



Employee Assistance Certification Commission

July 07, 2011

James J. Kelly, PhD, ACSW
President
National Association of Social Workers
750 First Street, NE Suite 700
Washington, D.C. 20002-4241

Dear Dr. Kelly:

It has come to our attention that the NASW and its wholly-owned subsidiary, NASW Assurance Services, Inc., have developed and launched a new product called EAPrefer. I am contacting you on behalf of the Employee Assistance Certification Commission (EACC) to register our serious concerns and reservations regarding the use of the term "Employee Assistance Professional" in a recent EAPrefer solicitation to social workers and its continuing use on the EAPrefer website at www.eaprefer.org.

As you may be aware, Employee Assistance Programs have been in existence for over 75 years, having evolved from precursors, including occupational alcohol programs, industrial psychology programs, and occupational psychiatry programs in the 1930s and 40s. Over time, the Employee Assistance concept has matured into a recognized profession with its own professional standards, scope of practice, code of ethics, and credential.

The Certified Employee Assistance Professional (CEAP[®]) is the only credential that represents mastery of the Employee Assistance body of knowledge. It is recognized in all 50 states and worldwide by EA professionals, employers, accrediting agencies, third party insurers and clients. The CEAP[®] demonstrates mastery of the knowledge and skills required for competence in the practice of Employee Assistance and recognizes those individuals who have met established standards and who adhere to a professional code of conduct. The CEAP[®] certification program is administered by the Employee Assistance Certification Commission (EACC), an autonomous credentialing body established by the Employee Assistance Professionals Association (EAPA) in 1986 to maintain and administer all aspects of the CEAP[®] program.

In addition to specialized assessment, referral and counseling skills, the CEAP[®] certifies that the bearer of the credential has sound knowledge of the implications of the precarious dual responsibility the Employee Assistance Professional must bear to both the employee and the employer. Delivering quality Employee Assistance services, even at the individual client level, requires an understanding of workplace dynamics, as well as the productivity and personal concerns of the individual worker. The Employee Assistance Professional must address the need of the employer for performance improvement while maintaining the confidentiality of the employee. The ethical concerns of the Employee Assistance Professional are unique to the Employee Assistance field and require time, study and mentoring to understand, master and operationalize in practice.

We are delighted that the NASW is taking an interest in the EA field, as there is need for many more skilled EA professionals. Many distinguished social work professionals have contributed to the development and recognition of the unique body of knowledge of the EA profession, and many NASW members with an interest in providing EA services have sought and earned the CEAP[®] credential.

We strongly urge that the NASW incorporate recognition of the CEAP[®] as the essential credential for delivering services as an Employee Assistance Professional. We hope the NASW will actively support its members who are currently CEAP[®] certified and will encourage others to follow their lead. I respectfully request a phone conversation with the appropriate NASW and EAPrefer representatives to discuss further how our respective organizations can cooperate to improve the opportunities for NASW members and others, while respecting the established Employee Assistance professional scope of practice.

Sincerely,

Melvina MacDonald, LMHC, CEAP
Chair, Employee Assistance Certification Commission

Enclosures: CEAP[®] *Standards of Practice* and *Code of Conduct*

cc: John Maynard, Ph.D., CEAP
CEO, Employee Assistance Professionals Association

Jeffrey Christie, LCSW, CEAP
President, Employee Assistance Professionals Association

EMPLOYEE ASSISTANCE CERTIFICATION COMMISSION
4350 North Fairfax Drive, Suite 410
Arlington, VA 22203 USA (703) 387-1000 X 311

STANDARDS OF PRACTICE

SUMMARY: This document outlines the standards of practice for Certified Employee Assistance Professionals (CEAPs) which include: 1) the Client Bill of Rights, and 2) the CEAP Code of Conduct.

SECTION 1 – CLIENT BILL OF RIGHTS

CEAPs are encouraged to display the Client Bill of Rights in their office and must make a copy available upon request. The following principles comprise the Client Bill of Rights:

- I. Individual clients have the right:
 - A. To expect a CEAP has met the minimal qualifications as required by EACC;
 - B. To obtain a copy of the CEAP Code of Conduct;
 - C. To report complaints regarding CEAP conduct to the EACC;
 - D. To be informed of all costs of professional services before receiving such services;
 - E. To obtain copies of their own case records and to have the information therein explained clearly, subject to applicable laws;
 - F. To expect the CEAP to maintain confidentiality of personal information as required by law;
 - G. To be informed of any relevant policies regarding confidentiality, to decline any recommended services, and to be fully apprised of the potential consequences of such a decline.

