature of the problem unless employee agrees to such disclosure;
- 7.4.1.2 All records and discussions regarding an employee's work or personal problems will be handled in a confidential manner. Case records are to be kept by the external professional. General feedback reports are to be kept by the EAP Designated Person. Case records and general feedback reports should be kept for at least 6 (six) years;
- 7.4.1.3 No document will be put on the employee's personal file unless the formal referral emanates from a disciplinary proceeding. A separate EAP file will be opened for this purpose and kept in a secure location;
- 7.4.1.4 In the case of a Formal Management referral, the employee must give consent in writing on the Entity's **Formal Referral and Consent Form** that the external professional may share information or give report on his/ her progress;
- 7.4.1.5 Confidentiality will only be breached:
 - a. When required to do so by a court order or Government Regulation;
 - b. A user of the service is likely to cause serious harm to themselves or to other people;
 - c. When written permission has been given by the employee concerned; and
 - d. There are predetermined circumstances that have been identified and communicated to the employer and that are clearly stated and understood by the staff member at the start of the EAP intervention.

7.4.2 Discipline

- 7.4.2.1 The EAP is not a substitute for discipline. At the discretion and under exceptional circumstances, the Entity may use EAP as a diversion away from pending disciplinary inquiry of an employee or as diversion from a punitive disciplinary inquiry outcome. The EAP does not alter management's responsibility to maintain discipline or the right to take disciplinary measures in accordance with the disciplinary policy;
- 7.4.2.2 No one should manipulate the EAP by:

- a. Trying to avoid disciplinary action; and
- b. Justifying inappropriate conduct.

7.4.3 Accessibility

- 7.4.3.1 The EAP Designated Person will research and compile a database of appropriate external professionals able to provide consulting and assessment services to employees;
- 7.4.3.2 The EAP Designated Person will obtain and compile educational material on relevant issues and place the material in a location at the workplace for employees to access freely and privately; and
- 7.4.3.3 The Entity will ensure that the programme is accessible to all employees (who have a formal written employment contract with the Entity) regardless of their type of employment contract or position.

7.4.4 Neutrality

- 7.4.4.1 The Entity will ensure that the EAP remains outside the traditional conflict areas between management and the employee organisations; in other words, it may not be used as evidence in any labour disciplinary proceeding unless there is proof that employee failed to adhere to rehabilitation programme recommended by practitioner or counsellor; and

7.4.5 Voluntarism

- 7.4.5.1 The EAP encourages employees to voluntarily seek help (self-referral) for personal problems; and
- 7.4.5.2 Employees who voluntarily seek help from the programme are taking responsibility for their problems. Management is encouraged to refer employees to EAP in circumstances in which their subordinates are likely to benefit from EAP. The decision to accept assistance remains the free choice of the employee.

7.4.6 Freedom From Judgement

- 7.4.6.1 Measures will be taken to protect employees from victimisation or discrimination in line with the Entity's observance of employee's rights; and
- 7.4.6.2 Employees will be able to participate in EAP without pressure, stigma or judgement. Use of the programme carries no negative implications for job security or future career advancement opportunities.

7.5 Benefits of the EAP

- 7.5.1 Confidential assistance to employees who are affected or who have the potential to be adversely affected in both their work performance and life in general;
- 7.5.2 Nurtures employee well-being, enhanced productivity and social functioning;
- 7.5.3 Improves quality of life for employees and thus indirectly, their families;
- 7.5.4 Encourages an organisational culture that is both task-orientated and caring;
- 7.5.5 Promotes co-operation, motivation and improved employee morale in order to improve productivity and workplace efficiency;
- 7.5.6 Reduces absenteeism, employee turnover, interpersonal conflict, disciplinary matters, grievances and work-related accidents; and
- 7.5.7 Provides employees with life skills, awareness and educational programmes and promote healthy life styles and coping skills.

7.6 Roles and Responsibilities of Key Stakeholders

7.6.1 Management

- 7.6.1.1 Buy into the programme, that is, their support must be visible;
- 7.6.1.2 Attend training sessions and be well versed with the principles and practices of employee wellbeing and the management thereof in the work environment;
- 7.6.1.3 Address work performance problems through normal procedures;
- 7.6.1.4 Be consistent and treat employees fairly;
- 7.6.1.5 Make employees aware of the agreed job performance standards in terms of the Entity's Performance Management Policy, and/or Employee Assistance Programme in instances where declining job performance has been established;
- 7.6.1.6 Do not attempt to diagnose personal problems of the employee or offer a personal opinion;
- 7.6.1.7 Ensure early identification, management and referral of troubled employees as per the the Entity's Formal Referral Procedure;
- 7.6.1.8 Provide follow-up and support to employees upon return to work, if appropriate; and
- 7.6.1.9 Do not require the employee to divulge the nature of the problem when requesting leave or time off for an appointment with EAP Designated Person and/or external professional. If necessary, the employee can provide verification of attendance through the EAP Designated Person or external practitioners.
- 7.6.1.10 Maintain a strict level of confidentiality with all cases.

