

**HIV/AIDS in the workplace** policy

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## acronyms used

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<b>AIDS</b> .....	Acquired Immune-Deficiency Syndrome
<b>APAs</b> .....	Annual Performance Appraisals
<b>HIV</b> .....	Human Immune-Deficiency Virus
<b>HR</b> .....	Human Resources
<b>IEC</b> .....	Information, Education and Communication
<b>ILO</b> .....	International Labor Organization
<b>PEP</b> .....	Post Exposure Prophylaxis
<b>PLWHA</b> .....	People Living with HIV/AIDS
<b>STI</b> .....	Sexually Transmitted Infection
<b>SADC</b> .....	Southern Africa Development Community
<b>TB</b> .....	Tuberculosis
<b>UNAIDS</b> .....	Joint United Nations Programme on HIV/AIDS
<b>VCT</b> .....	Voluntary Counseling and Testing

## 1.0 ActionAid International — Who We Are

### *Our Vision*

Our vision is a world without poverty in which every person can exercise her or his right to a life of dignity.

### *Our Mission*

Working with poor and marginalized people to eradicate poverty by overcoming the injustice and inequity that cause it.

### *Our Core Values*

- ◆ **Mutual Respect** — recognizing the innate dignity and worth of all people and the value of diversity.
- ◆ **Equity and Justice** — requiring us to work to ensure that every person irrespective of sex, age, race, colour and religion has equal opportunity for expression and utilizing their potential.
- ◆ **Honesty and Transparency** — requiring us to be accountable for the effectiveness of our actions and open in our judgment and communication with others.
- ◆ **Solidarity with the Poor and Marginalized** — our only bias will be a commitment to the interests of the poor and the marginalized.
- ◆ **Independence** — ActionAid International will be independent of any religious or party political affiliation
- ◆ **Courage of Conviction** — requiring us to be creative and radical without fear of failure in pursuit of the greatest possible impact on the causes of poverty.
- ◆ **Humility** — recognizing that we are part of an alliance against poverty and requiring our presentation and behaviour to be modest.
- ◆ **Efficiency** — commitment to manage our organization in the most cost effective and efficient manner possible to maximize the impact or resources dedicated to our ultimate objective of eradicating poverty.
- ◆ **Excellence** — striving for the highest quality of work and performance.
- ◆ **Proximity** — taking decisions as close to their consequences as possible.

### *1.1 Background*

ActionAid International recognizes that its employees are its most important resource. ActionAid International recognizes the distress and trauma that HIV/AIDS presents to employees and their families. ActionAid International has therefore developed this HIV/AIDS policy aiming to support all its employees, their immediate families and declared dependants who, in some ways, may be affected by HIV/AIDS so that they are not denied the right to lead a normal life. ActionAid International realizes that without proper health care people cannot optimize their physical and intellectual potential and their ability to participate fully in the process of development can be hampered.

ActionAid International is committed to providing a supportive workplace for its employees, regardless of their HIV status. In order to accomplish this, ActionAid International will foster a work environment of openness, compassion and understanding, non-discrimination and freedom from fear.

HIV/AIDS poses one of the greatest contemporary challenges to organizations and is likely to have far-reaching effects on employers and employees alike. Most development efforts are challenged. For example, of the forty million people infected world wide (UNAIDS, 2002), 28.5 million people are from Sub-Saharan Africa and most of these are in the productive age group. This poses a serious threat to the growth and development of the continent. Like any other organization, ActionAid International faces the

challenge of addressing the impact of HIV/AIDS in its workplace while making efforts to prevent and control the spread of the disease amongst its employees.

This policy draws on the values of ActionAid International. It is consistent with other ActionAid International policy documents. It will work in harmony with local laws and regulations wherever it works. As a global standard, it represents a minimum that must be implemented in every office.

## **1.2 Objectives**

The broad objectives of this HIV/AIDS Workplace Policy are as below:

- i. To define the ActionAid International policy framework with respect to HIV/AIDS in the workplace.
- ii. To ensure all employees and their immediate families have access to affordable and appropriate medical care.
- iii. To reduce stigma and discrimination associated with HIV/AIDS among its employees.
- iv. To create a supportive environment of compassion and understanding for ActionAid International employees with HIV/AIDS or AIDS related illnesses.
- v. To ensure that all ActionAid International employees are treated equitably.
- vi. To provide all ActionAid International employees with the information necessary to increase their awareness of the issues related to HIV infection and AIDS.
- vii. To ensure that ActionAid International provides prevention, care and support services to its employees.
- viii. To reduce the personal, family and organisational impact of HIV/AIDS.
- ix. To promote shared confidentiality amongst employees including contract workers.
- x. To comply with labour regulations of country programmes, international secretariat locations and the ILO Code of Practice on HIV/AIDS.

