

Mpumalanga Provincial Government



Department of Public Works, Roads and Transport

POLICY ON HIV AND AIDS AND TB MANAGEMENT IN THE WORKPLACE

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1. ABBREVIATIONS AND DEFINITIONS

1.1. ABBREVIATIONS

DPSA	Department of Public Service and Administration.
HIV	Human Immunodeficiency Virus.
AIDS	Acquired Immune Deficiency Syndrome.
TB	Tuberculosis .
ARV	Antiretroviral .
DOT	Directly Observed Treatment.
DOTS	Directly Observed Treatment Strategy.
DPWR&T	Department of Public Works, Roads and Transport.

1.2. DEFINITIONS

AIDS	Condition that is present when the body's defense system is deficient and various life threatening infections occur.
Employee	a person appointed by the DPWR&T in terms of the Public Service Act, 1994, but excludes a person appointed as a special advisor in terms of section 12(A).
HIV	Blood borne virus transmitted amongst human beings.
HIV&AIDS and TB Coordinator	– an employee tasked with the responsibility to coordinate the implementation of HIV&AIDS and TB programmes within the department. The HIV&AIDS and TB coordinator shall be professionally trained to perform therapeutic interventions, if not trained such cases should be referred.
Peer Educator	– an employee who is trained to work with his/her peers, sharing information and guiding a discussion using his/her peer experience and knowledge within the DPWR&T.
Steering Committee	– a committee established by the DPSA, for all components of Human Resource Management and development at provincial and national level. This committee serves as a vehicle of coordination, communication, collaboration and consultation of the EH&WP.
TB	Disease that usually affects the lungs and is passed on by coughing.

The Designated Senior Manager – any member of the Senior Management Service in line with the provisions of the Public Service Act, 1994, who is tasked with championing the HIV&AIDS and TB management programme in the DPWR&T.

The Head of Department - Head of the DPWR&T.

The Health and Safety Committee – a committee that is appointed by the HOD to initiate, develop, promote, maintain and review measures to ensure the health and safety of employees in the DPWR&T. Such committee shall be constituted by the employer, health and safety representatives and organized labour.



2. INTRODUCTION

The Human Immunodeficiency Virus (HIV) & Acquired Immune Deficiency Syndromes (AIDS) and Tuberculosis (TB) are serious public health problems which have socio-economic, employment and human rights implications.

It is recognized that the HIV & AIDS and TB epidemic will affect every workplace, with prolonged staff illness, absenteeism, and death impacting on productivity, employee benefits, occupational health and safety, production costs and workplace morale.

It is in this light that the DPWR&T wants to reduce and manage the impact of the epidemic in the workplace by effecting the HIV & AIDS and TB management policy and programs.

Implementing the HIV & AIDS and TB management policy in the workplace will enable employers, organized labour and government to effectively and actively contribute towards local, provincial, national and international efforts to prevent and control the spread of HIV and AIDS and TB.

3. OBJECTIVES

The objective of this policy shall be to provide guidance to the DPWR&T in order to:

- 3.1. Provide prevention programmes and strategies.
- 3.2. Provide treatment, care and support.
- 3.3. Manage human and legal rights; and access to justice.
- 3.4. Monitor, research and surveillance.

4. SCOPE OF APPLICATION

This policy is applicable to all employees of the DPWR&T and their immediate families.

5. REGULATORY FRAMEWORK

- 5.1. The Constitution of South Africa of 1996,
- 5.2. Employment Equity Act, No. 55 of 1998: Code of Good Practice on Key Aspects of HIV and AIDS and Employment, December 2000
- 5.3. Labour Relation Act, No. 66 of 1995,
- 5.4. Basic Conditions of Employment Act, No.75 of 1997,
- 5.5. Medical Schemes Act, No. 131 of 1998

- 5.6. Occupational Health and Safety Act, No. 29 of 1996
- 5.7. Compensation for Occupational Injuries and Diseases Act No. 130 of 1993
- 5.8. Promotion of Equality and Prevention of Unfair Discrimination Act no.4 of 2000.
- 5.9. DPSA policy framework on Employee Health and Wellness of 2008.

6. POLICY STATEMENT

The HIV&AIDS and TB management policy is underpinned by the following principles:

6.1. RECOGNITION OF HIV&AIDS AND TB CO-INFECTIONS AS A WORKPLACE ISSUE

HIV&AIDS and TB co- infection is a workplace issue, and shall be treated like any other serious illness or conditions in the workplace.

