Protecting Confidentiality

For supervisory referrals to be effective, an employee needs to know that:

- Problems will not be made public
- Conversations with an EAP professional – or other referral agent – are private and will be protected
- All information related to performance issues will be maintained in his/her personnel file
- Information about an employee’s referral to treatment, however, will be kept separately
- Information about treatment for addiction or mental illness is not a matter of public record and cannot be shared without a release signed by the employee
- If an employee chooses to tell coworkers about his/her private concerns, that is his/her decision
- When an employee tells his/her supervisor something in confidence, supervisors are obligated to protect that disclosure

If EAP services are available, employees are also assured that:

- EAP records are separate from personnel records and can be accessed only with a signed release from the employee
- EAP professionals are bound by a code of ethics to protect the confidentiality of the employees and family members that serve
- There are clear limits on when and what information the EAP professional can share and with whom

However, there are some limits on confidentiality that may require:

- Disclosure of child abuse, elder abuse and serious threats of homicide or suicide as dictated by state law
- Reporting participation in an EAP to the referring supervisor
- Reporting the results of assessment and evaluation following a positive drug test
- Verifying medical information to authorize release time or satisfy fitness-for-duty concerns as specified in company policy
- Revealing medical information to the insurance company in order to qualify for coverage under a benefits plan