7.6.2 External Professional

- 7.6.2.1 Ensure continued promotion and awareness of EAP within the Entity by providing educational material, references and training programmes;
- 7.6.2.2 Develop action plans in conjunction with the EAP Designated person for the implementation and acceptance of the programme within the Entity;

- 7.6.2.3 Provide appropriate consulting or assessment services to employees; and
- 7.6.2.4 Submit monthly written reports on the utilisation, status and activities of the EAP to the Human Resources Officer.

7.6.3 EAP Designated Person

- 7.6.3.1 In the absence of a dedicated person, this role will be filled by the Human Resource Officer. Should the Entity grow, it may be necessary to appoint a dedicated EAP Designated Person;
- 7.6.3.2 Ensure that the EAP continues to meet the needs of all employees within the Entity and that the EAP develops over time to reflect the changing needs of the Entity;
- 7.6.3.3 Research and compile a database of appropriate external professionals to provide consulting and assessments services for a wide array of issues;
- 7.6.3.4 Obtain and develop education material and arrange appropriate training programmes aimed at managers and employees;
- 7.6.3.5 Facilitate the regular review of EAP services to enable evaluation in terms of efficiency, professionalism and outcomes of the programme; and
- 7.6.3.6 Safe-keeping of confidential records in respect of interviews and referrals.

7.6.4 Employee

- 7.6.4.1 The employee is obliged to maintain satisfactory work performance and conduct on the job. If an employee recognises the need for assistance, he/ she should contact the EAP Designated Person/ external Professional prior to his/ her work performance being adversely affected;
- 7.6.4.2 Contact with either of the above will be treated confidentially;
- 7.6.4.3 The employee need not identify the exact nature of his/ her problem to the EAP Designated Person;
- 7.6.4.4 It is requested but not mandatory that the outcome of the referral be discussed with the EAP Designated Person (i.e., it was helpful, satisfactory, poor etc). This will indicate if service is adequate for other employees requiring assistance in the future or whether to make alternate arrangements;
- 7.6.4.5 If the referral for such a programme was a formal referral, the employee will be requested to sign the Entity's Formal Referral and Consent Form, notifying the EAP Designated Person that the treatment has been completed satisfactorily or not, and also allowing the external professional to provide periodic progress reports to the EAP Designated Person as per the Entity's Formal Referral Procedure; and
- 7.6.4.6 Leave and time-off for attendance of EAP should be granted in accordance with the Entity's Terms and Condition – Working Hours and Leave Policy.

7.7 Types of Referrals

7.7.1 Self-Referral (Voluntary Referral)

- 7.7.1.1 An employee, through a process of self-realisation, recognises that a problem exists and seeks assistance by consulting the EAP Designated Person or External Professional directly; and
- 7.7.1.2 Self-Referrals are treated with strict confidentiality and employees who voluntarily seek assistance but do not want their managers to know of their participation can arrange appointments outside working hours.

7.7.2 Informal Referral

- 7.7.2.1 Any person may make an informal proposal to an employee to see the EAP Designated Person or External Professional, as he/she believes that the employee has a problem, which could be addressed through the EAP; and
- 7.7.2.2 The employee may accept or decline such offer of assistance.

7.7.3 Formal Referral

- 7.7.3.1 Formal Referrals should meet at least one of the following conditions:
- 7.7.3.2 A manager has observed and documented an employee's continued deterioration or unacceptable job performance;
- 7.7.3.3 A manager observes an employee's health and safety to be an immediate risk (Example: The manager hears an employee make suicidal comments);
- 7.7.3.4 A manager observes that an employee's behaviour is creating an immediate health and safety risk to others (Example: The manager hears an employee make suicidal comments);
- 7.7.3.5 Formal referrals can also take place where a manager or a presiding officer of a disciplinary enquiry formally refers an employee to the EAP Designated Person as a consequence of a disciplinary decision;
- 7.7.3.6 The person making the referral should complete the Entity's Formal Referral and Consent Form and submitted the form to the EAP Designated Person as per the Entity's Formal Referral Procedure;
- 7.7.3.7 Employees being formally referred to EAP have the right to decline such a referral. Such refusal will be noted and the employee will be subject to the normal discipline should his/her performance and/ or behaviour not be resolved; and
- 7.7.3.8 The EAP Designated Person will submit the signed the Entity's Formal Referral and Consent Form to the External Professional with an agreement regarding the costs. The Entity will carry the costs, if applicable, of any initial assessments conducted by an external professional.

