

**Forest Service Manual
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**Forest Service Manual 6700 – Safety and Health Program
Chapter 6760 - Employee Health and Work-life Programs**

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Responsible Staff:

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Superseded Document(s):

Digest: Following is an explanation of the changes throughout the directive by section.

6760: Establishes code, caption and direction for Employee Health and Work-life Programs.

6761: Establishes code, caption and direction for the Employee Assistance Program, previously set forth in FSM 6143.

6762: Establishes code, caption and direction for the Employee Wellness Program, previously set forth in FSM 6145.

6763: Establishes code, caption and direction for the Forest Service Work-Life Program, incorporated from Office of Personnel (OPM).

6763.07: Establishes code and caption for the Child Care Program, adds references for direction located at FSM 6444.

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6761 - Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) is designed to assist employees cope and manage social and economic problems that may be adversely impacting their lives. These problems include, but are not limited to; alcoholism, drug dependency, mental or physical illness, financial and legal issues, and domestic difficulties.

For related direction, see FSM 6720, Occupational Health Program and FSH 6709.11, Health and Safety Code Handbook. Additional information on the EAP can be located in OPM's Employee Health Services Handbook located on the OPM website.

6761.01 - Authority

1. Title 5, United States Code, section 552a (5 U.S.C. 552a). Records Maintained on Individuals, safeguards an individual's right to privacy.
2. Title 5, United States Code, sections 7361-7362 and 7904 (5 U.S.C. 7361-7362, 7904). Drug Abuse, Alcohol Abuse and Alcoholism, and Employee Assistance Programs Relating to Drug Abuse and Alcohol Abuse; requires Federal agencies to develop appropriate prevention, treatment, and rehabilitation programs and services for alcohol- and drug-related problems affecting employees.
3. Title 5, United States Code, section 7901 (5 U.S.C. 7901). Health Service Programs, authorizes Federal agencies to establish health service programs to promote and maintain the physical and mental fitness of Federal Government employees.
4. Title 21, United States Code, section 801 (21 U.S.C. 801). Congressional Findings and Declarations: Controlled Substances, authorizes the development and maintenance of prevention, treatment, and rehabilitation programs for alcohol and drug related problems affecting Federal employees.
5. Title 5, Code of Federal Regulations, Part 792 (5 CFR Part 792). Federal Employees' Health and Counseling Programs, requires Federal agencies to provide prevention, treatment, and rehabilitation services to Federal civilian employees with alcohol- and drug-related problems, establish and administer short-term counseling and/or referral programs to assist civilian employees with alcohol and drug related problems, to issue internal program instructions.
6. Title 41, Code of Federal Regulations, section 102-74.530 (41 CFR 102-74.430). Authorizes the use of public areas by permittees during or after regular working hours, provided that such uses will not interfere with Government business.
7. Title 42, Code of Federal Regulations, Part 2 (42 CFR Part 2). Confidentiality of Alcohol and Drug Abuse Patient Records, prohibits disclosure of information without a patient's written permission.

8. Executive Order 12564 (E.O. 12564). Drug Free Federal Work Place, establishes the goal of a drug free work place through education, training, drug testing, and employee counseling services programs.

9. Comptroller General's Decision B-187074 (57 Comp. Gen. 62). Procurement of Psychological Counseling Services for Government Employees, holds that, under 5 U.S.C. 7901, Public Law 91-616, and Public Law 92-255, an agency may expend appropriated funds for the procurement of diagnostic and preventive psychological counseling services.

10. Comptroller General's Decision B-226569 (Comp. Gen. B-226569). Employee Assistance Program – Local Travel, allows reimbursement for local travel expenses incurred by employees for visits to the EAP counselor located at another agency, when an agency determines that the travel is advantageous to the Government.

11. Departmental Regulation (DR) 4430-792-001. Employee Assistance Program, establishes requirements for Department of Agriculture agencies to develop and implement an EAP.

12. Departmental Regulation (DR) 4430-792-2. Drug-Free Federal Workplace Program, establishes the policy and procedures for managing the Drug-Free Federal Workplace Program (DFWP) and identifies the vital role that the Employee Assistance Program plays in promoting a drug and alcohol-free Federal workplace.

