



The Ministry of Labour and Employment

Guidelines

For

Implementation of Labour Code Amendment Act No. 5 of 2006

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1. Foreword

The prevalence of HIV and AIDS in Lesotho is estimated at 23.2% of the adult population (UNAIDS 2004). This makes Lesotho one of the highly affected countries in the world. HIV and AIDS poses a serious challenge to the socio-economic development of Lesotho. The majority of people living with HIV and AIDS are the economically active segment of our population.

The impact of HIV and AIDS scourge has a significant effect on workplace and national economy. According to information available more than 50% of outpatients attendances are AIDS related ailments and that more than 60% of inpatients are due to AIDS related illnesses. As the epidemic primarily affects the working age group, the challenges it poses are evident through high absenteeism, loss of skilled and experienced workers, reduced productivity, and increased costs to the employers from sick leaves, high staff turn-over, recruitment and training. While businesses have been involved their efforts have been undermined by lack of capacity and coordination.

In addressing these challenges, Government of Lesotho and in accordance with international standards pertaining HIV and AIDS in the World of Work and in consultation with Employers and Workers Association, has promulgated an enabling legal instrument. The Labour Code (Amendment) No. 5 of 2006 sets standards that need to be observed by employers and workers with an objective of preventing HIV and AIDS at our workplaces and mitigating its adverse effects in the labour market.

In order to ensure the smooth implementation of the provisions of this legal instrument, enabling guidelines have been developed and published.

I therefore appeal to all parties involved, to acquaint themselves with the legal instrument and these Guidelines and effectively prevent HIV and AIDS and mitigate its adverse impacts at work.

Honourable Refiloe Masemene (Senator)

The Minister of Labour and Employment

2. Introduction

Lesotho like most of the Sub-Saharan countries is highly affected by the HIV and AIDS epidemic. Within the context of The South African Development Community, HIV and AIDS is the major challenge facing the Member State and is eroding the hard earned economic developments of the past decades.

In response to this challenge SADC Member States adopted a Code of Conduct on HIV and AIDS and Employment in 1997. At the global level, the International Labour Organisation (ILO) published a Code of Practice on HIV and AIDS and the World of Work. Both are consensus documents that provide guidance to social partners to develop workplace policies and programmes.

The epidemic takes its heaviest toll on the working age population, reducing earnings and imposing huge costs in all sectors, including declining productivity, increasing labour costs and loss of skills and experience in public and private sector. It affects economic growth and production through the illness and death of productive people and through the diversion of resources from savings to care. In addition, HIV and AIDS affect fundamental rights at work, particularly with respect to discrimination and stigmatisation sometimes suffered by the infected and affected workers.

On the positive side, the country has since taken commendable initiatives to address the challenge. HIV and AIDS was declared a national disaster in 2000 by His Majesty King Letsie III, a National AIDS Commission has been set up to coordinate the national response, the anti-retroviral rollout programme is in place and strategies for scaling up the national response were published by UNAIDS and the Government as book titled: "Turning a Crisis into an Opportunity".

In the Employment & Labour Sector, the Government, in consultation with social partners, has amended the Labour Code Order of 1992 to include provisions dealing with HIV and AIDS. (Labour Code amendment Act No.25, 2006). Through the amendment the Government aims to facilitate greater involvement of the private sector response to HIV and AIDS.

In order to ensure smooth implementation of the Act, enabling Guidelines have been published. These guidelines are a simplified tool for policy and programme development and implementation. They provide guidance to employers and workers, and their organisations including other relevant service providers. They further serves as a reference point to ensure that employees affected and infected by HIV and AIDS are not unfairly discriminated and victimized in the workplace.

The Guidelines outline the key principles as highlighted by the national statutes in addressing HIV and AIDS at work. They provides guidance on the policy formulation process outlining the key principles, the strategies and programmes. These Guidelines are intended for use by workplaces both in the formal sector and informal economy.