## **1.3 Principles Underpinning this Policy**

This policy takes cognizance of six major principles as outlined below:

### **1.3.1 Employment principle**

ActionAid International will not discriminate against a qualified individual with regard to job applications, hiring, advancement, discharge, compensation, training, or other terms, conditions or privileges of employment based on their HIV status. ActionAid International recognizes the fact that discrimination and stigmatization of people living with HIV or AIDS, whether real or perceived, retards efforts aimed at promoting HIV prevention.

ActionAid International's employment practices will comply with local laws and regulations wherever it operates. ActionAid International does not and will not require HIV screening as part of pre-employment or general workplace physical examinations. ActionAid International recognizes that an employee with HIV or any other life-threatening illness may wish to continue in as many of their normal pursuits as their illness allows, including work. Therefore, ActionAid International will be supportive of and make reasonable accommodation for the employee who is medically fit to perform his or her job.

### **1.3.2 Information provision and education principle**

ActionAid International will provide employees with risk reduction and prevention information and access to appropriate prevention methods. ActionAid International will aim at making workplaces safe and healthy for all employees in order to prevent the transmission of HIV and other contagious illnesses - for example, tuberculosis and hepatitis.

### **1.3.3 Confidentiality principle**

ActionAid International will protect the confidentiality and privacy of all employees with respect to HIV/AIDS. However, ActionAid International shall encourage

shared confidentiality amongst its employees.

### 1.3.4 Stigma reduction and discrimination principle

ActionAid International will actively seek to reduce and address the stigma associated with HIV/AIDS by addressing knowledge and attitude levels among employees and contract workers. This will include providing workplace education that aims to address prevention, care and support and training on universal precautions as detailed by the World Health Organization.

### 1.3.5 Treatment principle

ActionAid International will support its employees to access prescribed treatment and related services as may be understood in this policy.

### 1.3.6 Gender equity principle

With knowledge that women are at greater risk of infection than men and carry a greater burden, special consideration will be provided for prevention and impact mitigation services that target women.

## 2.0 HIV Transmission

- 2.1 HIV is transmitted mostly through sexual contact and to a lesser extent through parent to child transmission and through blood contamination. It is not transmitted through casual contact between employees at the work place or society in general.
- 2.2 There is a direct link between HIV infection and sexually transmitted infections (STIs).
- 2.3 There is no vaccination against HIV or cure for AIDS as yet but there are opportunities to reduce suffering, improve quality of life and prolong the lives of people with HIV/AIDS.
- 2.4 People can control the spread of HIV infection

through changes in sexual behavior.

- 2.5 There is no reason to consider HIV related illnesses as different from other life threatening diseases with regard to employment.
- 2.6 Access to accurate information through comprehensive HIV/AIDS education on HIV transmission is essential as part of a workplace programme including addressing behavioural change through Abstinence, Being Faithful to a partner and Condom use (ABC). It also helps to clear people's fears and stigma about HIV/AIDS.

## 3.0 Prevention and Protection

### *Information and Education about HIV/AIDS*

- 3.1 All ActionAid International employees will have a right to clear, accurate and simple information, education and communication on HIV/AIDS.
- 3.2 ActionAid International shall provide adequate and relevant Information, Education and Communication (IEC) materials which will be easily accessible to all employees.
- 3.3 Such materials shall address prevention, care, support, stigma and discrimination and universal precautions as detailed by the World Health Organization.
- 3.4 ActionAid International shall provide training in the form of workshops and discussion fora for all employees. Such training shall involve the use of relevant participatory tools and techniques, such as STARS and theatre among others.
- 3.5 Employees shall be encouraged to borrow materials from HIV/AIDS units.
- 3.6 Information and education on HIV/AIDS will be made available at all times.

- 3.7 In working areas where there is the possibility of accidents, first aid instructions/ information will be prominently displayed explaining the universal precautions that need to be followed when dealing with blood.
- 3.8 There will be first aid training for staff to minimize hazards. Safe working conditions will be ensured and latex gloves included in all first aid kits, where appropriate.
- 3.9 Staff will be trained to take the strictest precautions regarding all contact with blood and body fluids.