6761.02 - Objective

The objective of the Employee Assistance Program (EAP) is to assist employees, in accordance with USDA DR 4430-792-001 and USDA Plan for a Drug Free Workplace, in working through various life challenges that may adversely affect job performance, health, and personal well-being to optimize organizational success.

6761.03 - Policy

The Forest Service recognizes that alcoholism, drug dependency, and mental illness are illnesses, and in most cases are treatable. Employees experiencing any of these illnesses that may adversely affect their job performance or conduct shall receive the same consideration as employees who have other kinds of problems that contribute to poor job performance or conduct. Employees who may be impacted by other employees or family members with these illnesses will receive the same careful consideration and respect. Employees' privacy and confidentiality will be respected in all aspects of implementation of the EAP. For organized units in the Forest Service, aspects of the EAP may be covered by collective bargaining agreements and subject to local negotiations, please consult your applicable collective bargaining agreement. Some examples of EAP services available are:

1. Obtaining assistance in accordance with appropriate EAP authorities when an employee seeks treatment for alcoholism, drug dependency, mental, or physical illness, financial or legal problems, or domestic difficulties.

2. Referrals for employees experiencing personal difficulties to EAP for assistance on a voluntary basis to assist in overcoming problems that may contribute to poor job performance or conduct.
3. Diagnostic and preventive counseling services including problem identification, referral for treatment, and supportive assistance. (5 U.S.C. 7901).
4. Use of public areas for cultural, educational, and recreational activities during or after regular working hours provided that such uses do not interfere with Government business. (41 CFR 102-74.430).
5. With supervisory approval, employees may be allowed up to 1 hour (or more as necessitated by travel) of excused absences (code 66) for each counseling session during the assessment/referral phase. Thereafter, absences during duty hours for rehabilitation or treatment must be charged to the appropriate leave category in accordance with law and regulations.

6761.04 - Responsibility

6761.04a - Line Officers

It is the responsibility of Line Officers to:

1. Ensure appropriate Employee Assistance Program (EAP) implementation in accordance with policy and established authorities.
2. Ensure that EAP services are available and accessible to all employees, including employees working on host units and/or sites (such as, detached and virtual employees).
3. Designate an EAP Coordinator for each region, station, and the Institute, as well as for Job Corps Civilian Conservation Center (JCCCC) offices. Also, designate a forest level coordinator, where necessary, to ensure appropriate program coverage.
4. Create an atmosphere that respects employee privacy and encourages employees to voluntarily seek counseling and guidance through the EAP.
5. Ensure that Supervisors and Managers, within 1 year of appointment to a supervisory position, attend EAP training or equivalent training.
6. Ensure that Forest Service employees are not appointed as counselors or advisors to other Forest Service employees in accordance with the EAP.
7. Ensure that labor relations bargaining obligations for their unit are met and, that administration of the EAP on their unit is consistent with applicable collective bargaining agreements.
8. Assist management and supervisory personnel in ensuring that all applicants and employees are informed about the EAP.

9. Take firm, fair, and consistent action with employees whose conduct is inconsistent with policy and ensure that supervisory referrals are made to the EAP, and outside sources, as needed.

10. Ensure compliance with the EAP policy and take action in noncompliance situations.

6761.04b - Managers and Supervisors

It is the responsibility of Managers and supervisory personnel to:

1. Support the EAP by ensuring a work atmosphere that respects employee privacy and confidentiality; and facilitate an employee's voluntary use of the program.
2. Identify employees for referral to the EAP through documentation of job performance difficulties or through indications of inappropriate use of alcohol or drugs while performing assigned duties.
3. Offer assistance to employees who are in noncompliance with Forest Service standards for conduct and behavior by making supervisory referrals to the EAP.
4. Ensure that recovering employees receive fair and impartial consideration for job related opportunities, such as placement, promotion, and training.
5. Ensure that Forest Service employees are not appointed as counselors or advisors to other Forest Service employees in accordance with the EAP.

