



health

---

Department of Health  
**NORTHERN CAPE**

## **Policy on HIV & AIDS, STI and TB in the Workplace**

### ***Version control***

Version : 001

Publishing Date : August 2014

Review Date : After 3 years but not later than 5 years after the publishing date

Responsible Manager : Director Human Resource Management

Approved by

Head of Department :

Date: 10. 09. 2014

Ms GE Matlaopane

## **Table of Contents**

Policy Aim.....	3
Policy Scope.....	3
Policy Statement .....	3
Roles and Responsibilities .....	6
Review and Distribution .....	8
Acknowledgements & Sources .....	8

## **Policy Aim**

1. This Policy aims to ensure that the Northern Cape Department of Health complies with the International Conventions, protocols, instruments and national legislation and policies on Occupational Health and Safety and Employee Health and Wellness; National Strategic Plan on HIV/AIDS, TB and STI management 2012-2016 and with the minimum standards and to reduce the HIV/AIDS stigma and discrimination in the workplace.
  - 1.1. This policy must be read in conjunction with the following policies, that is, Occupational Injuries and Diseases in the Workplace and Safety, Health, Environment, Risk and Quality (SHERQ).

## **Policy Scope**

2. This policy is applicable to all employees (including vulnerable) of the Northern Cape Department of Health.

## **Policy Statement**

3. It is the policy of the Northern Cape Department of Health that the following principles are applied:
  - 3.1. **Non Discrimination**
    - 3.1.1. It will provide a work environment, for their employee that is free from discrimination and/or harassment.
    - 3.1.2. Employees with HIV/AIDS, STIs and TB are entitled to the same rights, benefits and opportunities as every other employee including those with other chronic illness. The department will not and does not discriminate against employees, perceived as having, living with or otherwise affected by HIV or AIDS, STIs and TB.
    - 3.1.3. Staff members who engage in acts of discrimination and/or harassment are subject to disciplinary action. This disciplinary action will follow the Labour Relations protocol applied within the Department of Health and will be guided by the following Acts (Constitution of the Republic of South Africa Act, 1996, Labour Relations , 1995 (Act No 66 of 1995) and

Promotion of Equality and Prevention of Unfair Discrimination Act, 2000  
(Act No 4 of 2000)

### **3.2. Gender Equality**

- 3.2.1. It will recognise the gender dimensions of HIV/AIDS, STI including TB and disability, and that women are more likely to become infected and are more often adversely affected by the HIV/AIDS epidemic than men due to biological, socio-cultural and economic reasons.

### **3.3. Safe and Healthy Working Environment**

- 3.3.1. It will create as much as practicably possible a healthy and safe working environment to prevent occupational exposure and transmission of HIV and TB.

### **3.4. Confidentiality and Protection of Employee Personal data**

- 3.4.1. It will ensure that no employee or job applicant will be expected to disclose HIV- related personal information,
- 3.4.2. It will ensure that access to personal data relating to an employee's HIV-status shall be bound by the rules of confidentiality and no one shall disclose such information without a written consent of the employee.

### **3.5. Reasonable Accommodation**

- 3.5.1. An employee with HIV-related illnesses, like any other illnesses, will continue to work for as long as he/she is medically fit to do so. The Department should reasonably accommodate (if possible) the employee appropriately, should he/she no longer be able to perform his/her duties effectively.

## **4. HIV Testing, Confidentiality and Disclosure**

- 4.1.1. Department of Health encourages routine, confidential, voluntary testing and counselling as part of its education and awareness programs, with the appropriate pre and post-test counselling, results will remain confidential.
- 4.1.2. HIV/AIDS & STIs are treated confidentially as medical conditions, in accordance with applicable laws and the department of Health policies.

- 4.1.3. Tuberculosis (TB) is a notifiable disease and will be treated in line with the relevant applicable policy.

## **5. Information and Prevention**

- 5.1.1. The Department of Health Northern Cape will provide employees with sensitive, accurate and up- to-date information about risk reduction in their personal lives. This will include providing workplace education addressing prevention, care and support.

## **6. Promoting a Safe Work Environment**

- 6.1.1. The Department of Health Northern Cape Province is committed to providing a work environment that protects employees' health and safety. This commitment recognizes that Tuberculosis may be transmitted within the workplace and therefore preventative interventions will be in line with the Department of Health's National TB Infection Control Guidelines which prescribes the following for improved management, namely:

- 6.1.1.1. Conducting risk assessment for TB transmission;
- 6.1.1.2. An infection control plan;
- 6.1.1.3. Administrative support for procedures in the plan, including quality assurance;
- 6.1.1.4. Education of patients and increasing community awareness; and
- 6.1.1.5. Coordination and communication with the TB programme.