#### ***Condom Use and Distribution***

- 3.10 ActionAid International will undertake to reduce HIV infection amongst its employees by making condoms available and accessible to all employees both female and male.
- 3.11 ActionAid International acknowledges the importance of making condoms accessible. Condoms will be provided in toilets or such appropriate places where employees and ActionAid International visitors can comfortably access them.
- 3.12 Promotion and education in respect to the use of condoms shall be mostly through IEC materials.
- 3.13 All employees will be encouraged to practice safer sex using condoms as well as reduce risky sexual behavior.

#### ***Information on Sexually Transmitted Infections (STI)***

- 3.14 ActionAid International will ensure that all its employees are aware of quality Sexually Transmitted Infections (STIs) care services.
- 3.15 Sexually transmitted infections increase the risk of sexual transmission of HIV. Effective control of STIs reduces the transmission of

HIV. Because of their biological make up and other social/cultural factors, women are highly susceptible to STIs. STIs can also be transmitted to the unborn child causing neonatal infections or death. ActionAid International will, therefore, undertake to provide information to employees about STIs and ways to prevent the spread of the STIs in employee meetings, discussion fora and organized trainings.

- 3.16 ActionAid International will undertake to provide information on STIs and related conditions in a gender sensitive and integrated manner.
- 3.17 ActionAid International will encourage all employees, especially pregnant female employees, to have access to screening for STIs.
- 3.18 ActionAid International will educate all employees on the importance of seeking treatment for STIs.
- 3.19 ActionAid International shall also provide a list of such facilities which employees can make use of on a referral basis.

#### ***First Aid Services***

- 3.20 Where there is risk of infection through accidents or injury at work, ActionAid International will ensure that first aid practices are in place.
- 3.21 ActionAid International country programmes and international secretariat locations will provide training on first aid to selected employees.
- 3.22 ActionAid International will, as a priority, equip the offices and all ActionAid International vehicles with first aid toolkits. The first aid kit contents will include among others: plastic or latex gloves; waterproof plasters; cotton wool; bandages and antiseptic.

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***Post Exposure Prophylaxis (PEP)***

- 3.23 All employees shall be educated on the concept of PEP, including emergency measures to take if an employee has been raped or accidentally exposed to HIV.
- 3.24 It is crucial that drugs for PEP are available and kept in a known, safe and accessible place for immediate use within 48 hours.
- 3.25 Selected ActionAid International employees shall be trained on its use.

**4.0 Workplace Testing and Confidentiality**

- 4.1 ActionAid International employees will not be forced to have an HIV test or reveal their HIV status for any reason related to employment.
- 4.2 HIV testing shall not be required for recruitment purposes, as a pre-requisite for training and development, promotion or entitlement to employee benefits or for procedures relating to termination of employment in ActionAid International.
- 4.3 ActionAid International shall provide a directory of organizations providing HIV testing, such as voluntary counseling and testing (VCT) sites and also those providing pre and post counseling services and these shall be accessible to all employees.
- 4.4 ActionAid International shall provide reasonable time off for pre and post counseling and testing for employees, at the same time ensuring confidentiality.
- 4.5 Where an employee takes the initiative to go for VCT, ActionAid International shall cover the expenses if it is not covered under the

employee's medical scheme.

- 4.6 ActionAid International shall provide HIV/AIDS education and support to those with HIV with the aim of encouraging other employees to go for testing.

***Declaration***

- 4.7 Any member of staff wishing to declare his/her HIV/AIDS status can do so either through a counselor or through a member of staff with line management responsibility in ActionAid.
- 4.8 If a member of staff informs another of his/her HIV status, this information will not be disclosed to any other member of staff including HR managers and medical personnel without consent.

***Openness or Confidentiality***

- 4.9 Confidentiality relating to an employee's HIV status must be respected at all times.
- 4.10 Employees shall have the right to decide whether they want to disclose their HIV status.
- 4.11 Where an employee chooses to disclose his or her HIV status to either their superior or other employees, this information shall not be disclosed to others without his/her express consent.
- 4.12 ActionAid International shall encourage shared confidentiality amongst its employees so that those infected can get assistance.
- 4.13 ActionAid International shall promote mutual trust between management and employees to promote an open environment for status disclosure.
- 4.14 ActionAid International will promote use of computer generated numbered health cards for use at treatment facilities to ensure confidentiality. No names shall be used.

4.15 Counselors, doctors, employees or anyone who has access to or gets to know the condition of an employee will be required to strictly maintain confidentiality.