6761.04c - Employee Assistance Program Coordinators

It is the responsibility of the Employee Assistance Program (EAP) Coordinators to:

1. Support appropriate program implementation in accordance with established authorities.
2. Provide or coordinate annual educational and awareness training programs to inform employees of the counseling and referral services available through the EAP and to emphasize prevention, early detection, and EAP treatment options.
3. Provide or coordinate training for Supervisors and Managers to recognize, not diagnose, early signs of potential problems, which could involve alcohol or drug use or abuse, as well as other problems that adversely affect employee performance. This training should include confrontation and referral procedures.
4. Ensure that internal or contract counseling services offer short-term counseling (not to exceed 6 to 8 visits) and/or referral services for employees with personal problems.
5. Provide information on alcohol and drug abuse prevention and education training to all employees. All alcohol and drug abuse prevention training modules for employees and Supervisors can be accessed through the AGLearn catalog under "6170 FS".

Additional onsite training sessions and resources are available through your EAP provider and will be provided in accordance with the USDA Plan for a Drug-Free Workplace.

6. Ensure that all contracted EAP Service providers are in compliance with the USDA Plan for a Drug-Free Workplace and USDA DR 4430-792-2.

6761.04d - Employees

It is the responsibility of employees to:

1. Take action or seek treatment necessary to maintain satisfactory job performance or conduct.
2. Pay the costs associated with treatment (beyond the assessment sessions provided by the EAP counselor) that are the responsibility of the employee. Employees can use their Federal employee health benefits plan for financial assistance with covered services.
3. Take advantage of information provided by the Forest Service and participate in trainings offered through the EAP, such as employee orientations and drug free workplace trainings in AGLearn and/or onsite, when available.
4. Assist in prevention of alcohol and/or drug problems and their adverse effects on employee health and safety by notifying management when the employee knows the drug and alcohol policy is violated at the worksite.
5. Respect the needs and rights of employees to maintain confidentiality and to actively engage in an ongoing recovery program.
6. Consult with an EAP counselor directly on alcohol and/or drug use or abuse questions.

6762 - Wellness Programs

Wellness Programs are designated to encourage and promote employees to participate in active lifestyles to maintain mental and physical well-being, enhance an individual's ability to lead a satisfying and productive life both on and off the job, and reduce Forest Service's costs by increasing production and reducing illnesses and injuries.

For related direction, see FSM 6761 for the EAP covering topics on alcohol and drug abuse; FSM 6720, Occupational Health Programs for topics on occupational health and safety; FSM 6181, Injury Compensation for compensation for injury; FSM 5375, Law Enforcement Health and Fitness Program for law enforcement physical fitness qualifications; and FSH 5109.17, Fire Aviation Management Qualifications Handbook for firefighter physical qualifications and fitness. For additional information on leave and related program areas, see FSH 6109.11, Pay Administration, Attendance, and Leave Handbook. Additional information on Wellness Programs can be located in OPM's Employee Health Services Handbook located on the OPM website and your local collective bargaining agreement.

6762.01 - Authority

Title 5, United States Code, section 7901 (5 U.S.C. 7901) and Title 5, Code of Federal Regulations, Part 792 (5 CFR Part 792). Provides authority to establish preventive programs related to health and wellness. Authorized activities related to wellness include providing health services, health education, specific disease screening, encouraging health maintenance, and establishment and operation of physical fitness programs. Information can also be located on USDA Departmental Regulation 4430-002 on Wellness Programs. For additional information on wellness programs, refer to FSH 6109.11, chapter 30, Absence and Leave.

Comptroller General's Decision, volume 70, page 190 (70 Comp. Gen.190). Authorizes agencies, within available appropriations, "to provide access to private health and fitness facilities for its employees as part of its health service program."

Internal Revenue Service Private Letter Ruling 9029026 (April 20, 1990). States that amounts reimbursed by employers to employees for membership in an exercise or fitness facility are taxable fringe benefits to the recipients.

