

HIV/AIDS POLICY

" The City of Heritage "



Policy Drafted or review Team	Special Programs Section
Policy Implementing Department	Community Services Department
Policy Mandated by	
Signature of Mandating official	
Approved by	
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1. Philosophy

The Ulundi Municipality is committed to creating and maintaining a safe working environment for all employees. The Ulundi Municipality undertakes to deal with an HIV infected employee and/or employee with AIDS in the same manner as with employees suffering from any other life-threatening disease, with due consideration for the interests of fellow employees. All seriously ill patients will be monitored in order to ensure appropriate and adequate medical care. No exception will be made in the case of AIDS sufferers.

No employee will be removed from his/her position at work for as long as medical opinion indicates that he/she can still fulfil his/her job requirements. If alternative employment and/or job modification become necessary, this will only be provided on medical or legal grounds. Confidentiality will be maintained and no information regarding his/her state of health divulged without the employee's consent.

In this the Ulundi Municipality:

- acknowledges the seriousness of the HIV/AIDS epidemic;
- seeks to minimize the social, economic and developmental consequences to the Ulundi Municipality and its staff;
- commits itself to providing resources and leadership to implement a HIV/AIDS programme; and
- Commits itself to create a supportive and non-discriminatory working environment through dispelling of myths and stereotypes and offering counselling and education services to affected and infected employees.

There are a number of aspects and legislation that informs this HIV and AIDS workplace policy and the body of the policy addresses the requirements of these laws, legal principles, relevant workplace codes, guides and collective agreements, as amended from time to time:

- The Constitution of the Republic of South Africa, Act of 108 of 1996.
- The Charter of Rights on AIDS and HIV, 1992
- The Labour Relations Act 66 of 1995
- The Employment Equity Act 55 of 1998
- Occupational Health and Safety Act 85 of 1993

- The Compensation for Occupational Injuries and Diseases Act 130 of 1993
- Code of Good practice: key aspects of HIV/Aids and employment
- The Basic Conditions of Employment Act 75 of 1997 as amended

2. Objectives of this Policy

- To promote health awareness and the provision of information on AIDS to all levels of employment.
- To reduce unrealistic fears about contracting AIDS at the workplace.
- To protect the legal rights of employees at work who have AIDS.
- To provide guidelines on managing employees or situations, when questions on AIDS are raised.
- To encourage managers, employees and employee representatives to convey sensitivity and understanding to employees affected with AIDS.
- To monitor, at corporate level, the process of the awareness programmes, evaluate its effectiveness and efficiency and to ensure that qualitative standards of service are maintained throughout.

3. Principles

Top management is committed to the safety and health of all employees, as well as to ensuring that they are fully aware of HIV/AIDS and that these matters become every employee's responsibility. Suitably qualified staff will conduct awareness programmes. HIV infected employees will be handled in strict confidentiality and with the necessary sensitivity. Awareness programmes will be evaluated, monitored and updated when necessary. The elimination of discriminatory behaviour will be proactively pursued. All employees will be treated equally.

4. Policy

The Ulundi Municipality is committed to protecting its employees, creating awareness, changing behaviour and treating all employees with the necessary dignity, fairness and equality, adhering to labour legislation in this regard and providing preventative and awareness programmes.

The Ulundi Municipality's Policy is that:

- Employees living with HIV/AIDS have the same rights and obligations as all other employees.
- An employee cannot be fired, retrenched or refused a job simply because they are HIV positive.
- Employees living with HIV/AIDS shall not be discriminated against on the basis of their medical status and shall be protected against such discrimination.
- HIV positive employees are also entitled to the same training, development and promotion opportunities as any other employee.
- HIV status shall not constitute a reason to preclude any person from employment and the disclosure of HIV status shall not under any circumstances be used to discriminate against an employee on any grounds.
- No employee or job applicant shall be required to undergo HIV testing. Where testing is done at the request of the employee, this will be with her/his informed consent and accompanied by counseling.
- Confidentiality regarding the HIV status of any employee shall always be maintained. To reveal the HIV/AIDS status of another employee without their consent shall be a disciplinary offence.

5. Programme Co-ordinator and Working Group

The Ulundi Municipality shall appoint an HIV/AIDS Programme Co-ordinator and Working Group to -

- Communicate the policy to all employees.
- Implement, monitor and evaluate the HIV/AIDS programmes.
- Advise management regarding programme implementation and progress.
- Liaise with local HIV/AIDS service organisations, ward aids committees and other facilities in the community.
- Create a supportive and non-discriminatory working environment.

- Provide information on support and counseling to infected and affected employees.
- Ensure the availability and accessibility of personal protective gear to all employees who may potentially be in contact with blood.

6. HIV/AIDS Programme

The HIV/AIDS Programme of the Ulundi Municipality shall provide all employees access to -

- Information, education and communication activities, including media materials and peer education.
- Barrier methods, i.e. male condoms.
- Health services for the appropriate management of HIV/AIDS.
- Treatment of opportunistic infections for infected staff.
- Testing and counseling services.
- Personal protective equipment for staff that may potentially be exposed to blood or blood products.
- Support for both infected and affected staff and their immediate family members.
- There is a small risk that HIV/AIDS can be transmitted accidentally through contact with infected blood.

It is important:

- that all blood is treated as possibly infected
- that first aid kits which include protective gloves and other devices are available in the workplace
- that employees are trained to prevent HIV transmission when helping an injured person

7. Application of the Policy and Communication thereof

Application

This policy applies to all employees of the Ulundi Municipality.

Interaction with Civil Society

The Ulundi Municipality shall endeavor to utilize all opportunities to interact with civil society to contribute to the mission and objectives of the National HIV/AIDS Programme.

Interaction with Government

The Ulundi Municipality shall interact with all Central and Provincial Government Departments regarding the epidemic.

Interaction with Stakeholders

The Ulundi Municipality shall establish partnerships with its stakeholders in order to coordinate and combine efforts in addressing all issues around HIV/AIDS with the community.

8. Responsibility for Implementation

All Employees

All employees will be held responsible and accountable for complying with this policy. HIV/AIDS programmes will take place during working hours and employees will be encouraged to attend such programmes.

Management

All managers are responsible for the implementation of this policy, ensuring compliance with and knowledge of its terms and for taking immediate and appropriate corrective action where warranted. Managers must open and maintain communication channels to allow employees to raise concerns concerning HIV/AIDS. Managers are encouraged to attend the programmes to give visible support to the programme.

Human Resources Strategy

The administration of the HIV/AIDS programme is assigned to the Programme Co-ordinator and the HIV/AIDS Working Group.

The Director, Corporate Services is responsible to ensure that enough resources are always available to drive projects and that this policy is properly distributed in the Ulundi Municipality. (Every employee must personally

receive a copy of the policy). New employees will receive a copy during their Induction Programme.

The Director Corporate Services takes full responsibility for budgeting related to HIV/AIDS matters in order to maintain sustainability of HIV/AIDS projects and programmes in the Ulundi Municipality.

Being a responsibility assigned to him/her it is expected of the Director, Corporate Services to report back on HIV/AIDS projects to Senior Management and to ensure that all Senior Managers support the Ulundi Municipality's efforts.

POLICY REVIEW

- The Special Programme Office will review this policy annually by looking at:
- Providing improved mechanisms to address stigma and discrimination;
 - Progress on key programmatic areas;
 - Additions and amendments;
 - Improving implementation;
 - Update the policy to include any changes in the legal framework or codes of good practices; and
 - Employment practices, staffing and workplace policies that may increase the risk of employees and discriminate or stigmatize