

HIV/AIDS & The Work Place



any occupational accident with a risk of exposure to blood or other body fluids.

Confidentiality *Employers shall:*

- ensure compliance with privacy, confidentiality, and informed consent provisions;
- provide support and care services for affected persons who voluntarily disclose their status;
- ensure that affected persons does not have to disclose his/her status to anyone at the workplace;
- ensure that an employee's HIV status is not disclosed without the employee's written consent in cases where the affected person may voluntarily make a disclosure of his/her status;

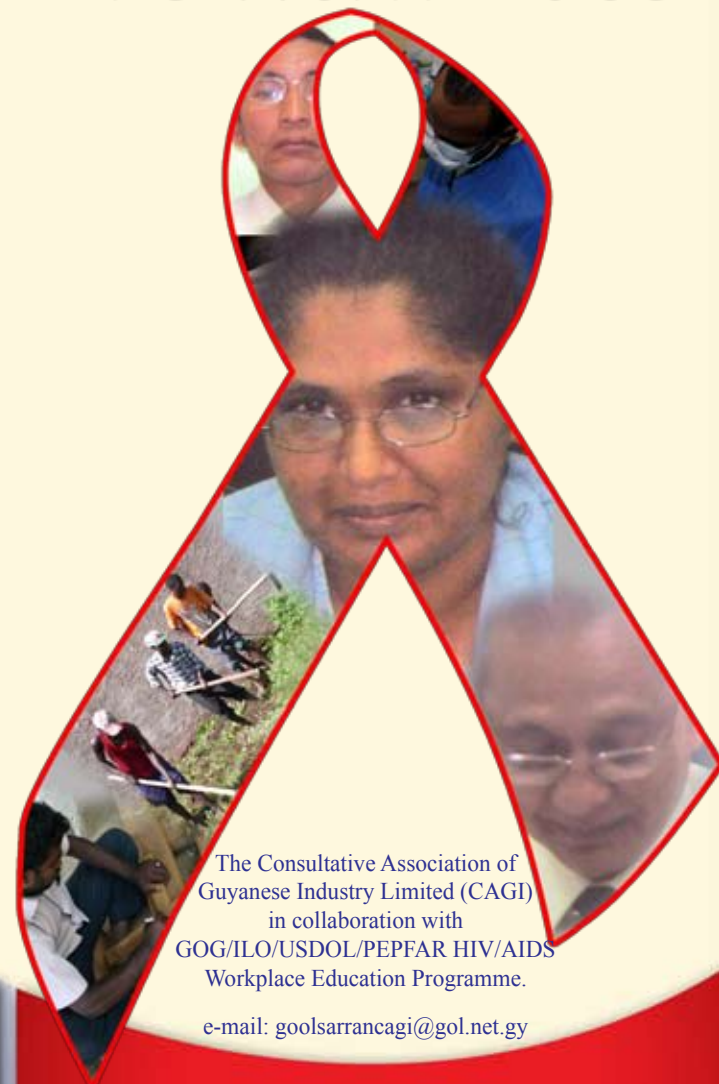
- designate a "Focal Person" at the workplace to address HIV and AIDS-related matters; and
- compile data on occupational accidents associated with exposure to blood and other blood-bore pathogens using the documentary records and procedures as outlined for all occupational accidents.

Trade Unions and Employees' Responsibilities:

- Employers recognize the interest of trade unions in including HIV/AIDS policies in their negotiations with employers and to represent workers in any complaints in this matter.
- Trade Unions and workers share a mutual responsibility with Employers to prevent stigma and discrimination against affected persons, and to provide relevant training, education, care and support.

Responsibility for Enforcement:

- The Ministry of Labour through its Department of Labour has the responsibility to promote and monitor the implementation of National and Workplace policy on HIV/AIDS.



The Consultative Association of
Guyanese Industry Limited (CAGI)
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CAGI will continue to promote these policy guidelines and encourage corporate commitment in the fight against HIV/AIDS, Stigma and Discrimination.



HIV/AIDS and the Work Place

It is widely recognized that the HIV pandemic presents major challenges for the affected individuals, workplaces and national communities. It has an adverse impact on the affected individuals and their families, national development and social progress as it affects productive segments of the labour force, and vulnerable groups in the society. It is as a critical workplace issue with implications for employment relations and workplace interactions, and should be the subject for consideration in the collective bargaining process.

The Consultative Association of Guyanese Industry Limited (CAGI) supports the National Workplace Policy on HIV and AIDS as essential guidelines for enterprises. CAGI is also committed to promoting healthy and safe lifestyles through awareness raising education, non-discrimination and maintaining a healthy work environment. It is hoped that this policy document, drawing from the National Policy, will help in the improvement of workplace relations and in the rapid reduction of this pandemic and foster a caring and concerned corporate environment.

This document focuses on the employers' responsibilities on the HIV/AIDS issue.

Prevention Education

Employers, in consultation with employees and trade union representatives shall provide preventative information, education, training and general awareness programmes to all age groups within their employment on how HIV is transmitted and prevented.

Non-Discrimination and Stigma *Employers:*

- are committed to not discriminating against workers with actual or perceived HIV or AIDS status on matters relating to service, appointment, transfer, promotion, training and termination of employment contract or concerning any other employment decision.
- shall not require workers or potential workers to have antibody, diagnostic and/or other tests related to HIV, nor to disclose the results of any such test already taken (to the employer or any one else), as a condition of employment.
- shall continue to employ people living with HIV as long as they are medically fit for such employment, and shall treat HIV in the same way as other illnesses with regard to workers' benefits.
- shall establish procedures and disciplinary measures to address HIV and AIDS related complaints, which persons discriminated against may use in addition to the legal system.
- are further encouraged to make reasonable work accommodation for persons living with HIV.

Healthy Work Environment *Employers shall:*

- provide and sustain as far as is reasonably practical, a safe workplace free from health risks to employees, in order to prevent the transmission of HIV;
- comply with the Occupational Safety and Health Act and other legal provisions in the interest of protecting employees, particularly in industries and sectors where workers are exposed to blood and other body fluids (for example, first aid and health care workers); and

- comply with these guidelines and National HIV and AIDS Workplace Policy, and provide training for employees to ensure that they also comply with the guidelines for protection.

Health Care Workers

Employers' must ensure that health care workers take precautions to protect themselves and patients from transmission of the HIV. These precautions must include satisfactory hand washing, proper handling of specimens, the use of appropriate protective apparel and the proper disposal of needles and other sharp instruments.

HIV Voluntary Confidential Counselling, Testing and Informed Consent

Voluntary testing with appropriate pre and post –test counseling and informed consent should only be administered by qualified and trained healthcare providers in compliance with the law and national policies.

Employers shall facilitate workers' request for HIV testing in any circumstance. In non-health care setting where the facilities are not available on site, assistance should be given in locating a free testing centre and time off to facilitate such testing. Employers shall ensure immediate and follow up testing to every employee involved in