### **Openness**

4.16 In the spirit of making HIV/AIDS an open secret, employees with HIV/AIDS are encouraged to open up and declare their status officially. This does not only reduce the tension and stigma but also helps others to be realistic in their expectations as well as work allocation.

4.17 All services /privileges discussed under confidentiality will be applicable to staff who decide to be open. However, this is an option for the affected employee who may decide to keep his/her condition confidential.

## **5.0 Stigma and discrimination**

5.1 ActionAid International is committed to providing a supportive environment for its employees based on compassion and understanding – not discrimination or fear.

5.2 ActionAid International's internal HIV/AIDS programmes shall endeavor to change attitudes and behavior, in addition to imparting skills and knowledge on HIV/AIDS.

5.3 ActionAid International HIV/AIDS programs shall give visibility and voice to employees or other people who are openly living with HIV in order to enhance understanding of how we are all affected by HIV and so help reduce stigma and discrimination.

5.4 Where discrimination does occur, for the first time it shall be regarded as a minor disciplinary matter and a verbal warning, counseling and training shall be given.

5.5 Where discrimination occurs after training it shall be regarded as a major disciplinary matter and shall be dealt with in terms of the code of conduct as stipulated in the local Human Resources Policy.

5.6 The principle of non-discrimination on the grounds of HIV/AIDS shall apply in the implementation of all employment policies and practices as listed in the ActionAid International global HR&OD framework.

5.7 ActionAid International shall ensure that the rights of employees who become very sick due to AIDS are protected.

## **6.0 Employee Treatment**

*(Eligibility: This policy deems that eligible persons are the employee, their immediate family and declared dependants who are infected with HIV/AIDS and related illnesses and have declared themselves to the provided medical scheme. The definition of immediate family and dependants will vary across cultures and countries. This policy accepts such variances and requires only that the definitions of immediate family and declared dependants are consistent with the local HR policy manual)*

### **Medical Scheme**

6.1 Country programmes, ActionAid International secretariat and Affiliates will have an appropriate medical scheme to deliver this policy. The employee with HIV/AIDS will only be identified by the Medical practitioners and those line managers whom they have trusted and disclosed their status to. This will increase confidentiality and trust in the Medical scheme.

### **Outpatient Treatment**

6.2 ActionAid International will meet the charges arising from a general practitioner or doctor's

consultancy.

6.3 ActionAid International will meet the charges for specialists, pathologists, X-rays, physiotherapy and surgical appliances where referred by general practitioners or doctors.

6.4 ActionAid International will reimburse the cost or purchase the drugs prescribed by a doctor or general practitioner.

### ***In-patient Treatment***

6.5 ActionAid International will meet the bills for maintenance of the eligible persons in hospitals, nursing homes, infirmary, sickbay, hospice or a sanatorium.

6.6 ActionAid International will meet the fees of specialists e.g. a surgeon, an anesthetist, a gynecologist /obstetrician, a dermatologist etc and the charges for use of an operating theatre if the eligible persons are required to undertake any of those medical services.

6.7 ActionAid International will meet the cost of drugs and medicines prescribed by doctors while the eligible persons are under hospitalization.

6.8 ActionAid International will meet the hospital, nursing home, infirmary, sickbay, hospice or sanatorium admission expenses for the eligible persons.

### ***Exclusions***

6.9 ActionAid International may not meet the charges for discretionary treatments such as plastic surgery, varicose veins treatment, cosmetic/artificial procedures etc.

### ***Medical Support***

6.10 ActionAid International will work through

local, national and international networks to seek out affordable, viable and sustainable treatment for its employees

6.11 ActionAid International will ensure that treatment education for HIV management is provided to employees.

6.12 ActionAid International shall promote access to treatment of HIV related infections, Sexually Transmitted Infections and other chronic illnesses such as tuberculosis for all employees.

6.13 ActionAid International medical support shall include Nevirapine for preventing transmission of HIV from mother to child.

6.14 ActionAid International shall develop guidelines on preventing HIV infection from parent to child and make them available to all employees, especially pregnant and breast-feeding mothers.

6.15 ActionAid International will provide the actual cost of treatment or equivalent treatment support for a period up to one year to employees who leave the organization for reasons of HIV/AIDS related ill health or voluntary redundancies. This benefit will be available to all eligible persons and shall extend to them even in the event of the employee's death while in service.

## **7.0 Care and Support**

7.1 ActionAid International shall facilitate access to care and support services (material and moral support) for all its employees and their immediate families.

