HIV/AIDS WORKPLACE POLICY

EMNAMBITHI/LADYSMITH MUNICIPALITY

EMNAMBITHI/LADYSMITH MUNICIPALITY: HIV/AIDS WORKPLACE POLICY

1. PURPOSE, PREAMBLE AND GENERAL PRINCIPLES

Purpose

The purpose of this HIV/AIDS Workplace Policy is to:

- Ensure a uniform and fair approach to the effective prevention of HIV/AIDS amongst employees and the comprehensive management of employees infected with or affected by HIV/AIDS.
- Provide guidelines on how to determine, reduce and manage the impact of HIV/AIDS on the employees and business of the Emnambithi/Ladysmith Municipality.
- Create an environment that is conducive to protected disclosure, acceptance and access to care and support benefits for HIV infected and affected employees.

1.2 Preamble

The Management of the Emnambithi/Ladysmith Municipality acknowledges the seriousness of the HIV/AIDS pandemic in South Africa and its significant impact on the workplace. It shares the understanding of AIDS as a chronic, life threatening disease with social, economic and human rights implications. The Council seeks to minimize these implications through comprehensive, proactive workplace programmes and commits itself to providing leadership in implementing such programmes.

1.3 General Principles

- Consultation of the HIV/AIDS workplace policy has been developed and will be implemented in consultation with the recognized trade unions being IMATU and SAMWU.
- Equity: Employees living with HIV/AIDS have the same rights and obligations as all staff members and they will be protected against all forms of unfair discrimination based on their HIV status.
- Confidentiality: All information and test results of an employee concerning HIV and AIDS are confidential. An employee may give informed consent to release such information to individuals specifically identified by the employee.
- Rights and responsibilities: This policy is in compliance with existing South African laws regarding HIV/AIDS.

Breaches of this policy will be dealt with under the normal disciplinary and grievance procedures of CTMM.

2. LEGISLATION GOVERNING THIS POLICY

- The Constitution of South Africa Act 108 of 1996;
- Labour Relations Act 66 of 1995;
- Employment Equity Act 55 of 1998, with the Code of Good Practice for HIV/AIDS and Employment
3. CREATING A NON-DISCRIMINATORY AND CARING ENVIRONMENT

Stigmatisation & Discrimination

Through the provision of information, education and communication about HIV and AIDS and normal Council disciplinary and grievance procedures, this policy aims to protect all HIV positive employees from stigmatization 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.

Counseling & Testing

The Council rejects HIV testing as a prerequisite for recruitment, access to training or for promotion. However, the Council promotes and facilitates access to HIV Voluntary Counselling and Testing (VCT) for all employees.

3.3 Confidentiality & Disclosure

All employees have a constitutional right to confidentiality about their HIV status. An employee is under no obligation to disclose his/her HIV status to their employer or to other employees.

The Council guarantees confidentiality of any medical information relating to HIV status that any of its representatives may have in their possession by virtue of their position in the Council. The Council strives to create a climate that allows for and encourages voluntary disclosure of an individual’s positive HIV status. The Council also guarantees that an employee will not be unfairly discriminated based on their disclosed HIV status.

Should the employees want a supervisor, Occupational Health Practitioner or Employee Wellness Practitioner to disclose his/her status to any third party, he/she will be required to provide written consent before they may do so.

3.4 Performance Management

With this policy, the Emnambithi/Ladysmith Municipality 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.

Employees living with HIV/AIDS will be managed in the same way as employees with other chronic or life threatening illness. They will be expected to meet the same performance requirements that apply to other non-infected employees.

An HIV (+) employee will retain his/her employment as long as he/she meets the inherent performance requirements of the job he/she was employed to do. Employees who become too ill (impaired) to meet the performance requirements will be treated in accordance with the Management of Medical Incapacitated Employees of the Council based on the provisions of the Labour Relations Act no. 66 of 1995 and pension fund rules.
4. IMPLEMENTATION AND CO-ORDINATION RESPONSIBILITIES

4.1 Co-ordination

The Emnambithi/Ladysmith Municipality will appoint a dedicated HIV/AIDS Workplace Programme Co-ordinator to co-ordinate and implement the HIV/AIDS Workplace Policy and supporting programmes.