6.2. GENDER EQUALITY

The gender dimensions of HIV&AIDS, TB and disability shall be recognized. Women are more likely to be infected and are often adversely affected by the HIV&AIDS and TB epidemic than men due to biological, socio-cultural and economic reasons.

6.3. SOCIAL DIALOGUE

Successful implementation of the policy requires cooperation and mutual trust between the employer, employees and their representatives with an active involvement of employees infected and affected by HIV&AIDS and TB.

6.4. REASONABLE ACCOMMODATION

An employee with HIV&AIDS and TB illness, like any other illnesses, shall continue to work for as long as he/she is medically fit and available to work. The DPWR&T shall accommodate an employee in other posts that will suit his/her condition (lighter duties). In case of absenteeism due to the illness, the normal sick leave procedures shall be followed like in a case of any other illnesses.

6.5. APPROPRIATENESS AND CULTURAL SENSITIVITY

Prevention of all means of transmission shall be through a variety of appropriate and culturally sensitivity.

6.6. HIV & AIDS AND TB AWARENESS

Employees shall be provided with information pertaining to HIV & AIDS and TB, through awareness campaign, information sessions and distribution of promotional materials, pamphlets and brochures. This is aimed at establishing a reservoir of information and knowledge that shall be available to all employees and which shall better enable them to make informed decisions. The information shall be updated from time to time.

6.7. PRE-EMPLOYMENT TESTING

According to the DPSA policy framework on Employee Health and Wellness of 2008 HIV testing is not a pre-requisite to employment; therefore, the DPWR&T shall not conduct HIV & AIDS and TB testing as a pre requisite for Employment.

6.8. SPECIAL CIRCUMSTANCES REQUIRING HIV TESTING

In case of persistent illness an employee may be referred for medical examination and shall be encouraged to undertake an HIV & AIDS and TB testing. Any information on the employee state of health shall only be divulged with the employee's consent in writing.

6.9. CONFIDENTIALITY [DISCLOSURE OF HIV&AIDS AND TB TEST RESULTS]

Employees have the right to confidentiality regarding their HIV & AIDS and TB status. Voluntary testing by an employee shall be based on his/her informed consent. Test results shall not be discussed with Management without the employee's written consent; and such disclosure shall be treated as strictly confidential. It is however the employee's prerogative to disclose such test results to any party she/he wishes to. Only registered professionals shall be allowed to provide therapeutic intervention.

6.10. NON DISCRIMINATION

No employee shall be discriminated against based on his/her HIV & AIDS and TB status. Discrimination against HIV & AIDS and TB positive employees by fellow employee, based on their status, shall not be condoned and such action shall render employees involved subject to disciplinary action in accordance with the DPWR&T 's disciplinary code and procedure.

6.11. TRANSPARENCY

The DPWR&T shall adopt a consultative and transparent approach to the management of HIV & AIDS and TB.

6.12. GRIEVANCES

All grievances about issues related to HIV & AIDS and TB shall be handled according to the grievance procedure that exists within the DPWR&T to deal with complaints and grievances of employees.

6.13. EXPOSURE IN THE WORKPLACE

The DPWR&T shall provide guidelines regarding the implementation of precautionary health and safety measures to minimize the risk of exposure to HIV & AIDS and TB in the work environment. The provisions of the Compensation for Occupational Injuries and Diseases Act and Occupational Health and Safety Act shall be followed with regard to infection with HIV & AIDS and TB in the course and scope of employee duties in order that such infection shall qualify as an injury on duty.

6.14. EQUAL ACCESS TO ALL HEALTH ENTITLEMENTS

Access to affordable health care and social security services for employees and their dependants shall be promoted.

6.15. CONTINUITY OF AND PARTNERSHIP

Continuity of care for employees infected and affected by HIV&AIDS and TB shall be promoted including linkages with other health centre and well established referral mechanisms.

7. ROLES AND RESPONSIBILITIES

7.1. THE HEAD OF DEPARTMENT

- 7.1.1. Acknowledge that HIV&AIDS and TB causes lower productivity.
- 7.1.2. Ensure a safe and healthy environment for employees of the DPWR&T.
- 7.1.3. Ensure that the policy on HIV&ADS and TB management is endorsed and accordingly implemented.
- 7.1.4. Support departmental programmes that are focusing on HIV&AIDS and TB in the DPWR&T.

7.2. THE DESIGNATED SENIOR MANAGER

- 7.2.1. Promote capacity development initiatives.
- 7.2.2. Establish organizational support initiatives.
- 7.2.3. Develop governance and institutional development initiatives.
- 7.2.4. Develop economic growth and development initiatives.

