



## Employee Assistance Program



## New Washington State EAP Services

To help you make time for what matters most, your employee assistance program is offering the following new resources:

### Employee Support Website

Your employee assistance program provides online access to a wide range of resources regarding the work and life topics of interest to you and your family.

#### **BENEFITS INCLUDE:**

- **Downloadable articles** and tip sheets
- **Self-search provider databases** for child and elder care, pet sitters, volunteer opportunities, and more
- eLearning & webinars on work and life topics
- Savings Center providing 25 to 70 percent **discounts** on name-brand merchandise



### Financial Counseling

If you have questions about a financial issue, speaking with a financial expert can help with everything from credit and debt, to purchasing a home.

#### **BENEFITS INCLUDE:**

- **Free Consultation**
- Easy Access - no appointment needed during regular business hours or Saturday by appointment
- Online library of articles, and **do-it-yourself tools** to manage finances
- **Online Will** - through a series of prompts, employees can create basic, legally valid wills, quickly and easily



### Legal Assistance

If your life, or the life of a family member has been impacted by a legal issue, you may need the expert counsel of an attorney.

#### **BENEFITS INCLUDE:**

- **Free 30 minute consultation with an attorney** by telephone or in person
- In most cases, discounted services available if you need additional legal support
- Nearly 100 **do-it-yourself legal forms**
- Library of hundreds of legal articles and tip sheets



To access services:

**Legal or Financial Consultation: 1-888-728-1408**

**Website: [bit.ly/eapweb](http://bit.ly/eapweb)**

**Organization Code:**



## Additional EAP Work/Life Resources FAQs

### What services are included in the additional Work/Life Resources?

Free access to Legal Assistance, Financial Counseling, and an Employee Support Website. See the following pages for an in-depth explanation of these 3 benefits.

### What is the benefit to my agency in providing these services to our employees?

- Offering enhanced work/life benefits to your workforce helps position your agency as an employer of choice—it's an inexpensive way to make the case that you offer great benefits to support employees in all aspects of their lives.
- Employees bring their whole selves to work, and personal issues such as legal or financial challenges, parenting or caretaking concerns, etc., tend to impact the workplace and performance as well as personal lives. Providing practical help and resources to address these problems is part of maintaining an effective, engaged workforce.
- The Employee Support Website addresses a large array of concerns, both personal *and* work related. Employees can find work-related eLearnings and webinars, content to enhance workplace skills, management resources, etc.

### What is the cost to purchase access to Work/Life Resources for our agency?

\$1.00 per employee per year, based on budgeted staff count. EAP is exploring potential options to fund these services in the future, but because this is a new line of service provided in partnership with a 3<sup>rd</sup> party vendor, EAP currently needs to recover the direct cost of the services through a fee-for-service. Our contract with the vendor ensures there will not be unexpected future large price increases.

### Can Fund 03K be used to pay for this?

Yes. 03K funds can be used for "wellness activities." Because this product contains financial advice and wellness articles, it would qualify as a wellness activity.

### Can we purchase just one aspect of this service if our employees may not need the full suite of services?

No, this new service is a bundled product. We recognize that some employees may have access through unions, financial institutions, or other resources to some aspects of these services, and these services may increase the level of support available to employees. These services are designed to be very easy for employees to have one central place to reach out and receive support.

### Can we purchase this for just some employees, or pay on an as-needed basis?

No, we are able to offer this service at such a low rate because it was purchased in bulk. Pricing is based on access, not usage. We certainly hope that you promote these services to employees so that many will take advantage of the benefits available to them!



### Can I get information about which employees use the service?

De-identified and aggregate utilization data is available and can let you know how many employees are using which services\*, and for what categories of support. Individual employee usage is confidential.

\*Data for Small Agencies will be collected and reported jointly across small agencies.

### What is the agency or state liability if the employee feels like they receive “bad” advice?

The contract with the service vendor places liability on the vendor and the providers, not on the state, similar to the way that providing access to health benefits does not hold an agency liable for malpractice by a health care provider. Additionally, see the disclaimer below to address this concern.

### Will employees be directed to invest in certain financial products?

No, counselors do not sell or endorse specific products and their advice is objective and pressure-free.

### Do these services violate any ethics laws by promoting some businesses over others?

No. To procure these services we conducted an RFP where any business was allowed to compete to provide these services. Additionally, the company who we contract with (as a result of the RFP) has a standard set of qualifications that they apply fairly to all businesses who want to provide services through them. This fulfills the requirement for an open-competitive process.