A Steering Committee will be established to manage the HIV/AIDS Workplace Programme on a strategic level. The Steering Committee will consist of the Manager Corporate Services, Manager Finance, Health Care, representatives from the recognized trade unions and the HIV/AIDS Workplace Programme Co-ordinator. Specialists within the different divisions may be co-opted by the said Managers.

A Workplace HIV/AIDS Task Team (WHATT), consisting of representatives from all departments, will be established to ensure optimal participation and implementation by all departments.

The HIV/AIDS Workplace Programme Co-ordinator will be the convenor of the Steering Committee and the WHATT. Operations of the whatt steering Committee will be guided by this policy and a constitution.

5. EMNAMBITHI/LADYSMITH MUNICIPALITY HIV/AIDS WORKPLACE PROGRAMME

5.1 Impact Evaluation and Containment

The Council HIV/AIDS programme will prioritize the critical needs to proactively manage the impact of the epidemic on the Emnambithi/Ladysmith Municipality and employees. The Council will:

- Conduct baseline and periodic formal HIV/AIDS risk assessments of the organization and employees. This will include HIV prevalence, knowledge, Attitude, Practice andBehaviour (KAPB) and impact studies. These studies will not compromise confidentiality of employee HIV status and will be conducted with the consent of employees and trade unions.

- Continually review and improve appropriate organizational and human resource development measures.

- Continually give input into the reviewing and re-modelling of health related employee benefits to meet current and future needs and impacts.

Prevention of HIV Infections

Awareness & Education

Council will provide education about the disease on a regular basis in the workplace, through a variety of activities, focusing on the following:

- Basic information on HIV/AIDS, including high risk and prevention of the disease. All new employees will receive similar basic information on HIV/AIDS, as part of their induction process.
- Responsible behaviour – empowering individuals to make informed decisions;
- Misconceptions about the disease and its mode of transmission, to counter possible prejudices against persons with HIV/AIDS; and
  - Appropriate training programmes for managers and employees

The above will be facilitated on a continuous basis by ensuring:

- The training of HIV/AIDS peer educators who will assist with the focused rollout of HIV/AIDS awareness in Council.
- The systematic and ongoing provision of credible information about HIV/AIDS using all internal
media and communication methods. This will include, but not be limited to, regular features in internal notices, HIV/AIDS information sessions in workplaces, distribution of informative publications, referrals to the National HIV/AIDS Helpline and other Support and Information Resources.

Training of all levels of managers on applicable policies and procedures.

Condoms

Council acknowledges that condoms are not the only way in which HIV can be prevented and is also not 100% effective, but that it is an important part of prevention and undertakes to promote the use of condoms and will fee of charge, put at the disposal of all employees, condoms at strategic places at all operations.

Syndromic Treatment of Sexually Transmitted Infections (Sti’s)

As a sexually transmitted infection creates a very high risk for HIV infection, Council will as part of its HIV prevention strategy, ensure that occupational health practitioners can identify STI’s and either treat them according to the provincial syndromic approach, or refer them to appropriate clinics.

5.2.4 Prevention of Injury on Duty

Risk of HIV infection at the workplace is co-managed by Occupational Health and Safety and the different departments, by the following:

Hazard identification and risk evaluation in the workplace
Drafting and implementation of an ensuring adherence to safe work procedures to reduce risk of exposure to blood pathogens, including HIV,
During normal work procedures and providing first aid after injuries on duty.
( Appropriate HIV/AIDS information is included in occupational health and safety as well as First Aid training.

5.2.5 Prevention of Mother to Child Treatment (PMTCT)

Female employees will be made aware of the PMTCT that is available through awareness and educational programmes as indicated in 6.2.1

6. Clinical Care and Support

6.1 Treatment of Injury on Duty

Emergency care and prophylactic anti-retroviral treatment will be provided to Council employees exposed to blood and other bodily fluids during the performance of normal duties in accordance to Council policy.

