



PART IV - CEAP CLIENT BILL OF RIGHTS AND CODE OF ETHICS

SECTION 1 – CLIENT BILL OF RIGHTS

Certified Employee Assistance Professionals (CEAPs) must display prominently on the premises of their professional practice and/or make available a bill of rights to clients. The bill of rights states:

Clients have the right:

- to expect a CEAP has met the minimal qualifications as required by EACC;
- to obtain a copy of the Code of Conduct;
- to report complaints to the EACC;
- to be informed of the cost of professional services before receiving services;
- to obtain copies of case records and to have the information explained clearly and directly;
- to expect complete confidentiality except as required by law;
- to be informed of employer's specific policies regarding confidentiality; and
- to refuse any recommended services and to be advised of the consequences of this action.

SECTION 2 – CODE OF CONDUCT

PREAMBLE

Certified Employee Assistance Professionals (CEAPs) are dedicated to enhancing the worth, dignity, potential and uniqueness of their clients, whether they are individuals or organizations. They are committed to increasing knowledge of human behavior and organizational effectiveness by continually working on their professional and personal growth. CEAPs recognize the need for continued training and education to best serve organizations and persons of all ages and cultural backgrounds. They are accountable for their work, and recognize the boundaries of their competence and limitations of their techniques. CEAPs are dedicated to the best interest of their clients, colleagues and society in general.

In pursuit of these ideals, individuals who are CEAPs shall abide by the following code of conduct:

A. RESPONSIBILITY:

A CEAP's primary responsibility is to the client. To this end, the CEAP practicing Employee Assistance work may have multiple clients, e.g. an employee, family member, employer, union, representative of the organization, etc . As such, the CEAP shall make

every reasonable effort to protect the welfare and best interests of those who seek assessments, as well as those who seek consultation about work performance of an employee and/or other organizational issues. The CEAP is responsible for maintaining professional standards and ethics during all relationships through face-to-face, telephone, electronic, or any other means by which client information is transmitted or received and confidentially protected.

Unprofessional conduct includes, but is not limited to, the following:

1. exploiting relationships with clients for personal gain or financial advantage;
2. failing to maintain a professional relationship with all clients on the CEAP's caseload. Where a dual relationship is unavoidable, the CEAP must maintain appropriate professional boundaries. The CEAP must avoid initiating or maintaining dual relationships with clients and/or relationships which may impair or diminish the CEAP's professional judgment or objectivity or increase the risk of client exploitation. Examples of such dual relationships include engaging in close personal relationships with clients and having friends or family members as clients;
3. failing to safeguard the rights of any client, as explained above;
4. failing to assist the client in seeking appropriate services consistent with the client's needs, insurance, ability to pay and preference;
5. referring a client to another provider when the CEAP knows or has reason to know that such person is not qualified by training, experience, or licensure to perform the services;
6. failing to clarify to the client that all decisions are the right and responsibility of the client;
7. failing to maintain case records (written, electronic, or otherwise) in a confidential and professional manner in accordance with state and federal legislation as well as accepted EAP standards;
8. failing to report program activities to the work organization without incorporating guidelines around confidentiality;
9. failing to respect confidential business communication from labor and management representatives and disclosing such information without prior consent (unless required by applicable law).

B. COMPETENCE:

The CEAP shall act in accordance with the highest standards of professional integrity and competence. In delivering services to clients, CEAPs will seek only those positions for which they are professionally qualified.

Unprofessional conduct includes, but is not limited to, the following:

1. practicing in an area in which the CEAP has not obtained professional training;

2. failing to recognize potential or actual harm to the client when assessing, treating, or advising clients on problems outside the recognized boundaries of the CEAP's competence;
3. failing to seek appropriate professional consultation for clients whose problems are outside the CEAP's competence;
4. engaging in dishonesty, fraud, deceit, or misrepresentation while performing professional activities;
5. failing to recognize the need for continued training, knowledge, personal awareness and relevant techniques necessary to treat clients from a culture different from the CEAP's culture;
6. failing to seek appropriate professional assistance for the CEAP's own personal problems or conflicts when they are likely to lead to inadequate services to the client.

