



# Stress Management Procedures

## Systems of Work

How to Deal with a Person Experiencing Stress.

### Outcomes

- A transparent and effective Stress Management Procedure for use.
- Guidelines for dealing with a person experiencing stress.

## How to Deal with a Person Experiencing Stress

Under the Health & Safety at Work Act 2015, companies must protect workers from potential workplace harm. This includes recognising and acting when an employee is experiencing workplace stress. This guide details the procedures a company should follow to ensure effective stress management tools are implemented.

This how to guide will cover:

- Stress Management Requirements.
- Procedures for dealing with an employee experiencing stress.

## Stress Management

Stress Management applies to permanent full-time, permanent part-time, fixed-term, and casual workers. It does not apply to agency temporaries and independent contractors. The Health & Safety at Work Act 2015 extended workplace injury coverage to include injury caused by 'stress' or 'mental fatigue'.

Stress and mental fatigue refer to an interaction between a person and their (work) environment. For the person, it is an awareness of not being able to cope with the demands of their work environment, with an associated negative emotional response.

Serious Harm is a condition that results in death, or the permanent loss of bodily function, or temporary severe loss of a bodily function. Under the Health & Safety at Work Act 2015, it also defines Serious Harm as "any harm that causes the person harmed to be hospitalised for a period of 48 hours or more commencing within 7 days of the harm's occurrence".<sup>1</sup>

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<sup>1</sup> Health and Safety at Work Act 2015 (as at 1 December 2020),  
<https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976660.html>

## Procedure

The following steps detail the procedure employers should take when dealing with an employee who is experiencing stress.

### 1. Notify Human Resources or Senior Management

The individual or their manager notify Management or Human Resources (HR) of stress.

### 2. Review Employee Records

Human Resources / Management view signed and completed Recruitment Disclosure form / Personal Details Form to verify any medical history or pre-existing conditions to be aware of, or which may leave the individual predisposed to stress.

### 3. Discuss Procedures

Human Resources / Management meet with the Manager to outline internal procedures and discuss known circumstances or disclosed history.

### 4. Investigate and Address Stress

The Manager and / or Human Resources meet with the individual to discuss / investigate what the source(s) of stress are.

- If stress is personal, offer the Employee Assistance Programme (EAP) (if applicable) and consider work-related measures.
- If stress is work-related, offer the EAP and implement the appropriate work-related solution. (Please note the below is not an exhaustive list but provides examples of potential solutions to consider)
- Is this report of stress considered 'Serious Harm'? (A medical report may be required for verification). If yes –report to WorkSafe within seven days.

## Work-related solutions:

- Reduce workload
- Change work content
- Adjust work organisation
- Offer flexible hours / reduced hours (which may be for an agreed temporary period).
- Team transfer if stress is related to a manager or team. Note: Stress relating to an individual manager or team may require additional investigation into the conduct or behaviour.
- Training courses, e.g. time management.
- Time off work (workload to be managed in absence). Standard practice is for leave to be taken as sick leave or unpaid leave if there is no sick leave entitlement; however, this is at the Company's discretion. Time off should be for an agreed short-term period, and approval should only be given where a 'Return to Work' plan has been developed.

Work-related solutions should be practical for the Company and help to reduce the employee's stress. They should be decided in collaboration with the employee.

## 5. Employee Assistance Programme

Report Referrals of workers to an EAP will require the individual's consent for the Company to contact the EAP for a report. If an individual does not consent, refer to the conditions in the employment agreement, and/or the company policies and remind the individual of their 'good faith' obligations. If the individual continues to refuse, consider a disciplinary process. The Company needs to specify to the EAP that the Company wants the following included in the service provided (this will depend on the agreement with the EAP provider):

- An assessment on symptoms and causes, and a written report on whether the Company has contributed in any way.
- Coaching on techniques to manage the situation and a written report on actions required at work to assist in managing the situation (work-related solutions).
- Counselling on behavioural change.
- Report of progress, including any liaison with the individual's GP.

## 6. Monitor Employee

The Manager will need to regularly monitor the situation with the individual. The Manager will need to decide on the frequency of the review, e.g. weekly/fortnightly. The Manager should review progress following the implementation of solutions and when any temporary solutions put in place are to end (e.g. end of leave, end of reduced workload and return of full duties). Has stress given rise to performance problems, and have these continued over an extended period (e.g. 2-3 months)? If yes, the Manager, in consultation with HR will need to make a decision to manage this problem as either a medical incapacity issue or a performance management issue as appropriate. Is the individual continuing to experience stress? If yes, continue to offer EAP and implement work-related further solutions as appropriate.

## 7. Stress Resolved

Once the employee confirms they are no longer experiencing stress, consider the issue resolved. The Company may stop offering the EAP.

## 8. Lessons Learned

The Manager and Human Resources should undertake a review to ensure lessons are learnt. This review could result in policy, practice or process changes (for example, in recruitment, health and safety, or leave), training and education, and the Company's support in these situations.

## Additional Learning

The EMA has a variety of learning opportunities available in person or via our e-learning platform. For more information visit: <https://www.ema.co.nz/ema/learning/ema/training>

We also can provide tailored training solutions to your business based on your specific needs. If this is of interest to you, contact [learn@ema.co.nz](mailto:learn@ema.co.nz)

We also provide conferences, webinars, and member briefings. For more information visit: <https://www.ema.co.nz/ema/events/ema/events> or contact [conferences@ema.co.nz](mailto:conferences@ema.co.nz).

## Get in Touch

For specific assistance and enquiries, please contact EMA Advice Line, Consultants or Legal services. Advice Line NZ 0800 300 362 or AU 1800 300 362.