

“ The City of Heritage ”



HIV/AIDS Policy

FINAL 2026–2027

Policy Drafted / Reviewed by: Special Programmes Section
Implementing Department: Community Services Department
Date of Next Review: June 2027
Reviewed: Yes

1. Legal and Policy Framework

This policy is developed in accordance with the Constitution of the Republic of South Africa, 1996 (Section 9: Equality; Section 23: Fair Labour Practices), and is aligned with the following legislation and national policy instruments:

- **Labour Relations Act, 66 of 1995 (LRA)** – prohibits automatically unfair dismissal and unfair labour practices based on HIV status;
- **Employment Equity Act, 55 of 1998 (EEA)** – prohibits unfair discrimination based on HIV status and regulates medical testing in employment;
- **Code of Good Practice on HIV and AIDS and the World of Work (2012)** issued in terms of the EEA;
- **Code of Good Practice on Key Aspects of HIV/AIDS and Employment (2000);**
- **National Strategic Plan for HIV, TB, and STIs (NSP)** and related National HIV & AIDS workplace policies;
- **Occupational Health and Safety Act, 85 of 1993 (OHSA)** – ensures a safe and healthy working environment for all employees.

This policy gives effect to the Municipality's statutory obligations to eliminate unfair discrimination, protect dignity and privacy, promote reasonable accommodation, and ensure access to prevention, treatment, care, and support for employees living with or affected by HIV/AIDS.

2. Philosophy

The Ulundi Municipality is committed to creating and maintaining a safe, supportive, and non-discriminatory working environment for all employees, in line with national labour and employment equity legislation.

Employees infected with HIV and/or living with AIDS shall be managed in the same manner as employees affected by any other chronic or life-threatening condition. No

employee shall be dismissed, demoted, or otherwise prejudiced solely on the basis of HIV status.

No employee shall be removed from their position for as long as medical opinion confirms that they are able to perform their inherent job requirements, with or without reasonable accommodation. Where job modification or alternative placement becomes necessary, this shall only occur on valid medical or legal grounds and through consultation.

All medical information, including HIV status, shall remain confidential and shall not be disclosed without the employee's informed consent, except where required by law.

3. Objectives of the Policy

This policy aims to:

- Promote health awareness and accurate information on HIV/AIDS at all occupational levels;
 - Eliminate HIV-related stigma, prejudice, and unfair discrimination in the workplace;
 - Protect the constitutional and labour rights of employees living with HIV/AIDS;
 - Provide clear guidelines on HIV testing, confidentiality, disclosure, and reasonable accommodation;
 - Encourage compassion, sensitivity, and support among management, employees, and labour representatives;
 - Ensure compliance with national HIV/AIDS legislation, codes of good practice, and workplace standards;
 - Monitor and evaluate HIV/AIDS workplace interventions for effectiveness and compliance.
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4. Principles

- HIV/AIDS is recognised as a workplace issue requiring a coordinated institutional response;
- Unfair discrimination based on actual or perceived HIV status is prohibited;
- Employees have no obligation to disclose their HIV status;

- HIV testing shall not be required as a condition of employment;
 - Equality, dignity, privacy, and reasonable accommodation shall be upheld;
 - Prevention, treatment, care, and support shall be promoted;
 - Shared responsibility exists between the employer and employees.
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5. Policy Statement

In compliance with the Labour Relations Act and the Employment Equity Act, Ulundi Municipality commits to:

- Equal treatment of employees living with HIV/AIDS;
 - Prohibiting dismissal, retrenchment, refusal of employment, or denial of benefits based on HIV status;
 - Providing reasonable accommodation where medically required;
 - Ensuring that HIV testing is voluntary, confidential, and supported by pre- and post-test counselling;
 - Treating any unauthorised disclosure of HIV status as a serious disciplinary offence.
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6. Programme Coordinator and Working Group

The Municipality shall appoint an HIV/AIDS Programme Coordinator and establish a Working Group to:

- Implement and oversee compliance with this policy and relevant legislation;
 - Facilitate education, prevention, and awareness programmes;
 - Liaise with Department of Health structures, Ward AIDS Committees, and service providers;
 - Advise management on reasonable accommodation and referral mechanisms;
 - Promote a stigma-free and supportive work environment.
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7. HIV/AIDS Programme

The Municipal HIV/AIDS Programme shall provide access to:

- Information, education, and behavioural change interventions;
- Voluntary counselling and testing services;

- Barrier methods (male and female condoms);
- Access to treatment, care, support, and referral services;
- Occupational health and safety measures, including PPE and post-exposure protocols;
- Psychosocial support for infected and affected employees and their families.

