



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND  
950 JEFFERSON AVENUE  
FORT EUSTIS, VIRGINIA 23604-5700

ATBO-C

7 October 2015

MEMORANDUM FOR THE RECORD

SUBJECT: Negotiators Intent – Article 38, Employee Assistance Program

1. The following is provided to clarify the intent of the Management and the Labor Chief Negotiators in regards to Article 38, Employee Assistance Program (EAP) in our 2015 Collective Bargaining Agreement.

a. Employees are encouraged to seek EAP assistance as early as possible when problems such as alcohol and substance abuse, work and family pressures, and job stress interfere with an employee's productivity and well-being. Early assistance can potentially alleviate a degradation of performance or contribute to personal conduct issues.

b. If performance and conduct issues manifest themselves in the work place, the Employer and Union representatives will encourage an employee to seek EAP assistance.

c. Management will consider an employee's participation in an EAP program when determining an appropriate action in response to a performance or conduct issue. This will normally be done when applying Douglas factors in determining a disciplinary or adverse action.

d. Management's authority to take appropriate action in response to performance or conduct issues will not be limited by an employee's decision to seek EAP assistance.

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Tony Whitehouse  
Chief Management Negotiator

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Beth Ann Taraba  
Chief Labor Negotiator