6762.02 - Objectives

Forest Service units at the local level are encouraged to establish employee Wellness Programs which promote active lifestyles to maintain mental and physical well-being, enhance an individual's ability to lead a satisfying and productive life both on and off the job, and reduce Forest Service costs by increasing productivity and reducing illnesses and injuries. For organized units in the Forest Service, the establishment of a Wellness Program may be subject to local negotiations, please consult your applicable collective bargaining agreement.

6762.03 - Policy

It is Forest Service policy to encourage employee wellness programs to enhance employees' ability to lead a satisfying and productive work life balance while reducing Forest Service costs through increased productivity and reduction of illness and injury.

6762.04 - Responsibility

6762.04a - Line Officers, Managers, and Supervisors

It is the responsibility of Line Officers, Managers, and Supervisors to:

1. Establish a local wellness plan for their unit. Each local wellness plan must list the wellness activities being authorized, for example: health screenings, smoking cessation, and weight management programs, and cardio fitness.
2. Ensure that information on Wellness Programs is available and accessible to all employees, including employees working on host units and/or sites (such as, detached and virtual employees).

3. Ensure the labor relations bargaining obligations for their units are met and, that administration of the Wellness Program on their unit is consistent with applicable collective bargaining agreements.
4. Identify which of the following financial arrangements will apply to each activity:
 - a. Government Provided: The activity will be provided using a central procurement for the office as a whole, therefore no employee reimbursement is available for the activity; or,
 - b. Employee Reimbursement: Participation in individual health and wellness program tuitions and members must be on an employee reimbursement basis where the employee pays the participation fee, in full, then seeks allowed reimbursement at the end of the participation period, after the goods or services have been received.
 - c. When the Government provides equipment, purchase durable physical fitness and exercise equipment similar to that found in a physical fitness or exercise facility, such as a treadmill, stationary bicycle, or stair-stepper. Ensure that fitness equipment purchased complies with all published directives and guidelines. See restrictions in FSM 6414.2, Personal Property Management.
 - d. Establish a reasonable per-year/per-employee maximum dollar amount for reimbursements. Employee reimbursements are only for commercial programs, centers, and institutions. The amount reimbursed may not exceed the cost of an individual tuition or membership, even if a family membership is purchased. Ensure that a participating employee and his/her Supervisor have both signed the employee's documented personal wellness plan (PWP) which should be an individualized program dependent on the agreed-to wellness activity or activities:
5. Designate a Wellness Program Coordinator for each Region, Station, and the Institute, as well as for the Job Corps Civilian Conservation Centers (JCCCCs) offices, Law Enforcement and Investigations (LEI), Washington Office/Albuquerque Service Center, and other offices, when applicable. Forest level coordinators can be designated, when necessary, to ensure appropriate program coverage.

6762.04b - Wellness Program Coordinators

It is the responsibility of Wellness Program Coordinators to:

1. Ensure appropriate program implementation in accordance with established authorities.
2. Provide information to employees on wellness concepts.

6762.04c - Budget and Finance (Miscellaneous Payments)

It is the responsibility of Budget and Finance (Miscellaneous Payments) to process employee reimbursements.

6762.04d - Acquisition Management

It is the responsibility of Acquisition Management for procurement and management of Forest Service-owned physical fitness equipment/property.

6762.04e - Employees

It is the responsibility of employees to only operate under a signed wellness agreement aligned with the program allowances.

6762.06 - Health Risk Screening

An individual's personal fitness plan should be based on health risk screening to identify problems such as high blood pressure, high percentage of body fat, use of tobacco products, inability to cope with stress, improper nutrition (high cholesterol), low activity or energy levels, or the inability to perform jobs safely and proficiently.

6762.07 - Physical Activity

If employees enter a physical fitness program where Government time (excused leave, code 06/66) is involved, units must develop a wellness plan that provides for:

1. Screening to identify individuals in high-risk categories;
2. Developing an individual exercise program based on fitness goals and benefits to the Forest Service;
3. Identifying sanctioned fitness activities that consider the potential for injuries and the image such activities present to the public, and program administration; and
4. Monitoring to determine benefits and risks.

