

Confidentiality Best Practices for EAPs

For EAP Professionals & Supervisors – Bridging the Gaps

Introduction

Protecting sensitive employee information is a cornerstone of effective EAP support. Maintaining confidentiality builds trust, ensures legal compliance, and promotes a safe environment for employees to seek help.

This guide provides **practical best practices** for managing confidential information in workplace support, referral, and wellness programs.

1. Principles of Confidentiality

- **Privacy First:** Treat all employee communications as confidential unless disclosure is legally required.
 - **Need-to-Know Basis:** Share information only with individuals directly responsible for support, HR compliance, or safety.
 - **Clear Boundaries:** Separate HR documentation, supervisory notes, and EAP records appropriately.
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2. Handling Employee Information

- Store records securely (locked cabinets or password-protected systems).
 - Use anonymized or limited identifiers when sharing trends or patterns.
 - Avoid discussing employee issues in public spaces or with unauthorized personnel.
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3. Communication Guidelines

- When discussing referrals or interventions, use neutral, factual language.
 - Reinforce confidentiality when introducing employees to EAP or external providers.
 - Document only necessary details for compliance, follow-up, or safety.
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4. Legal Compliance Considerations

- Understand [HIPAA](#), [ADA](#), [FMLA](#), and state privacy regulations.
 - Ensure EAPs and treatment providers have clear agreements for information sharing.
 - Maintain proper consent forms when necessary.
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5. Best Practices for Supervisors

- Keep all discussions private and focused on **observed behaviors or performance concerns**.
 - Encourage employees to use EAP resources directly for personal or sensitive matters.
 - Avoid storing sensitive information in general personnel files unless required.
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6. Contact & Support

For further guidance or training:

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