7.2 ActionAid International shall provide education on the importance of good nutrition as well as counseling services for its employees and, where this is not feasible, shall refer employees

to appropriate organizations.

- 7.3 Where possible other employees shall, by mutual arrangement, support employees with HIV/AIDS by doing some of their work when they are sick.
- 7.4 Reasonable alternative employment duties shall be given to those who are sick, where possible.
- 7.5 Employees who are care givers shall be given reasonable time off to look after their relatives but this is at the discretion of the Director in charge and on condition that proof is provided.
- 7.6 In case of death, an employee shall be entitled to the normal benefits as may be stipulated in the local policies, including pension if applicable.
- 7.7 ActionAid International shall encourage its employees to invest wisely for the benefit of their children/dependants after death.
- 7.8 ActionAid International shall encourage its employees to write their wills and advise them on how to keep these secure. *(The employee may choose to request ActionAid International to retain a copy of such wills.)*
- 7.9 ActionAid International shall promote writing of memory books for deceased employees by other living employees.
- 7.10 ActionAid International will provide psychosocial support in the form of counseling to those who are traumatized as a result of being affected by HIV/AIDS.
- 7.11 Staff members with declared AIDS and related terminal illness are entitled to a period of sick leave with pay.

## 8.0 Supportive Human Resources Principles

### *Recruitment*

- 8.1 During recruitment, ActionAid does not discriminate against people with HIV/AIDS.
- 8.2 ActionAid encourages the recruitment of people with HIV/AIDS
- 8.3 HIV testing is not a requirement at any stage of the recruitment process.
- 8.4 There is no reference to HIV testing in recruitment materials or advertising.

### *Staff Development and Training*

- 8.5 HIV status does not prevent staff from accessing training and career development opportunities
- 8.6 Staff training, induction and orientation will specifically address HIV/AIDS policy and include in-depth discussion of peoples' worries and attitudes towards those living with HIV/AIDS.
- 8.7 Where possible, ActionAid International shall redesign jobs to cater for the infected and affected and this may be done through multi-skilling, multi-tasking, job sharing and teamwork- based approaches.
- 8.8 Where practical, ActionAid International shall consider redeployment to lighter workloads for employees with HIV/AIDS related illness.
- 8.9 The costs of administering this policy will be reviewed from time to time.

### *Sick Leave*

- 8.10 Sick leave is a right and employees will be allowed to go on sick leave as and when advised

by the doctor.

- 8.11 Employees with over six months of service shall be entitled to an extended sick leave of 12 weeks per annum on being certified by a medical doctor as suffering from HIV/AIDS related illnesses
- 8.12 The certification to warrant extended sick leave will be for a maximum period of three consecutive years (12 weeks per year maximum) after which ActionAid International shall consider retirement on medical grounds.
- 8.13 All reasonable steps shall be taken to accommodate HIV positive employees by agreeing flexible working hours, to enable hospital appointments to be kept and to allow for those treatments requiring large quantities of drugs to be taken under very specific conditions.

#### ***Termination***

- 8.14 Employees with AIDS will be advised to continue to work as long as they can and to take advantage of medical benefits. However, if a staff member requests that his or her services be terminated or if the staff member is medically required to stop working or if the staff is absent from work for a prolonged period beyond the sick leave entitlement, the staff member shall be relieved of duty and he/she shall be granted gratuity and terminal benefits.

#### ***Redeployment and Transfer***

- 8.15 Any staff member, who has declared their HIV/AIDS status and becomes unable to work consistently in their position should be re-deployed to a position and location more suitable to their condition if this is possible.
- 8.16 Re-deployment or transfer may be supported by counselling.

#### ***Disciplinary and Grievance Procedure***

- 8.17 Grievance procedures will have a built-in element of confidentiality.
- 8.18 All personal files shall be kept confidentially and ActionAid International shall ensure that no employee shall have access to other employees' personal files. It shall be the responsibility of the Human Resources personnel to look after these files.
- 8.19 Any breach of confidentiality shall be dealt with in accordance with the ActionAid International Human Resources policies/code of conduct.
- 8.20 Refusal to work with or other discrimination against a staff member with HIV/AIDS is unacceptable. In such situations, disciplinary action will be taken.

### **9.0 Review, Interpretation and Amendments**

- 9.1 This policy will be reviewed and modified if necessary in 2005 after considering its effectiveness, appropriateness and affordability given actual experience of implementation.
- 9.2 The authority to interpret or amend any of the provisions stipulated in this HIV/AIDS policy shall rest with the Chief Executive, ActionAid International.