3. Objectives and Scope

3.1. Objectives

The objectives of these guidelines are to:

- i. Enhance the implementation of Labour Code (Amendment) Act No. 5 of 2006 provisions pertaining to HIV and AIDS at Work
- ii. Provide guidance to employers and workers and their organisations to develop comprehensive and gender sensitive HIV AND AIDS policies and programmes aimed at prevention, treatment, care & support and impact mitigation

3.2. Scope

These guidelines are intended for use by, among others:

- i. All employers, workers and their organizations both in the formal and informal economy
- ii. Prospective employees;
- iii. All workplaces, contracts of employment and all aspects of work; and
- iv. Extends to employees' family and civil society organisations

4. HIV AND AIDS Workplace Policy

4.1. Policy Description

A workplace policy on HIV and AIDS should define the employer's position and practices related to HIV and AIDS issues. A written policy, which should be developed through consultative process, defines key principles, and it is supported by programmes and activities for implementation. It should clearly state the employer's commitment to management of HIV and AIDS in the workplace. Basically it should be an outline of employers and employees' and reflect the nature and needs of the particular workplace. At bear minimal, the informal economy sector and or small businesses should adopt a policy statement outlining the principles.

4.1.1. The Key Principles

In developing the policy the employer should take into consideration the following key principles as listed below:

- i. A workplace issue

HIV/AIDS is a workplace issue because it affects the workforce, and because the workplace can play a vital role in limiting the spread and effects of the epidemic.

ii. Non-discrimination

There should be no discrimination or stigma against workers on the basis of real or perceived HIV status.

iii. Gender equality

More equal gender relations and the empowerment of women are vital to preventing the spread of HIV infection and helping people manage its impact.

iv. Healthy work environment (Risk Assessment and management)

The workplace should minimise occupational risk, and be adapted to the health and capabilities of workers.

v. Social dialogue

A successful HIV/AIDS policy and programme needs cooperation and trust between employers, workers, and governments.

vi. Testing

Testing for HIV at the workplace should be carried out as specified in the Code, should be voluntary and confidential, and never used to screen job applicants or employees.

vii. Confidentiality

Access to personal data, including a worker's HIV status, should be bound by the rules of confidentiality set out in existing ILO instruments. Job applicants and workers should not be asked to disclose HIV-related personal information.

viii. Continuing the employment relationship

Workers with HIV-related illnesses should be able to work for as long as medically fit in appropriate conditions.

ix. Prevention

The social partners are in a unique position to promote prevention efforts through information, education and support for behaviour change.

x. Care and support

Workers are entitled to affordable health services and to benefits from statutory and occupational schemes.

xi. Eligibility for employee benefits

Occupational benefits should be non-discrimination and sustainable and provide support to all employees.

xii. Protection against victimisation

Persons affected or perceived to be affected by HIV&AIDS should be protected from victimisation at the workplace.

5. Workplace HIV AND AIDS Programmes

Management of HIV and AIDS in the workplace needs planning, organizing, monitoring and evaluation. The above principles outline some of the key strategies to be implemented.

5.1. HIV AND AIDS as a workplace issue

HIV and AIDS is a workplace issue with business implications and should be treated like any other serious illness/condition. The employer should, therefore, formulate workplace HIV and AIDS policy or integrate it into other workplace programmes. The employer should also develop programmes supporting implementation of policy strategies.

The employer should acknowledge the key role the workplace can play in the efforts to curb the spread of HIV not only at work, but also in the wider community.

5.2 Information and Education Programme

Information and education programmes should be developed with the aim of:

- i. Creating awareness of the HIV and AIDS epidemic,
- ii. Promoting safer sex through distribution of both male and female condoms and motivation for use,
- iii. Facilitating access to care and support for employees infected and affected by HIV&AIDS and
- iv. Preventing stigma and discrimination by co-workers, organisations or employers against those infected.