- II. Organizational clients have the right:
 - A. To expect a CEAP has met the minimal qualifications as required by EACC;
 - B. To obtain a copy of the CEAP Code of Conduct;
 - C. To report complaints regarding CEAP conduct to the EACC;
 - D. To be informed of all costs of professional services before receiving such services;
 - E. To full and open disclosure of any potential conflicts of interest, organizational impacts, or similar negative effects from services rendered.

SECTION 2 – CODE OF CONDUCT

PREAMBLE Certified Employee Assistance Professionals are dedicated to enhancing the worth, dignity, potential, productivity and uniqueness of their clients, be they individuals or organizations. They are committed to increasing knowledge of human behavior and organizational effectiveness through continuous efforts to improve their professional and personal growth and to recognize the need for continued training and education to prepare themselves to serve work organizations and persons of all ages and cultural backgrounds. They are accountable for their activities and to recognize the boundaries of their competence and limitations of their techniques. A CEAP's concerns are for the best interest of his/her clients, colleagues, and for society in general.

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

A. RESPONSIBILITY:

A CEAP's primary responsibility is to the client's welfare. To this end, the CEAP often has multiple clients including employees, family members, employers, unions, and representatives of an organization, etc. The CEAP is responsible for maintaining professional standards and ethics in all exchanges with such clients, be they via face-to-face, telephone, electronic, or any other means by which services are provided and client information is transmitted or received.

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

1. Exploiting relationships with clients for the CEAP's personal gain or financial advantage;
2. Failing to maintain a professional relationship with all clients; where a dual relationship is unavoidable, the CEAP must maintain appropriate professional boundaries. The CEAP must avoid initiating or maintaining any activities or relationships which may impair or diminish the CEAP's professional judgment, objectivity, and effectiveness or increase the risk of client exploitation. Examples of such dual relationships include engaging in close personal relationships with clients, providing services to friends or family members, and advocating against the interests of sponsoring organizations;
3. Failing to safeguard the rights of any client, as explained in Section 1 *Client Bill of Rights* above;
4. Failing to assist the client in seeking services appropriate to and consistent with the client's needs, insurance, financial resources and preferences;
5. Referring a client to another professional or community resource when the CEAP knows or has reason to know that such person or organization 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 sufficient case records (written, electronic, or otherwise) in a confidential, secure and professional manner in accordance with state and federal legislation as well as accepted EAP standards;
8. Failing to report EA program activities to the work organization without incorporating and adhering to guidelines regarding client confidentiality;
9. Failing to respect confidential business communications and proprietary organizational client information and disclosing such information without a client's prior informed consent (unless required by applicable law).
10. 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 extends full professional consideration to them.

B. COMPETENCE:

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

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

1. Practicing in an EAP content area in which the CEAP has not obtained adequate professional training;
2. Failing to recognize potential or actual harm to the client when assessing, treating, or advising or consulting with clients;
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 obtain continuing professional education, training, knowledge, personal awareness and relevant techniques necessary to assist clients;
6. Failing to seek appropriate professional assistance for the CEAP's own personal problems or conflicts when they are likely to contribute to inadequate services to the client.

C. ETHICAL AND LEGAL STANDARDS:

The CEAP's professional relationship with clients, students, trainees, colleagues, and the public is based upon honesty, mutual trust, confidence, and respect. The CEAP must 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

limitations of any services or activities;

2. Failing to recognize his/her professional limitations and to act outside the scope of his/her established professional competence;
3. Failing to inform clients of the innovative nature and possible risks associated with new services or techniques in order to allow clients to exercise freedom of choice regarding such 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. The CEAP's primary responsibility is to the welfare of the client. This includes the responsibility to place the interests of clients ahead of those of the CEAP by declining non-contractual benefits from the client relationship, even if such benefits in no way harm the client, and to disclose potential or existing conflicts of interests. When the above conditions cannot be met, the CEAP must so inform the client and refer to another CEAP or appropriate professional;
6. Practicing inhumane or discriminatory treatment toward any person or group of persons 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 trying to impose the CEAP's beliefs on clients;
8. Engaging in romantic or sexual activities with any clients during the professional client relationship and for a period of five years beyond the last date on which the member and the client interacted professionally;
9. Acting in any manner that may possibly compromise the professional relationship;
10. Practicing under the influence of alcohol or other mind and/or 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.

