**HIV/Aids Policy**

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**PURPOSE:**

The objective of this policy is to ensure that all employees of the company are kept informed about HIV/AIDS as well as to detail the steps that will be taken to protect both the company and the employee against the effects of this disease.  This will be achieved by:

•    Eliminating unfair discrimination
•    Promoting an environment in which people living with HIV/AIDS are treated fairly.
•    Monitoring the prevalence of HIV/AIDS in a structured manner.
•    Developing proactive guidelines and programmes.
•    Implementing HIV/AIDS awareness programmes aimed at providing support and education.

**SCOPE:**

This policy applies to all employees of the company.

**RESPONSIBLE PERSONS:**

1. Human Resources Manager - Implementation and facilitation.
2. Human Resources Manager - Administration, monitoring and

enforcement of this policy.

1. Employees - Adherence to this policy and

procedures outlined in this policy

**POLICY STATEMENT:**

It is agreed between management and employees that this policy is not a unilateral change in the employment conditions of the employees of this company; and that the implementation of this policy is as a result of the required alignment of policies within ......................................

**BASIC INFORMATION ON HIV/AIDS:**

•    What is HIV?
AIDS is a disease that affects millions of South Africans. It is caused by a virus called HIV, which stands for Human Immune Deficiency Virus. This virus slowly weakens a person’s ability to fight off other diseases, by attaching itself to and destroying important cells that control and support the human immune system (CD 4+ cells). After a person is infected with HIV, he or she, although infectious to others, can look and feel fine for many years before AIDS is developed.

•    HIV causes AIDS
There is no question among the majority of the world’s scientists that HIV causes AIDS.  The average period between getting infected with HIV and developing AIDS is 7 to 9 years in the absence of treatment. AIDS is an abbreviation for Acquired Immune Deficiency Syndrome, which is a term to describe a set of opportunistic infections and cancers, which would not be life-threatening, if HIV had not destroyed the body’s immune system in the first place.

•    Transmission and factors fuelling the epidemic
There is very little chance of HIV being transmitted in the workplace. In order for a person to be infected, the virus must gain entrance into a person’s blood stream.

These are limited number of modes of transmission and they are, in order of importance:

• Unprotected sex with an HIV infected person
• From an infected mother to her child (during pregnancy, at birth, through breast feeding)
• Transfusion with infected blood and blood products
• Intravenous drug use with contaminated needles
• Unsafe, unprotected contact with infected blood and the bleeding wounds of an infected person.

•    Treatment
There is no cure or vaccine for HIV/AIDS yet, however, there are some major advances in medical treatment. Antiviral drug combinations are available, which, when properly used result in significantly prolonged survival of people living with HIV.

1.        Principals
The following principals should be followed:

a.    AIDS awareness

All management and supervisors will be provided with information pertaining to HIV/AIDS.  This is aimed at establishing a reservoir of information and knowledge that will be available to all employees and which will better enable them to make informed decisions.  This information will be updated from time to time.

b.    Pre-employment testing

HIV testing is not a prerequisite for employment.  The company will not conduct pre-employment testing, unless it is a requirement for the position.  Permission will however first be obtained from the Labour Court for such testing.

c.    Special circumstances requiring HIV testing

In the case of persistent illness, an employee may be referred for medical examination, and may be required to undertake an HIV test.  The referral for medical examination does not make taking an HIV test obligatory.  Any report on the employee’s state of health will only be divulged to the company with the employee’s consent in writing.

d.    Disclosure of HIV test results

HIV test results will not be disclosed to management without the employee’s written consent and such disclosure will be treated as strictly confidential.  It is, however, the employee’s prerogative to disclose such test results to any party he/she wishes.

[YOUR COMPANY NAME] strives to create a climate that allows for and encourages voluntary disclosure of an individual’s positive HIV status.

The employee reserves the right to disclose the results of his/her HIV test at any given time.

e.    Pre-test counseling

Before an employee undergoes HIV testing, he/she will receive pre-test counseling.

f.    Post-test counseling

Following an HIV test, each employee will receive post-test counseling.

g.    Discrimination

Through the provision of information, education and communication about HIV and AIDS and normal disciplinary and grievance procedures, this policy aims to protect all HIV positive employees from stigmatisation and discrimination by co-workers, based on their HIV status. It guarantees that job access, -status, -promotion, -security, and training will not be influenced merely by the HIV status of an employee.

No employee may be discriminated against based on his/her HIV status.  Discrimination against HIV positive employees by fellow employees, based on their HIV status, will not be condoned.  Such action will render employees involved subject to disciplinary action in accordance with the company’s disciplinary code and procedure.

h.    Protection against HIV infection in the workplace

Every employee must take the appropriate precautions when faced with a situation that may lead to the transmission of HIV.

i.    Transparency

The company will adopt a consultative and transparent approach to the management of HIV/AIDS.  This policy will be reviewed should the company’s strategy or legislation change.

j.    Grievances

All grievances about issues related to HIV/AIDS will be handled by the Human Resource Department.

k.    Access to training, promotion and benefits

With this policy, XYZ Company acknowledges the desire and the ability of HIV positive employees to work. It therefore, guarantees that employees living with HIV and AIDS may continue to work as long as they are able to perform their duties in accordance to the job requirements. An employee with HIV/AIDS will be expected to meet the same performance requirements that apply to other employees, with reasonable performance accommodation if necessary.  Reasonable accommodation refers to those steps that management will take regarding an employee with a disability.  Reasonable accommodation may include, but is not limited to, flexible or part-time working schedules, leave of absence, work restructuring or reassignment.  HIV infected employees will be entitled to the same benefits as all other employees.

l.    Education and Awareness

[YOUR COMPANY NAME] will facilitate continuous HIV/AIDS education and awareness through ensuring:

* The systematic and ongoing provision of credible information about HIV/AIDS using all company media and communication methods.
* Providing all management and supervisors with all relevant updated information relating to HIV/AIDS.
* Ensuring the availability of condoms in the workplace.  These will be available from any manager or supervisor, or from the staff canteen.
* Regular workshops

**EMPLOYEE POLICY CONFIRMATION:**

***I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (employee name and surname), declare that;***

1. Ihave been familiarised with and informed of the HIV/Aids Policy.
2. I understand and agree to the contents of this policy and that;
* it may be amended from time to time,
* it forms part of my employment conditions,
* the implementation and contents of this policy are mutually agreed upon with the employer,
* I have been given the opportunity to question this policy and that my questions were satisfactorily answered
1. I agree to strictly adhere to this policy.

Signed at \_\_\_\_\_\_\_\_\_\_\_\_ (place) on the \_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [YEAR].

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Signature Employee

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Signature Manager