7.8 Re-integration into the workplace during or after the EAP Intervention

- 7.8.1 The purpose of supporting an employee with his/her re-integration into the work situation during or after an EAP intervention is to maximise chances of success of the intervention;
- 7.8.2 Those who enter the EAP voluntarily may choose whether to make use of re-integration option or not;
- 7.8.3 When an employee receives assistance in term of a formal procedure, involvement in the re-integration is compulsory;
- 7.8.4 The external professional, in liaison with the referring manager and the EAP designated person should co-ordinate the re-integration function, which takes place as follows:
 - 7.8.4.1 At a given point in the employee's treatment, as determined by the external professional, the EAP service provider contacts the EAP designated person who contacts the manager in order to initiate support for the employee's re-integration into his work situation;
 - 7.8.4.2 At this stage, decisions are made regarding the following:
 - a. Expectations that can be set for the employee in terms of work assignments;
 - b. Intervention objectives still to be achieved;
 - c. Role of the external professional, employee, manager and EAP Designated Person in realising the intervention objectives; and
 - d. Manner in which the employee's progress will be monitored and evaluated against the background of the expectations and objectives.
 - 7.8.4.3 The purpose of this function is not only to monitor the employee's progress, but particularly, to ensure that he/ she make sufficient progress to move out of the EAP.

7.9 Dealing with regression

- 7.9.1 It may happen that during or after treatment employee's job performance/behaviour shows signs of deterioration. If this occurs, the following steps are to be taken by the manager:
 - 7.9.1.1 Regardless of whether or not the employee agrees to see an external professional assistance, the EAP designated person is to be contacted, and informed of the situation;
 - 7.9.1.2 The employee urgently needs counselling by someone who is familiar with the problem; and
 - 7.9.1.3 The problem will be addressed in terms of the provisions of the EAP and the specific circumstances of the case – either additional counselling or if this has already failed, disciplinary action will have to be instituted/ continued where applicable.

7.10 Follow-Up

- 7.10.1 The EAP Designated Person will make follow-ups with employee's manager in the case of formal referral regarding the job performance after return to work of an employee who had undergone an EAP intervention.

7.11 EAP and Retirement Fund

- 7.11.1 In the event of occupational or non-occupational disability which makes employee unable to perform his/her duties, an employee may apply to the Principal Officer of the fund for disability benefits in terms of the rules of the Fund.

8. RESPONSIBILITY FRAMEWORK

- 8.1 Human Resource will be responsible for the development and or review of this policy by the designated date for review excepting in extraordinary instances where circumstances may dictate a need to review the policy earlier. It undertakes to regularly evaluate and monitor the policy to ensure that in an ever-changing business environment, the conditions are kept up to date with the latest developments in human resources and corporate governance fields; and
- 8.2 The Board will provide final approval of the policy. Amendments to any sections of the can be made from time to time. The policy can only be changed in writing by the Board of the Entity. It is the responsibility of every employee to whom a copy of this policy has been issued, to ensure that the contents of his/her copy of the policy are current and up-to-date. The copy held by Human Resources is deemed to be the master copy. Any changes to this policy will be communicated to all employees and where applicable, employees will be consulted to this effect.

9. IMPLEMENTATION AND MONITORING

- 9.1 Implementation:
Management and staff have the responsibility of upholding this policy and the effective implementation thereof. Human Resource will ensure standardised and uniform application and compliance with the policy throughout the Entity.
- 9.2 Monitoring:
Human Resource must monitor and report on compliance with this policy.

10. ENFORCEMENT

- 10.1 Business Unit Managers must ensure that the provisions of this policy are strictly complied with. It is also the duty of the employees themselves to see to it that the policy is adhered to and that any discrepancies noted are immediately brought to the attention of Human Resources.
- 10.2 Any deviation from the provisions of this policy shall be with the approval of the CEO and/or the Board.
- 10.3 Abuse of any of this policy provisions constitutes misconduct and will be dealt in terms of the Entity's Code of Conduct and Disciplinary Procedure.

11. INFORMATION AND EDUCATION

- 11.1 Information
A copy of this policy and procedures should be placed on the web site or other information sharing and storage system. A hard copy of the policy should be kept in a file of policies and placed in an appropriate location in the Entity's records system. All staff should be informed as to where the policy file can be accessed. All staff should sign to the effect that they have received, read and understood the policy.

11.2 Education

Orientation of managers on the provisions of this policy should be undertaken upon its approval or subsequent amendments, where applicable.

12. POLICY REVIEW

This policy may be reviewed as and when the Board and Accounting Officer see necessary from date of approval or earlier if required by circumstances.

13. APPROVAL OF THE POLICY

Approved by the Board of Directors at its meeting on the 24 of October 2022.

Chairperson:			
Signature		Date:	01 November 2022
			