5.3 Prevention Programme

The prevention programmes should promote behaviour change to prevent the spread of the epidemic through:

- I. Provision of education and training on HIV and AIDS prevention for all workforce
- II. Promotion of faithfulness as a prevention strategy
- III. Provision of male and female condom in the workplace
- IV. Education and encouragement of correct and consistent use of condoms
- V. Promotion of voluntary counselling and testing (VCT) as a prevention strategy
- VI. Encouragement of shared confidentiality on HIV status with spouses, partners and workmates
- VII. Involvement of other competent stakeholders in the design and delivery of information, educational and communication strategies and materials on different prevention interventions.
- VIII. Design and implementation of behavioural change programmes such as peer education
- IX. Prevention and management of Sexually Transmitted Infections (STIs), opportunistic infections including TB
- X. Promotion of prevention of mother to child transmission (PMTCT)
- XI. Prevention of work-related transmission of HIV

5.4. Risk Assessment and Management

The employer should ensure a safe and healthy working environment, including the application of universal precautions and measures such as provision of appropriate protective equipment and first aid facilities.

The employer should identify occupations or work activities in his workplace, which put the employee at risk of HIV infection and transmission. These should be determined through formal HIV and AIDS risk assessment, which should be reviewed periodically.

If there is potential risk of exposure to HIV, employers should develop practical prevention and control programmes appropriate to their workplace to reduce the risk. The programme should include but may not be limited to the following methods (where applicable):

- i. Eliminating work practices that involve unnecessary exposure;
- ii. Adopting Safe Work Practices
- iii. Information and Training
- iv. Good Housekeeping
- v. Risk assessment
- vi. Risk management
- vii. Personal Protective Equipment and/or clothing should meet the manufactures safety standards.
- viii. Post-exposure-prophylaxis (PEP)

Similarly the employee has the obligation to work and act in a reasonable manner in the interest their safety and that of others, comply with safe work procedures and use provided personal protective equipment.

5.5. Social Dialogue

The successful implementation of an HIV and AIDS policy and programme requires cooperation and trust between employers, workers and their representatives, with the active involvement of workers infected and affected by HIV and AIDS. The employer should:

- (i) Establish an HIV and AIDS policy and programmes at the workplace
- (ii) Set up an HIV and AIDS committee made up of representatives of all stakeholders at the workplace (workers, management, PLWHA etc)
- (iii) Ensure continuous and effective participation of all stakeholders
- (iv) Ensure that adequate resources are available for implementing HIV and AIDS programmes at the workplace
- (v) Ensure that top management introduces the policy to all staff and maintains an interest in the workplace HIV and AIDS programmes
- (vi) Establish structures and mechanisms to effectively implement. Monitor and evaluate programmes in a participatory and consultative manner

5.6. Continuation of Employment

The workers should be protected from discontinuation of employment on the basis of their real or perceived HIV AND AIDS status. The employers should

- i. Put in place human resources policies and practices that ensure that HIV positive employees continue to work as long as they are fit for the job
- ii. Where necessary, and in consultation with the employee and/or his/her representative(s), put in place reasonable accommodation strategies for HIV and AIDS affected employee without loss in status and benefits
- iii. Provide education and information to workplace management, supervisory staff and employees on their rights and obligations
- iv. Follow accepted guidelines regarding dismissal for incapacity where an employee has become too ill to perform their current work.

5.7. Care and support

Care and support are critical elements that could guide a workplace in responding to HIV and AIDS impact mitigation. The employer should provide information on services available either internally or externally and ways and means to access them.

The employer should:

- i. Develop management capacity to deal with issues pertaining to care and support for People Living with HIV and AIDS (PLWHA)
- ii. Promote joint voluntary counselling and testing of employees and spouses and encourage voluntary shared confidentiality of status with spouses and employers to enable care to be given early
- iii. Provide employees and their families with information on nutrition, treatment, care and counselling
- iv. Facilitate access to comprehensive treatment of opportunistic infections, and anti-retroviral drugs
- v. Facilitate home-based care through linkages with community based organisations (CBOs) and other service providers
- vi. Promote parity HIV and AIDS and other life threatening illnesses

5.8. Discrimination in Employment

Discrimination in employment is prohibited. The employer should not discriminate employees or job applicants on the basis of their HIV and AIDS status in relation to recruitment and selection, job status, promotion, training and transfer.