### Can employees use this service on work time?

Yes. WAC 292-110-010, section 2.a.iv, states that permitted use of state resources includes “access to state-provided benefits, including the employee assistance program.” This disclaimer appears on the Employee Support Website and promotional materials: *Disclaimer: Your employer and the Washington State Employee Assistance Program provide access to these services from a third party entity because it offers information or features that may be of interest to you. We do not necessarily endorse the views expressed, advice given, or the facts presented through these services. Furthermore, we do not endorse any commercial products that may be advertised or available on this site. This site contains both work-related content and content intended for personal use; please follow all applicable ethics rules (including [WAC 292-110-010](#)) around use of work time and equipment for personal use.*

### Can you provide us guidance on a recommended usage policy for these services?

We are providing the following recommendations as guidance for agencies to voluntarily adopt. *Your agency may choose a different policy that better aligns with your workplace culture:*

1. State employees may access the website during work time for work-related activities. Non-work related activities (e.g. parenting articles or downloading a will) may be used on a de-minimus level, but should mainly be accessed outside of working hours.
2. Usage of these services outside of set working hours will not count towards “overtime” unless pre-authorized by a supervisor.
3. As a wellness benefit, employees and their adult household family members may access and use these services outside of working hours without limit.
4. Use of these EAP services is confidential. Supervisors may recommend employee usage but may not inquire about whether an employee accessed the system or which services they used.



## Details of the Employee Support Website

To help you make time for what matters most, your employee support program provides online access to a wide range of resources regarding the work and life topics of interest to you and your family—all available on one website. Just log on with your agency's organization code and navigate through articles, links, interactive content, webinars, a discount savings center, self-searches, self-assessment, and more.

### FEATURES AVAILABLE

- Thousands of regularly updated resources on a wide array of work-life topics
- Downloadable articles and tip sheets
- Self-search provider databases for summer camps, education resources, pet sitters, attorneys, financial advisors, volunteer opportunities, and more
- Fillable legal forms
- Financial and daily living calculators
- Savings Center providing 25 to 70 percent discounts on name-brand merchandise
- Spanish-language content
- A Skill Builder Center featuring interactive e-learning "classes" on a variety of caregiving, workplace and personal development
- A library of on-demand webinars including Lifelong Learning, Financial Fitness, and Retirement

### WHAT IS COVERED?

- Parenting: adoption, childcare, development, kids' well-being, education
- Aging: aging well, planning the future, homecare, grief and loss, housing
- Balancing: personal growth, communication, relationships, mental health, addiction
- Thriving: health tools, healthy eating, medical care, age-related information
- Working: employee and manager tools, career development, transitions, training and development, diversity, productivity, safety
- Living: consumer issues, home buying/selling, financial, legal, safety, pets, travel, fraud and theft
- International: immigration, relocation, living abroad, family abroad, repatriation

### HOW THE SERVICE WORKS

Find a link to the web portal on the EAP website [eap.wa.gov](http://eap.wa.gov), or visit [bit.ly/eapweb](http://bit.ly/eapweb) and enter your agency code. Spanish content available by using the top left "Choose Language" menu. Explore content areas by using the drop down menus near the top of the page, or use the orange "centers" in the middle of the page to access "News for You" resources on current events, "Locate Providers" for self-search databases, "eLearning" and "Online Seminars" to access free trainings, "Legal/Financial" to find hundreds of do-it-yourself resources, "CareFamily" to find support for seniors, and "Savings Center" for access to a discount shopping program.



## Details of the Financial Counseling Program

If you have questions about a financial issue, speaking with a financial expert can help. Your employee assistance program provides you with free consultations with financial experts on everything from credit and debt, to purchasing a home, or saving for retirement. Experts are available without an appointment during regular work hours, and by appointment on Saturdays. We also offer a full selection of financial articles, tip sheets, financial calculators, and other tools to help you get the answers you need.

### FEATURES AVAILABLE

- Free consultation with a financial counselor for you or your family members.
- No appointment needed during regular business hours Monday through Friday. Saturday appointments available.
- Online financial calculators, library of articles, and do-it-yourself tools to manage finances.
- Online Will — Through a series of questions and prompts, employees can create basic, legally valid wills, quickly and easily.