6.2 Treatment of Opportunistic Infections

Employees diagnosed with opportunistic infections at OHS clinics, will be treated in accordance to treatment protocols or referred for appropriate treatment.

6.3 Voluntary Counseling and Testing (VCT)

Knowing that VCT is one of the most effective ways whereby change of behaviour can be facilitated as well as assisting with the identification of new HIV infections, Council will, over time, offer an opportunity to each employee on a voluntary basis, to be counseled and tested for HIV, according to international guidelines and at the cost of the municipality. Information regarding the VCT will be managed on a strict confidential basis between the VCT consultant and the employee only.
6.4 Employee Wellness Programme

Council will encourage HIV (+) employees to utilize the services of the internal Employee Wellness Practitioners for psycho-social support. External service providers will also be contracted.

6.5 Anti Retroviral (ARV) Treatment Disease Management

HIV positive employees will be supported in managing the disease by referring them to their respective Medical Aid HIV/AIDS Management Programmes or State Clinics for ARV treatment.

7. SERVICE PROVISION FOR EMPLOYEE SUPPORT

Should internal capacity not be able to render a comprehensive HIV/AIDS Workplace Programme as indicated in paragraph 6 of this policy, an established service provider will be contracted to render some or all of the indicated services.

8. COMMUNICATION OF HIV/AIDS POLICY

Council will communicate its HIV/AIDS policy to all levels of employees.

9. MONITORING AND EVALUATION

Continuous monitoring, evaluation and reporting on programme impact are critical to ensure and sustain continuous success. A monitoring, evaluation and reporting system for all programme components will be designed, implemented and maintained.

10. BUDGETARY PROVISION

To ensure the long term sustainability of the Emnambithi/Ladysmith Municipality HIV/AIDS Workplace Programme, an annual operational budget will be provided.

11. POLICY REVIEW

The Steering Committee will review the policy at regular intervals.

GLOSSARY

HIV: (Human immuno-deficiency virus). The virus slowly damages a person’s immune system.

AIDS: (Acquired Immune Deficiency Syndrome) – a syndrome that results from HIV infection. When a person’s immune system has become weakened by HIV that it cannot fight infections anymore, a person has developed “Acquired Immune deficieny Syndrome” or AIDS. Opportunistic infections (illnesses that take advantage of the body’s weakened immune system) include thrush, tuberculosis (TB), skin rashes, shingles and others.

Immune system: The immune system protects the body against infections and diseases.

Confidentiality: Confidentiality means keeping personal information about an employee from others unless the employee has consented to the disclosure.

Informed consent: This means that the employee has been given all the information necessary to make a knowledgeable (well informed) and voluntary decision.
Pre-test counseling: trained counselor counsels an employee on the facts of HIV/AIDS, the potential of the individual to be HIV (+), what the HIV test means and determine the readiness of the person to deal with test result, before the test is done.

Post-test counseling: A trained counselor informs the employee of the results of the test. The trained counsellor will also discuss ways in which the employee can live with the HIV status if he is HIV positive, or how to stay negative if he is HIV negative.

STI's: (Sexually transmitted infections) Infections that are passed from one person to another during unprotected sexual intercourse with a person who has one or more STI's including syphilis, gonorrhea, chancroid and HIV.

Occupational exposure: Exposure to blood or other body fluids infected with HIV during the course of one's duties in the company.

Pandemic: A disease occurring throughout the world.

Prevalence: Number of people infected with HIV measured as a percentage of the total population.

Risk: Probability of a person acquiring HIV.

Risk assessments: Identify the factors that may make a particular workforce, workplace or surroundings more vulnerable to HIV infection.

 Syndromic treatment of STI’s: It means treating the major presenting or defining symptom of a STI, such as a genital discharge or a sore, with a protocol of care to cover the common causes of such infection.

This is done instead of trying to make a specific diagnosis and treating the specific cause alone. The process is quick, an easy and treatment is usually successful.

Anti-retroviral medication (ART): Medication which inhibits the replication of HIV.
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