C. MORAL AND LEGAL STANDARDS:

The CEAP's relationship with clients, students, trainees, colleagues and the public is based upon honesty, mutual trust, confidence, and respect. The CEAP will avoid any action that would violate or diminish the legal and civil rights of these individuals.

Unprofessional conduct includes, but is not limited to the following:

1. failing to make full disclosure of the functions, purposes, range of services, and EAP program limitations;
2. failing to recognize his/her professional limitations and act only within the scope of confidence;
3. failing to inform clients of the innovative nature and possible risks associated with new services or techniques, allowing clients to exercise freedom of choice regarding those services;
4. failing to make or recommend referral to other professional, technical or administrative resources when such referral is in the best interest of the client(s);
5. failing to fully disclose any affiliation with a referral resource giving or receiving direct financial consideration or any other form of personal gain for referring clients to particular therapists, treatment programs and related community resources;
6. practicing inhumane or discriminatory treatment toward any person or group of persons that would result in unjustifiable discrimination on the basis of age, race, gender, religion, sexual orientation, national origin or disability;
7. failing to have sensitive regard for the moral, social, and religious beliefs of clients and communities, or impose the CEAP's beliefs on clients;

8. engaging in romantic or sexual activities with clients seeking assistance, referral, treatment, or follow-up services for assessment during the existence of any professional client relationship, which relationship shall be deemed to exist five years beyond the last date on which the member and the client met professionally;
9. acting in any manner that may possibly compromise the professional relationship;
10. practicing under the influence of alcohol or mind and mood altering drugs that are not prescribed by a licensed physician and/or those which may affect their ability to practice in a competent manner;
11. failing to refrain from accepting goods, services or other non cash remuneration from clients in return for EA services as such arrangements create potential for conflicts, exploitation and distortion of CEAP client relationships.

D. CONFIDENTIALITY:

Prior to commencement of professional services, the CEAP will fully disclose, preferably in writing (such as client statement of understanding or disclosure statement), the parameters of confidentiality as required by accrediting bodies, applicable laws, and regulations. The CEAP holds in confidence all information obtained in the course of professional service. The CEAP safeguards client confidences as permitted by law.

Unprofessional conduct includes, but is not limited to, the following:

- a. failing to fully disclose the parameters of confidentiality, preferably in writing, prior to the commencement of professional services;
- b. revealing a confidence of a client except:
 1. as required by law or employer's organization policy regarding confidentiality;
 2. after obtaining the written consent of the client, whenever possible, following disclosure of the information to be revealed and the persons to whom the information will be revealed;
 3. where the CEAP is a defendant in a civil, criminal, or disciplinary action arising from the services provided, in which case the client confidences may be disclosed in the course of that action;
 4. where there is clear and imminent danger to the client or others, the CEAP must take reasonable personal action or inform the responsible authorities;
 5. when discussing case material with a professional for the purpose of consultation.

6. failing to maintain confidentiality for all information about the client which is obtained from tests or other means;
7. failing to obtain written informed consent from each client before electronically recording sessions with that client or before permitting third party observation of their sessions;
8. failing to store or dispose of client records in a way that maintains security and confidentiality, and when providing others with access to the client's records, failing to insure that the content of the information is accurate and unbiased;
9. failing to protect the confidences of the client from disclosure by employees, associates, and others whose services are utilized by the CEAP;
10. failing to fully disguise the identity of the client when using material derived from EA services for purposes of training, research or reporting;
11. failing to obtain a waiver of consent from each family member who is legally competent when disclosing client information in family sessions. In the absence of such a waiver, the CEAP cannot disclose information.

E. RESPONSIBILITY TO COLLEAGUES:

The CEAP respects the rights and responsibilities of professional colleagues and remains accountable for upholding the ethical principles of the EACC. The CEAP treats colleagues with respect and good faith and relates to them with full professional consideration.

Unprofessional conduct includes, but is not limited to, the following:

1. failing to maintain the confidences shared by colleagues in the course of professional relationships and transactions with those colleagues;
2. failing to take action when it is apparent that another CEAP violates the code of ethics. Discussion of the violation with the CEAP in question is encouraged. If this action is not undertaken or satisfactory, then a complaint must be filed with the Employee Assistance Certification Commission via the process defined in the EACC Code of Professional Conduct;
3. maligning and/or harassing another professional in the field;
4. failing to understand areas of competence of related professionals and/or not making full use of other professional, technical, and organizational resources that best serve the interest of the client.