- 6.1.2. The Management of the department unequivocally endorses non-discriminatory employment practices and information about HIV/AIDS, STIs and TB. The department maintains an environment that encourages, supports and promotes disclosure. Employees who feel they have been discriminated against as a result of having, living with or being affected by HIV/AIDS, STIs and TB and those with any other related concerns, are encouraged and supported to seek guidance from Employees Wellness programme.

- 6.1.3. It will provide awareness, education and prevention programmes addressing socio-economic factors to ensure that change of attitudes and there's behavior amongst employees.

- 6.1.4. All employees have the right to be treated with dignity and respect.

- 6.1.5. All employees have the right to a safe and supportive working environment

## **Roles and Responsibilities**

### **7. The Head of Department shall:**

- 7.1. Provide and maintain a working environment that is safe and without risk to the health of employees.
- 7.2. Take cognisance of the reality of TB which, together with HIV & AIDS, causes health-related problems for the employee and lowers productivity for the organisation and therefore will ensure access to Employee Health and Wellness Centres within all districts.
- 7.3. Address Occupational exposure by
  - 7.3.1. Identifying units or employees within the department that, due to the nature of their work, are at a high risk of contracting HIV and other related diseases, and take reasonable steps to reduce the risk of occupational exposure to HIV, TB and other diseases.
  - 7.3.2. Taking reasonable steps to facilitate timely access to voluntary counselling and testing, and post-exposure prophylaxis in line with prevailing guidelines and protocols for employees who have been exposed to HIV as a result of an occupational incident;
  - 7.3.3. If testing referred to in paragraph (b) indicates that an employee has become HIV positive as a result of occupational incident, ensure that an employee is assisted to apply for compensation in terms of the Compensation of Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993).

### **8. The Designated Senior Manager shall:**

- 8.1. Establish HIV&AIDS, STI and TB Management Steering Committee and obtain Stakeholder commitment and development.
- 8.2. Align and interface HIV and AIDS, STI and TB management policy with other relevant policies and procedures
- 8.3. Liaise with, manage and monitor external service providers.
- 8.4. Develop and maintain an effective communication system

8.5. Monitor and evaluate implementation of HIV and AIDS, STI and TB management interventions.

8.6. Develop and implement a system for monitoring, evaluation and impact analysis

9. The **HIV & AIDS Manager** shall:

9.1. Coordinate the implementation of HIV & AIDS, STI and TB management programmes, projects and intervention.

9.2. Plan, monitor and manage workplace HIV & AIDS, STI and TB management according to the strategies, policies and budgetary guidelines

9.3. Initiate and arrange staff training with regard to HIV&AIDS, STI and TB

9.4. Make provision for counselling to individual employees and to their immediate family members;

10. The **Health and Safety Committee** shall:

10.1. Make recommendations to the employer or, where the recommendations fail to resolve the matter, to an inspector regarding any matter affecting the health or safety of persons at the workplace or any section thereof for which such committee has been established.

11. **HIV&AIDS, STI and TB Management Steering Committee shall:**

11.1. Establish and harmonize communication of the HIV and AIDS & TB Management Policy at provincial and national levels;

11.2. Serve as a vehicle of coordination, communication, collaboration, consultation of issues pertaining HIV and AIDS & TB; and

11.3. Create avenues through which collaborative initiatives can be forged and meet quarterly to discuss HIV&AIDS and TB policy matters.

12. The **Employee** shall:

12.1. Comply with the general duties of employees at work as outlined in Section 14 of the Occupational Health and Safety Act 85,1993.

12.2. Support effective HIV& AIDS, STI and TB prevention and people living with HIV&AIDS to lead healthy and productive lives.

- 12.3. All employees are responsible for protecting themselves from HIV infection, taking care of their health, educating themselves about HIV & AIDS and taking part in HIV & AIDS programmes within the working environment.
- 12.4. Contribute to the mitigation of the impact of HIV&AIDS, STI and TB, and contribute to the enabling of a social environment for care, treatment and support.

## **Review and Distribution**

13. The Director for **Human Resources Management** is the responsible manager for this Policy and ensuring it is reviewed and updates.
- 13.1. This Policy and accompanying procedure will be reviewed after 3 years but not later than 5 years of the last publication date. If necessary an updated version will be issued, if not a formal cover letter will be issued to supplement the cover of this Policy (identifying a revised publication date)
- 13.2. Regular reviews of progress on HIV & AIDS & TB management programmes should be conducted.
- 13.3. The reviews should be conducted on a quarterly basis through submission of reports.
- 13.4. The Director for Policy & Planning will distribute updated versions to:
  - Member of the Executive Council for Health
  - Head of Department of Health
  - All Chief Directors, Directors and Deputy Directors

## **Acknowledgements & Sources**

14. AMS 16001: 2003 Standard for HIV&AIDS Management system Specific Document.
15. SANS 16001: South African National Standard: HIV& AIDS management system-General Requirements.
16. Employee Health and Wellness Strategic Framework for the Public Service.