The employer should:

- i. Develop recruitment and selection guidelines that are non discriminatory
- ii. Provide training and information on human and workers rights to personnel responsible for executing human resource functions

- iii. Put in place policies and procedures for protecting employees against discrimination at the workplace
- iv. Monitor the implementation of HIV/AIDS policies including stigma mitigation aspects of these policies and monitor interventions for their sensitivity in relation to stigma
- v. Mainstream HIV and AIDS non-discriminatory stigma mitigation policies into other functions such as communication strategies and strategic plans
- vi. Provide training to supervisory and managerial personnel to identify and manage workplace behaviour, conduct or practices which discriminate against or alienate employees living with HIV and AIDS

5.9. Protection Against Victimization

Persons infected or affected by or perceived to be infected or affected by HIV or AIDS should be protected from stigmatisation and victimisation at the workplace. Information and education are essential to maintain the climate of mutual understanding necessary to ensure this protection.

The following will therefore ensure protection against victimization in the workplace:

- i. Victimization prevention should be included in the company's grievance procedures, provided that the highest level of confidentiality is maintained during proceedings and ensure the involvement of HIV and AIDS committee members.
- ii. Protect the rights of employees who are infected or perceived to be infected with HIV and act decisively when cases of victimisation occur
- iii. Encourage sensitivity and understanding among co-workers regarding HIV and AIDS issues to prevent victimization and discrimination.
- iv. Educate employees on HIV and AIDS stigma mitigation policies and practices so that there is widespread understanding of the consequences of stigmatisation and victimisation
- v. Employment practices should be based on the scientific and epidemiological evidence that people living with HIV and AIDS do not pose a risk of transmission of the virus to co-workers through ordinary workplace contact.
- vi. Employees should work together and participate in all HIV and AIDS programmes with active involvement of PLWHA aimed at reducing fear and misconceptions about HIV infection.

5.10. Testing for HIV

- i. Employers should not practice compulsory screening or HIV testing as a precondition for employment, promotion, training or other employee benefits.
- ii. The employer may, however, require an employee to under take normal medical examination for fitness for work, which should NOT include HIV & AIDS testing.
- iii. Anonymous, unlinked surveillance or epidemiological HIV testing in the workplace may occur provided it is undertaken in accordance with ethical and legal principles

regarding such research. Where such research is done, the information obtained may not be used to unfairly discriminate against individuals or groups of persons. Testing will not be considered anonymous if there is a reasonable possibility that a person's HIV status can be deduced from the results.

5.11. Confidentiality and non-disclosure

An employer should ensure that persons living with HIV and AIDS have the legal right to privacy. An employee is therefore not obliged to disclose his or her HIV status to the employer or to other employees.

Where an employee chooses to voluntarily disclose his or her HIV status to the employer or to other employees, this information may not be disclosed to others without the employee's written consent.

The employer should:

- I. Ensure that mechanisms are in place to protect the confidentiality of information related to employees' health, including their HIV status
- II. Encourage HIV infected employees to voluntarily disclose their HIV status within a safe accepting and supportive environment
- III. Not compel an employee or job applicant to disclose his or her HIV and AIDS status or that of any other person.

5.12. Eligibility for Employee Benefits

The employer should ensure that occupational benefits are non discriminatory and sustainable and provide support to all employees including those living with HIV and AIDS. The employer should take the following into consideration:

- I. The employees living with HIV and AIDS should be provided with the same benefits as employees with other comparable life-threatening illnesses.
- II. Unfair discrimination in the allocation of employee benefits such as death benefits, disability benefits, pensions and retirement funds not excluding any other employee benefits provided for is prohibited.
- III. Where benefit scheme is conditional upon HIV testing, HIV testing should be conducted in accordance with the national HTC protocol. Where an employers operate scheme which is not under their control, the information should be handled in a confidential manner
- IV. Where an employee voluntarily chooses to take the scheme which is conditional upon HIV testing, this information must be kept confidential between the employee and the scheme operator and should not be used by the employer or any other party to affect any other aspect of the employment contract or relationship.