Employees injured while participating in an agency approved physical fitness or wellness activity, even outside duty hours, may be eligible for workers' compensation benefits. Approved programs must be documented and incorporate safeguards to limit the potential for injury or illness (FSM 6181, Injury Compensation).

6762.08 - Tobacco Cessation Program

The Tobacco Cessation Program (also referred to as the Smoking Cessation Program) is designed to encourage Federal employees to make healthier lifestyle choices that also include the cessation of tobacco use. Smoking is a major contributor to illnesses such as cancer, coronary

disease, and emphysema. Therefore, Smoking Cessation Programs are preventive in nature. Appropriated funds may be used to pay the costs of employees participating in agency-sponsored Smoking Cessation Programs based on availability of funds. For additional information, see FSM 6443.8, Smoking Regulations and Departmental Regulation 4400-6 (DR 4400-6) for the policy on smoking at <https://www.ocio.usda.gov/document/departmental-regulation-4400-006>.

6762.09 - Smoking Cessation Course

Appropriated funds, when available, may be used to pay costs incurred by employees participating in agency-authorized smoking cessation programs (5 U.S.C. 7901). The dollar amount to be spent for any employee shall be determined by the Line Officer (FSM 6510.42). The Forest Service may pay for subsequent smoking cessation programs for employees who find it difficult to break their addiction to tobacco and have a serious desire to try again. Payment for personalized medically supervised smoking cessation programs conducted in a hospital or under personal medical supervision is not authorized.

6763 - Work-Life Program

Work-life Programs are designed to create flexibility and responsible work environments supportive of employee's commitments to home, family, and community. Work-life Programs provide employees with information on but not limited to, child and elder care, nursing mothers program, parenting support groups, work schedules, transit, telecommuting, volunteerism and community involvement, and health promotion. For additional information on these and other potential components of Work-life Programs, please refer to the appropriate Forest Service or USDA policies (such as, FSM 6161 addresses agency telework policies and the USDA Commuter Transit Subsidy Benefits Program is addressed in USDA DR 4080-811-04).

6763.01 - Authority

The authority to share information on optional Work-life Programs was encouraged by two Presidential Memoranda dated July 11, 1994 and June 21, 1996, respectively. Additional guidance is located in the Presidential Memorandum dated June 23, 2014, entitled "Enhancing Workplace Flexibilities and Work-Life Program", provides policy on Work-life Programs. The above work-life policies can be located on the OPM website.

6763.02 - Objectives

Forest Service units at the local field offices are encouraged to establish employee Work-life Programs and to provide information to employees on balancing their work and lives.

6763.03 - Policy

The Forest Service is committed to the sharing of information and/or the implementation of Work-life Programs.

6763.04 - Responsibility

6763.04a - Line Officers, Managers, and Supervisors

It is the responsibility of Line Officers, Managers, and Supervisors to:

1. Ensure that information on Work-life Programs is available and accessible to all employees, including employees working on host units and/or sites (such as, detached and virtual employees). The methods employed in the delivery of the information may be based on the availability of funds.
2. Designate a Work-life Program Coordinator for each Region, Station, and the Institute, as well as for Job Corps Civilian Conservation Center offices. Also, designate a forest level coordinator, where necessary, to ensure appropriate program coverage.

6763.04b - Work-Life Coordinators

It is the responsibility of Work-Life Coordinators to:

1. Ensure that information shared with employees includes related provisions of any collective bargaining agreements.
2. Ensure appropriate program implementation in accordance with established authorities.
3. Share information to employees on the work-life issues.

6763.06 - Leave Programs

For direction on leave policies, see FSH 6109.11, Pay Administration, Attendance, and Leave Handbook. Unless otherwise stated, refer to the appropriate Forest Service policies.

6763.07 - Child Care Program

The Child Care Program is a component of the Work-Life Program. For direction on child care policy, see FSM 6444, Government-Sponsored Childcare Facilities. Additional policies can be located in Departmental Regulation 4080-811-01, USDA Child Care Tuition Assistance Program, and Departmental 4080-811-3, Child Care Centers.