7.3. HIV&AIDS AND TB CORDINATOR

- 7.3.1. Coordinate the implementation of HIV&AIDS and TB management programmes, projects and interventions.
- 7.3.2. Plan, monitor and manage workplace HIV&AIDS and TB according to strategies, policies and budgetary guidelines.
- 7.3.3. Obtain and make condoms available at the workplace and provide usage education thereof.
- 7.3.4. Initiate and arrange staff training with regard to HIV&AIDS and TB including its relationship.
- 7.3.5. Make provision for counseling of individual employees and to their immediate family members.
- 7.3.6. Identify personal development needs for individual employees.
- 7.3.7. Analyze and evaluate data and communicate information, statistics and results to various stakeholders and management.
- 7.3.8. Coordinate activities of Peer Educators.
- 7.3.9. Promote work-life balance for employees.
- 7.3.10. Provide information about positive living.

7.4. THE PEER EDUCATOR

- 7.4.1. Act as a focal point for the distribution of evidence-based and generic HIV&AIDS promotional material.
- 7.4.2. Take the initiative to implement awareness activities, or to communicate HIV&AIDS and TB information.
- 7.4.3. Act as a referral agent of employees to relevant internal and external stakeholders.
- 7.4.4. Identify employees at risks for HIV&AIDS and TB transmission.
- 7.4.5. Support employees on TB and/or ARV treatment to adhere.
- 7.4.6. Act as DOTS supporter/ARV buddy/ peer.
- 7.4.7. Submit monthly reports of activities to the HIV&AIDS and TB coordinator.

7.5. THE HEALTH AND SAFETY COMMITTEE

- 7.5.1. Make recommendations to the employer about matters affecting employee's health.

7.6. THE STEERING COMMITTEE

- 7.6.1. Establish and harmonize communication of the HIV&AIDS and TB management policy at provincial and National levels.
- 7.6.2. Coordinate, communicate, collaborate and consult pertaining issues of HIV&AIDS and TB.
- 7.6.3. Meet quarterly to discuss HIV&AIDS & TB policy matters.

7.7. THE EMPLOYEE

- 7.7.1. Take reasonable care for his/her health and that of other employees who may be affected.
- 7.7.2. Obey universal precautions as laid down by his/her employer or any authorized person in the interest of prevention of HIV&AIDS and TB.
- 7.7.3. Report as soon as possible any unhealthy situation which comes to his/her attention, to the employer or to the HIV&AIDS and TB management coordinator.
- 7.7.4. If involved in any incident which may affect his/her health or which has caused injury to him/herself, report such incident to his/her employer as soon as possible.
- 7.7.5. Support effective HIV&AIDS and TB programmes and people living with the pandemic to lead healthy and productive lives.
- 7.7.6. Contribute to the mitigation of the impact of HIV&AIDS and TB.
- 7.7.7. Contribute the enabling of a working environment for care, treatment and support.

7.8. ORGANISED LABOUR

- 7.8.1. Represent employees in the workplace.
- 7.8.2. Ensuring compliance with legal obligations towards members.
- 7.8.3. Sit in HIV&AIDS and TB management steering committee meetings.
- 7.8.4. Make representation to the employer on agreed issues affecting the health and safety of employees in the department.
- 7.8.5. Ensuring a non-discriminatory and supportive environment for all public servants infected with and affected by HIV/AIDS.
- 7.8.6. Ensuring HIV/AIDS workplace policies and programmes meet the needs of all employees.
- 7.8.7. Being involved in and consulted on the development of policies and ensuring that policies reflect principles such as non-discrimination.
- 7.8.8. Ensuring that resources are available to meet the demands posed by the epidemic.
- 7.8.9. Ensuring fair grievance and disciplinary procedures for HIV/AIDS.
- 7.8.10. Ensuring that adequate training and capacity building is provided in the working environment to deal with HIV/AIDS.

8. MONITORING AND EVALUATION

The Health and Wellness section shall monitor and evaluate the effectiveness of the implementation of this policy and report to the Head of the DPWR&T on any deviations.




9. POLICY REVIEW

The policy shall be reviewed to factor in changes in legal frameworks, organisational development, political and economic trends, and envisaged outputs by the Medium Term Expenditure Framework as well as outcomes of monitoring and evaluation.

10. APPROVAL

Approved



KM MOHLASEDI
HEAD OF DEPARTMENT

DATE 2012/3/22