### WHAT IS COVERED?

- Covered Issues: Bankruptcy prevention, budgeting, comprehensive financial fitness, credit report review, debt reduction and management, estate planning, financial planning, foreclosure prevention, housing education and purchasing, long-term goal-setting
- Excluded Issues: Counseling, advice or comparison of specific financial services or products, Taxes

### HOW THE SERVICE WORKS

Contact the service by calling **1-888-728-1408**. Expert financial counselors are available Monday through Friday, or through prescheduled Saturday sessions (day and evening). There is no time limit to this service, but sessions typically last 30 to 90 minutes. The counselor will address issues and follow up with supportive educational materials sent via mail. Counselors do not sell or endorse specific products and their advice is objective and pressure-free. They may make referrals to local services that may be helpful.

Additionally, this web portal provides 24/7 access to financial calculators, links to helpful web resources, and a basic online will-maker.

**\*\*\*Please note that free financial counseling may be available through your employer, credit union, retirement plan, or financial institution. This service is not intended to replace services available through your employer—contact your HR department for more information.\*\*\***





## Details of the Legal Assistance Program

If your life, or the life of a family member has been impacted by a legal issue, you may need the expert counsel of an attorney. Your employee assistance program can help with a free consultation from a qualified attorney either on the phone or in person. Online support is also available with legal forms, a library of legal articles, and even a simple will. Call or visit us online to get the legal answers you need.

### FEATURES AVAILABLE

- Free 30 minute consultation with an attorney by telephone or in person
- In most cases, discounted services available if you need additional legal support
- Nearly 100 do-it-yourself legal forms including basic wills
- Library of hundreds of legal articles and tip sheets

### WHAT IS COVERED?

- Covered Issues: Family Law, Criminal, Bankruptcy, Adoption, Elder Care, Wills/Trusts/Estate Planning, Consumer Issues
- Excluded Issues: Employment as it relates to employees and family members, one's own business, class action lawsuits, taxes

### HOW THE SERVICE WORKS

Contact the service by calling **1-888-728-1408** anytime (24/7, 365 days a year). A legal consultant will talk with you about your needs and offer resources, including the option of speaking to an attorney with the appropriate expertise by phone or in person for a free 30-minute consultation. If you choose in-person support, within 12 business hours the consultant will email you a referral to a conveniently-located attorney. You may then call the attorney directly to set up your appointment over the next few days. If you need additional help or representation beyond the free 30-minute consultation, you are welcome to engage the in-person attorney who will offer (in most instances) a discount of 25% on their hourly fee or a 10% discount on the flat fee. (Note: During this initial consultation, the attorney cannot review or amend documents.)

Additionally, this web portal provides 24/7 access to a wealth of educational resources and tools, including nearly 100 simple, do-it-yourself legal forms, a library with hundreds of articles and Q&A responses on a wide variety of family and consumer legal topics, and a basic online will-maker.

### FOLLOW-UP FROM A LEGAL SERVICES CONSULTANT:

Within a week of receiving your referral, you will receive a call from a legal services consultant. This is an opportunity for us to be sure that the service has met your needs; however, you may email [legalresearch@workplaceoptions.com](mailto:legalresearch@workplaceoptions.com) at any time for clarification or further assistance.

**\*\*\*Please note that you may also have a free legal support available to you through your union or other sources. Please contact your HR department or union representative for more details.\*\*\***

# USERRA

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# What is USERRA?

## Uniformed Services Employment and Reemployment Rights Act

- Applies to virtually every U.S. employer – No minimum number of employees
- In general, USERRA:
  - Prohibits employment discrimination based on past, current, or possible future military service.
  - Protects reemployment rights for persons absent from employment because of military service.
  - Preserves benefits for persons absent from employment because of military service.



# Prerequisites for Coverage

- Civilian job
- Absent due to military service
- Advance notice to employer
- Military service cannot exceed 5 years (with exceptions)
- Separation under Honorable conditions
- Report back in a timely manner

# USERRA Protections

- Protection from discrimination due to military status
- Prompt reemployment and training
- Accrued seniority
- Health insurance coverage
- Special protection from discharge

# Miscellaneous Protections

- Employee can't be forced to use vacation time to perform military service.
- Employee will retain leave or other accrued benefits. They may be able to use their leave during military service and continue to get a paycheck.
- Employer, not employee, responsible for covering employee's shift or job (i.e. finding a replacement)
- Time in service counts towards the employee's pension benefits.

# Employer Defenses

- Employer change in circumstances
- Undue hardship on employer
- Brief and non-recurrent employment
- Burden of proof is on the employer

## Contact your AAG

If you encounter a situation where USERRA is in question, contact your agency's assigned AAG for guidance on interpretation and application of USERRA.

# Resources

- [U.S. Dept. of Labor Veterans' Employment and Training Service](#)
- [The National Committee for Employer Support of the Guard and Reserve \(ESGR\)](#)



# Questions?

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