5.13. Gender Equality

The employer should endeavour to have gender sensitive programmes in recognition of the different types and degrees of risk for men and women workers. Both men and women should be treated equally in accessing HIV and AIDS resources. The employer should take the following into consideration:

- I. Workplace programmes should be gender sensitive. This means that the programmes and policies should integrate gender in their HIV and AIDS training targeting all both men and women in creating awareness of the different types and degrees of risks among them.
- II. Provide training on gender dimensions of HIV and AIDS and gender awareness to management, employees and spouses
- III. Targeting men and women explicitly or separately, taking into account socio-cultural, economic and biological dimensions including sexual practices
- IV. Helping men and women to understand their rights and responsibilities and empower them to protect themselves
- V. Encourage joint counselling services and awareness sessions to employees their partners and spouses
- VI. Encourage joint counselling and testing of employees their spouses and partners.

5.14 MONITORING and EVALUATION

HIV and AIDS policy implementation requires establishment of a good monitoring and evaluation strategy. The employer should:

- (i) Design a system and tools for monitoring, evaluating and reviewing the HIV and AIDS policies and programmes at sector, sub-sector and enterprise level
- (ii) Design and implement a system to co-ordinate the interventions and efforts of various stakeholders at sector level
- (iii) Research to provide information on status and progress of implementation of HIV and AIDS intervention for use in policy and programme review

ANNEXTURE 1

A STEP BY STEP PROCESS OF POLICY FORMULATION AND IMPLEMENTATION

- i. Establish HIV AND and AIDS committee composed of representatives of management including top management with decision-making powers, workers and their organisations. Care needs to be taken to ensure involvement of vertical and horizontal representation of levels and sections in the committee and greater involvement of people living with HIV or AIDS;
 - ii. Committee decides its terms of reference and decision-making powers and responsibilities;
 - iii. Committee reviews national laws, international guidelines and initiatives pertaining to HIV and AIDS and their linkages to the workplace;
 - iv. Committee assesses the impact of the HIV and AIDS epidemic on the workplace and the needs of workers infected and affected;
 - v. Committee establishes what HIV and AIDS and related services and information services are already available – both at the workplace and in the local community;
 - vi. Committee formulates a draft policy in line with national laws and international guidelines incorporating information from their reviews;
 - vii. Committee circulates the draft and hold consultations to solicit input from all stakeholders mentioned in step one above;
 - viii. Committee establishes plan of action with timetable and lines of responsibility and funding necessary to implement policy;
 - ix. Committee revises, adopts and launches the policy
 - x. Committee widely disseminates the policy and plan of action using;
 - xi. Committee Devices a monitoring and evaluation strategy
 - xii. The Committee regularly reviews the policy in the light of internal monitoring and external information about the virus and its workplace implications.
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ANNEXTURE 2

THE CHECKLIST FOR WORKPLACE HIV AND AIDS PROESSES

PROCESS ITEM	PROCESS STAGE	YES	NO	N/A
Policy formulation	The company has the policy in place			
	The policy and programmes are implemented in a consultative manner			
	The company has HIV&AIDS committee/structure that is composed of representatives of management and workers representatives			
	Policy contains twelve principles			
	Operational plan in place			
	The company has budget for implementation of policy programmes			
An ongoing education program	Up-to-date written materials for all employees			
	Occasional information presentations			
	Information about responsible sexual behavior Information on gender equality Information about confidentiality and nondiscrimination and victimisation			
	Information about the company's HIV/AIDS			