All blood shall be treated as potentially infectious, and employees shall be trained in universal precautions in accordance with the Occupational Health and Safety Act.

8. Application and Communication of the Policy

This policy applies to all employees of Ulundi Municipality.

The Municipality shall engage:

- **Civil Society** to support national HIV/AIDS objectives;
 - **Government Departments** to ensure alignment with national and provincial strategies;
 - **Stakeholders and Labour Structures** to coordinate workplace and community responses.
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9. Responsibility for Implementation

• Employees

All employees shall comply with this policy and participate in HIV/AIDS programmes conducted during working hours.

• Management

Managers are responsible for implementation, enforcement, and ensuring compliance with labour legislation and codes of good practice. Concerns or grievances shall be addressed promptly and fairly.

• Human Resources and Corporate Services

The Director: Corporate Services shall:

- Ensure adequate resourcing and budgeting for HIV/AIDS programmes;
- Ensure policy distribution and induction training;
- Report regularly to Senior Management;
- Ensure institutional compliance with South African labour legislation.

10. Monitoring, Evaluation and Reporting Framework

The Ulundi Municipality shall implement a structured Monitoring and Evaluation (M&E) Framework to assess compliance, effectiveness, and impact of this HIV/AIDS Policy, in line with good governance principles and the National Strategic Plan for HIV, TB and STIs.

- **10.1 Purpose of Monitoring and Evaluation**

The M&E Framework aims to:

- Ensure compliance with applicable labour legislation and codes of good practice;
- Track implementation of HIV/AIDS programmes and interventions;
- Measure outcomes related to awareness, prevention, non-discrimination, and access to support;
- Identify gaps, risks, and areas for improvement;
- Inform management decision-making and resource allocation.

- **10.2 Governance and Accountability**

Role Player	Responsibility
Council	Oversight and policy accountability
Senior Management	Strategic direction and enforcement
Director: Corporate Services	Overall accountability for reporting and resourcing
HIV/AIDS Programme Coordinator	Day-to-day monitoring, data collection, and reporting
HIV/AIDS Working Group	Review progress, risks, and corrective actions
Line Managers	Operational implementation and compliance

- **10.3 Key Performance Areas and Indicators**

1. Policy Compliance and Non-Discrimination

- Number of reported HIV-related discrimination complaints

- Percentage of cases resolved within prescribed labour-relations timeframes

2. Awareness and Prevention

- Percentage of employees attending HIV/AIDS awareness programmes
- Number of awareness campaigns conducted per annum

3. Access to Services

- Availability of voluntary counselling and testing (Yes/No)
- Availability of condoms and PPE at municipal workplaces (Yes/No)

4. Capacity Building

- Number of managers trained on HIV/AIDS workplace management
- Number of peer educators or facilitators trained

5. Occupational Health and Safety

- Availability of first-aid kits with protective equipment
- Number of reported occupational exposure incidents

• 10.4 Data Collection Methods

Monitoring information shall be collected through:

- Attendance registers and training records;
- Incident and grievance registers;
- Reports from the Programme Coordinator and Working Group;
- Occupational health and safety records;
- Employee feedback mechanisms and surveys.

All data shall be handled in a manner that protects confidentiality, dignity, and privacy.

• 10.5 Reporting Schedule

Report	Responsible Person	Frequency	Submitted To
Implementation Progress Report	Programme Coordinator	Quarterly	Director: Corporate Services
Compliance and Risk Report	Working Group	Bi-annual	Senior Management
Consolidated HIV/AIDS	Director: Corporate	Annual	Council

Report	Responsible Person	Frequency	Submitted To
Report	Services		

- **10.6 Review and Corrective Action**
 - M&E findings shall be used to implement corrective and preventative actions;
 - Gaps identified shall inform updates to programmes and training plans;
 - This policy and framework shall be reviewed annually or sooner if required by legislative or organisational changes.
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