D. CONFIDENTIALITY:

Prior to commencement of professional services, the CEAP will fully disclose, preferably via a client statement of understanding or disclosure statement, the relevant parameters of confidentiality as required by accrediting bodies, applicable laws, existing regulations, and program guidelines. In the absence of such waivers of confidentiality, the CEAP holds in confidence all client information obtained in the course of professional service.

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

1. Failing to fully disclose the full parameters of confidentiality, in writing when possible, prior to the commencement of professional services;
2. Revealing a confidence of a client except: a. as required by law or valid court order;

- b. where the CEAP is a defendant in a civil, criminal, or disciplinary action arising from the services provided, in which case only the relevant client information may be disclosed in the course of that action; where there is clear and imminent danger to the client or others, the CEAP will take action as required by law or previously disclosed program guidelines; c. when discussing case material with another professional for the specific purpose of professional consultation;
3. Failing to maintain confidentiality for all information about the client which is obtained from tests or other means;
 4. 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;
 5. Failing to maintain, store or dispose of client records in a manner which ensures security and confidentiality;
 6. Failing to insure that the content of disclosed confidential information is accurate and unbiased when releasing requested information from client records;
 7. Failing to protect the confidences of the client from disclosure by employees, associates, family members and others;
 8. Failing to fully disguise the identity of a client(s) when using material derived from EA services for purposes of training, research or reporting;
 9. Failing to obtain a waiver of consent from each family member when disclosing the client's information in family sessions.

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 extends to them full professional consideration.

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

10. Failing to maintain the security and non-disclosure of confidential information shared by colleagues in the course of professional relationships and transactions with those colleagues;
11. Failing to take appropriate action when it is apparent that another CEAP has violated the CEAP Code of Conduct. Discussion of the violation with the CEAP in question is encouraged. If this action is not undertaken and the issue satisfactorily resolved, then the CEAP must file a complaint with the Employee Assistance Certification Commission via the process defined in the EACC Code of Professional Conduct;
12. Maligning and/or harassing another professional;
13. 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(s).

F. RESEARCH, MEASUREMENT AND EVALUATION:

When using assessment instruments, evaluation measurements or conducting research activities, the CEAP shall make every effort to promote the welfare and best interests of the client. The CEAP guards against the misuse of all collected data and respects the client's rights to know the results, interpretations, and 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. Client 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.

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

1. Failing to provide the client with complete information, through an informed consent mechanism, regarding the purpose of the proposed activity and its risks and benefits prior to its initiation and in language that the client can understand;
2. Failing to evaluate carefully the specific theoretical bases, validity, reliability, and appropriateness of activities in a given situation or with a particular client, and to carefully consider the possible consequences for clients participating in these activities;
3. Failing to protect each participant from unwarranted physical, emotional and mental harm;
4. Failing to inform the client that he/she is free to withdraw at any time during the activity;
5. Using activities or instruments beyond the CEAP's competence;
6. Using measures, instruments or techniques that have become obsolete, discredited or which lack a sufficient evidentiary basis;
7. Knowingly reporting distorted, erroneous, or misleading information;
8. Failing to give recognition to previous work or colleagues when conducting and reporting research;
9. Failing to ensure that all research data is secure and is destroyed when the information is no longer of value for its original purpose.

G. PROFESSIONAL REPRESENTATION:

The CEAP must adhere to the Professional Code of Conduct established by the EACC. CEAPs must provide those 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. The CEAP is responsible for conveying accurate information regarding his/her professional capabilities that is necessary for the client or potential client to make appropriate selection of services.

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

1. Providing or inaccurately representing the CEAP's professional competence, education, training, credentials, experience and services or knowingly failing to correct any misrepresentations provided by others;
2. Making claims, promises, or guarantees, which promise more than the CEAP can realistically provide;
3. Failing to ensure that advertisements and publications, whether in directories, brochures, newspapers, web sites, or other literature, are formulated to convey accurate information as is necessary for clients or potential clients to make informed decisions and appropriate selection of services.

Revised and adopted: 4/15/10