F. RESEARCH, MEASUREMENT AND EVALUATION:

When using assessment instruments or techniques, the CEAP shall make every effort to promote the welfare and best interests of the client. The CEAP guards against the misuse of assessment results and respects the client's rights to know the results, the

interpretations and the basis of any conclusions or recommendations. The CEAP recognizes that research activities must be conducted with full respect for the rights and dignity of participants and with full concern for their welfare. Participation in evaluation, measurement and research activities must be voluntary unless it can be demonstrated that involuntary participation will have no harmful effects on the subjects and is essential to the investigation. The ultimate responsibility for ethical activity lies with the principal researcher. The CEAP will advocate treatment of stigmatized problems as equitably as other problems in the workplace. Also, the EAP will treat all information obtained during these activities as confidential.

Unprofessional conduct with regard to measurement, evaluation and research activities includes, but is not limited to the following:

1. failing to provide the client with specific orientation or information regarding the purpose of the activity or the proposed activity prior to initiation of it in a language that the client can understand;
2. failing to carefully consider the possible consequences for clients participating in these activities. Specifically, the client should be provided with a fair and full explanation of the procedures to be followed;
3. failing to protect each participant from unwarranted physical, emotional and mental harm;
4. failing to obtain the appropriate client consent and to ensure that the consent is voluntary and informed, failing to provide the client a description of the risks and benefits, or failing to inform the client that he/she is free to withdraw consent at any time during the activity;
5. failing to evaluate carefully the specific theoretical bases, validity, reliability, and appropriateness of activities for use in a given situation or with a particular client;
6. using activities or instruments beyond the CEAP's competence for administration, scoring and interpretation;
7. using measures, instruments or techniques that have become obsolete;
8. failing to acquire the competence and knowledge required in the use of electronic data and computer-based systems, including familiarity with scoring as well as evidence of validity for specific interpretations;
9. knowingly reporting distorted, erroneous, or misleading information;
10. failing to give recognition to previous work when conducting and reporting research;

11. failing to ensure that data maintained in electronic storage is secure, and that this and any other data is destroyed when the information is no longer of value in providing services;
12. failing to recognize cultural biases in the evaluation and interpretation of test results of minority group members;
13. failing to obtain written consent from the client to use case records for the purpose of audit or evaluation.

G. PROFESSIONAL REPRESENTATION:

The CEAP must adhere to the Professional Code of Conduct established by the EACC. CEAP's should provide services and represent themselves as competent only within the boundaries of their professional services, education, training, license, certifications, consultation received, supervised experience, advisement services, or other relevant professional experience.

Unprofessional conduct includes, but is not limited to the following:

1. inaccurately representing the CEAP's professional competence, education, training, and experience or knowingly failing to correct any misrepresentations provided by others;
2. providing information that is false, inaccurate, misleading, partial, out-of-context, or otherwise deceptive statements about a CEAP's credentials or professional services. Also knowingly failing to correct inaccurate information provided by others;
3. making the claims, promises, or guarantees, which promise more than the CEAP can realistically provide;
4. making claims in Labor Management disputes that he/she cannot guarantee. The CEAP should be guided by professional values, ethical principles, and ethical standards in regard to Labor/Management issues;
5. failing to adhere to the Code of Conduct;
6. failing to assure that advertisements and publications, whether in directories, brochures, newspapers, web sites, or other literature, are formulated to convey accurate information that is necessary for the client or potential client to make appropriate selection of services.

H. CONSULTING:

The CEAP, acting as a consultant, provides professional help to an individual, or group to define and solve work-related problems. The CEAP, acting as a consultant, must have a high degree of awareness of his or her own values, knowledge, skills, limitations and needs in entering into a helping relationship.

Unprofessional conduct includes, but is not limited to, the following:

1. failing to have the necessary competencies and resources for providing the help required;
2. accepting a private fee or other item of value for consultation with persons who are entitled to these services through the person's employing institution or agency.

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