	policy & changes in policy			
	Information about treating STIs, TB & other infections where services are available			
	Information on nutrition, treatment, care and counseling			
	Information on HTC Information on safe working conditions(PEP, Proper use of PPE etc..)			
Training for select staff	Peer educators Supervisors Safety representatives Worker Workers representative support groups Managers HTC Counselors PLWHA			
Condom Distribution and Usage	Employees have ready access to a regular supply of male condoms			
	Employees have ready access to a regular supply of female condoms			
	Distribution points are set up in the workplace			
	The program includes information on correct			

	condom use			
	The company Avails condoms			
STI diagnosis and treatment	Clinical facilities exist or can be upgraded Clinical facilities accessible Clinical staff is trained			
	The company clinic maintains a regular supply of diagnostic and treatment equipment and drugs			
	Privacy and confidentiality procedures are in place			
Counseling, HIV testing care and support	The company trains (or hire trainers for) counselors and support their work			
	The company can obtain HIV testing materials and information on test protocols, laboratory quality assurance and government recommendations			
	Space is available for workplace counseling and			

	testing			
	Privacy and confidentiality procedures are assured			
	Post-test counseling is provided			
	The company encourages support groups			
	Home-based care is covered			
	Supervisors are trained in managing on-the-job situations of HIV positive employees			
	Care and support progress extended to partners/spouses and families.			
HIV/AIDS/TB treatment	The company offers (some/all) employees/dependents access to antiretroviral treatments for HIV infection			
	The company offers (some/all) employees/dependents antiretroviral treatments for HIV infection			

	The company offers (some/all) employees/ dependents access to treatment for opportunistic infections related to HIV/AIDS, such as TB			
	The company provides benefits to employees who are HIV-positive			
Monitoring of quality and occasional assessment of impact and effectiveness	The company has monitoring and evaluation plan			
	The company reviews and updates programme periodically			

Sample HIV/AIDS Workplace Policy

Introduction

HIV and AIDS is a worldwide pandemic that has affected people socially, spiritually, psychologically and economically. As such, it is also a business and a workplace issue. This Policy is intended to be a tool that will enable the company to manage the impacts of HIV and AIDS on all the infected and affected employees within the workplace.

Position statement

The company commits to accommodate those infected and affected by HIV and AIDS, to protect its employees against discrimination, to secure the jobs of the employees within the confines of the labour laws and to make available resources that will be used for the effective implementation of this policy. This policy has been developed and will be implemented in consultation with employees' representatives.

Definition of terms

HIV: Human Immuno-deficiency Virus, a virus that weakens the body's immune system, ultimately causing AIDS.

AIDS: Acquired Immuno-Deficiency Syndrome, a cluster of medical conditions, often referred to as

opportunistic infections and cancers and for which, to date, there is no cure.

Testing: (In relation to AIDS) - Analysis of the blood or other body fluids

VCCT: Voluntary and Confidential Counseling and Testing

Infected people/person: People living with HIV/AIDS

Affected Person: People whose lives are changed in anyway by HIV/ AIDS

Discrimination: Any distinction or exclusion made on the basis of a person's HIV status, real or perceived, which has the effect of impairing his/her equality of opportunity or treatment in employment. Any distinction or exclusion based on the inherent requirements of a particular job should not be considered to be discrimination.

Employer: A person or organization employing workers under verbal or written contract of employment

Employee: A person employed by another person or an organization

Screening: Measures whether direct or indirect used to ascertain an individual's HIV and AIDS status

Scope

This policy applies to all employees of the company and their families (spouse and children under 21 years

old), regardless of their type of contract (long term, part time, etc...)

Principles

Recognition of HIV and AIDS as a workplace issue

The company recognizes that HIV and AIDS is a workplace issue, it accepts that education, and training and information dissemination is the most effective way of preventing new infections as well as spread of HIV in the workplace. Therefore, the company will strive to provide appropriate education, training and information/communication programmes for its employees.

Non-discrimination

The company will not allow any form of discrimination or stigmatisation of employees on the basis of real or perceived HIV status for promotion, training, transfer and other benefits.

Gender equality

The company is aware that women are more susceptible to HIV infection on the basis of biological, social, cultural and economic reasons. The company will endeavor to have gender specific programmes and all male and female employees will be treated equally in accessing HIV and AIDS resources.

Healthy working environment

The company will ensure a safe and healthy working environment.

In the event of an occupational accident, the company will provide first aid. The company will ensure that all

workers are knowledgeable about the procedures to be followed in case of an occupational accident. The safety and efficacy of the equipment and procedures, including first aid procedures, will be reviewed regularly. Personal protective equipment will be provided to the employees free of charge, e.g. condoms, gloves and protective clothing, etc.

Social dialogue

The company shall create a friendly environment for workers, management and other social partners to consult and interact in matters relating to HIV and AIDS without fear, discrimination and intimidation.

Continuation of employment relationship

The company does not consider HIV infection as a cause of termination of employment. Employees will be encouraged to pursue their duties as long as they are still medically fit.

Prevention

The company will provide appropriate training together with clear and accurate information and guidelines on minimizing the transmission and prevention of HIV and related issues.

Screening for purposes of exclusion from employment or work processes

HIV screening will not be required of job applicants and persons in employment.

Voluntary Testing and counseling

The company upholds the principle of confidentiality and non compulsory testing of HIV status. However the company will encourage its employees to voluntarily test for their HIV status and when an employee opts for

testing he/she shall receive counseling prior and after testing. Employees who test positive may reveal their status to the employer so that they can be assisted or they may keep their result confidential but seek assistance from relevant and competent institutions that may offer services.

Confidentiality

The company will not require any employee or job applicant to disclose their HIV status.

Where an employee voluntarily chooses to reveal his/her HIV status to management, the company will not disclose any information relating to their HIV status unless with a written consent of the employee.

Mechanisms will be created to encourage openness, acceptance and support for those employees, who voluntarily disclose their HIV status within the workplace, including:

- ❖ encouraging persons openly living with HIV or AIDS to conduct or participate in education, prevention and awareness programmes;
- ❖ encouraging the development of support groups for employees living with HIV/AIDS.

Care and support

The company will allow an employee to seek medical attention and/counseling as per employee's preferred service provider. Where such services and care exists at the workplace, they company will be provided to all employees during working hours. The company shall also establish a link with service providers within the community.

Policy Objectives and strategies

The policy is designed to prevent new infection, protect workers from discrimination related to HIV/AIDS, provide care and support for employees who are infected and affected by HIV/AIDS, and manage the impact of the epidemic on the company and the wider community.

A holistic, comprehensive and co-coordinated approach to fight HIV/AIDS in the workplace will be achieved through the following objectives and strategies:

1. To ensure recognition of HIV/AIDS as a workplace issue
2. To prevent HIV and sexually transmitted infections by promoting sustained behaviour change through implementing holistic and comprehensive workplace programmes
3. To eliminate discrimination, stigmatization, rejection and denial of HIV infected employees
4. To ensure no Screening for purposes of exclusion from employment or work processes
5. To ensure confidentiality and compliance with policy and legislation
6. To ensure continued employment relationship for infected employees as long as they are fit to perform their duties
7. To provide a healthy and safe working environment to protect employees against occupational hazards
8. To maintain gender into workplace policies and programmes
9. To promote openness and social dialogue among social partners in order to create an enabling environment for combating HIV/AIDS the workplace
10. To provide care and support
11. To monitor, evaluate and periodically review the HIV/AIDS police and programmes

Policy implementation and review

An HIV/AIDS Committee composed of both representatives of workers and management will be responsible for the implementation of this policy. The committee will review the policy annually however depending on the circumstances the policy may be reviewed as and when need arises.

Grievance and disciplinary procedures

Should grievances arise due to the implementation of this policy, normal company grievance and disciplinary procedures are to be followed. However due to complexity of HIV/AIDS, the highest level of confidentiality should be maintained during proceeding, hence the need for the involvement of the HIV/AIDS committee members.

Resources

The company will avail resources and time for the implementation of this policy.

Company Assigned Official
_____ **Sign** _____

Workers Representative _____
sign _____

Date _____