

RICHTERSVELD MUNICIPALITY

HUMAN RESOURCE POLICIES

12. HIV / AIDS POLICY

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HIV / AIDS

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Approved Date: 30/06/2022	Council Resolution Nr: RVM007/06/2022
Effective Date: 01 July 2022	Review Date: 30 June 2023

PHILOSOPHY

People have always been the heart and soul of the Richtersveld Municipality. Richtersveld Municipality is committed to the future of the Richtersveld, to the wellbeing of its people and communities, and to its economic development. HIV/AIDS pandemic which has Africa firmly in its grip, poses a threat to Africa's progress towards sustainable development. As Richtersveld Municipality, we exist to benefit and refresh everyone who is touched by our services. This is a promise that extends to the social, civil and health related issues prevalent in the world today.

Richtersveld Municipality undertakes to create an environment across all our communities where our employees, customers and consumers are vulnerable to HIV/AIDS. Through education and the dissemination of information, we hope to influence attitudes, change behaviour and help in the prevention and cure of the disease.

- Richtersveld Municipality is committed to treating individuals directly and indirectly affected by the HIV/AIDS epidemic with respect and integrity; these are core values of our Municipality. The Municipality will not tolerate any form of prejudice or discrimination against affected stakeholders in this regard.
- Richtersveld municipality will make every effort to respond to the needs of our stakeholders and their families with the same level of commitment we have shown in the building and nurturing of relationships with our constituents in the world around us.
- Richtersveld municipality will continue to maintain a working environment that is healthy, safety conscious and respectful of confidential information provided to the Municipality as a means to helping stakeholders receive counseling and/or medical assistance.

GUIDING PRINCIPLES

The HIV/AIDS policy of the Richtersveld Municipality is within the framework of the International Labour Organisation's (ILO) code of practice on HIV/AIDS and the world of work.

Below are the guiding principles and procedures of the Municipality's specific program on HIV/AIDS in our workplace.

1. Confidentiality

- Richtersveld Municipality will strictly uphold the confidentiality of all information on the HIV status and condition of stakeholders. Thus, we will ensure that the management of all confidential information relating to an employee, counseling care, treatment and receipt of benefits, will be respected and remains private and confidential.
- Richtersveld Municipality will strive to create a climate that will allow for and encourage voluntary disclosure of an individual's positive HIV status.

2. Non discrimination

- Richtersveld Municipality supports voluntary testing and therefore will not at any point require new or existing employees to be screened or tested for HHIV/AIDS unless it is so required under the legal standards. In such instances, the Municipality will follow the requirements of the local laws and will treat all affected stakeholders with the integrity and respect they deserve and no different to any other stakeholder.

3. Reasonable accommodation

- Richtersveld Municipality believes in the principles of reasonable accommodation in the work environment. Therefore, stakeholders with HIV/AIDS will be free to continue with their work responsibilities if they are able to maintain an acceptable level of performance, and pose no health risk to themselves or to their co-workers. Recognizing the seriousness and severe economic, social and psychological impact on the employee and their families, the municipality will endeavor to exercise consideration that will enable employees to better cope with these challenges.

4. Education Awareness

- Richtersveld Municipality believes that education and information are essential to prevention, care and support, which will be developed and implemented in collaboration with employee representatives. Such a program may be available to families of employees, if they so wish. In addition, the municipality will work together with stakeholder in helping reduce ignorance and stigma in the wider communities.

5. Occupational benefits (What the Municipality is doing)

- Richtersveld Municipality is committed to providing occupational benefits that are non-discriminatory, sustainable and supportive of all stakeholders.
Richtersveld Municipality is currently working on a program to provide cover for prophylactic treatment and other early intervention treatments as required by medical professionals.
- All eligible stakeholders of Richtersveld Municipality are covered for infectious and life-threatening illnesses as prescribed by the contracted healthcare provider.

6. Community involvement and advocacy

- In keeping with the Richtersveld Municipality Batho Pele Principles, concerning our social responsibility and in co-ordination with our departments, the Municipality will identify community outreach opportunities that can be offered on a voluntarily basis to stakeholders with full Municipality sponsorship and support. We will establish and foster partnership and linkages with governments and Non-Governmental Organisations (NGOs) for the implementation of our HIV/AIDS programs.

PROCEDURES

1. Confidentiality

- The HIV status of any individual will be kept strictly confidential. Medical records of employees or stakeholders with HIV will be considered as confidential information.
- Access to such information is strictly limited to medical personnel within the Municipality and may be disclosed only if legally required and with the consent of the employee concerned.

2. Voluntary disclosure

- An employee who is infected with the HIV virus or suffers from AIDS is not obliged to inform the Municipality.
- If an employee discloses to his/her manager or Human Resource staff representative information on their physical condition, such as HIV/AIDS:
 - The line manager will be supportive and listen to the employee, noting key concerns and schedule a follow-up meeting.
 - The line manager will advise the employee to contact Social Service/Medical Services (or what your services are) so that they are aware of the situation and are able to provide the employee with the necessary support.
 - If the Human Resources representative is not aware of the situation and permission has been secured, the line manager will contact the Human

Resource representative immediately for guidance and resources to help address the employee's needs.

- Every instance will be handled on a case basis to balance the needs of needs of the employee with needs of the Municipality.
- Co-workers will not be asked to reveal personal information about fellow co-workers.

3. Medical testing

- The Municipality will not require new job applicants and employees to disclose HIV/AIDS related personal information.
- Employees who wish to determine their HHIV/AIDS status may arrange to be tested voluntarily, subject to the completion of informed consent documentation and pre and post-test counseling at the Municipality expense. (if this is possible)

4. Counseling – Employee Assistance Programme (EAP)

- The municipality will make available supplementary information and education programs to all employees via an Employee Assistance Program (EAP). Where possible and appropriate (financial implications?), this service and programs will be extended to family members of employees.
- EAP programs will also include pre-test and post-test counseling for employees considering taking an HIV/AIDS test. This service will be extended to the family members of employees who are concerned about HIV/AIDS related illnesses and conditions.
- We also seek assistance from established community support and counseling groups. Information for these resources can be requested confidentially from the Human Resource Staff, Employee representatives or EAP representatives.

5. Reasonable accommodation and job security

- Richtersveld Municipality will take measures to extend reasonable work environment accommodation to employees with HIV/AIDS related illnesses. This could include re-arrangement of working time, special equipment, opportunities for rest breaks, and time for medical appointments, flexible sick leave, part-time work and return to work arrangements.
- Employees who are HIV positive but healthy are free to continue to work and will be treated like other employee with regard to training, promotion, transfer, discipline and other social welfare. Provisions under the existing Municipality Policies and Procedures regarding sick leave and impairment/disability will be applicable as instituted in instances of chronic ill health.
- The municipality will not dismiss an employee purely on the basis of his/her HIV/AIDS status.
- Where an employee with an AIDS related condition is too ill to continue to work and where alternative working arrangements, including the extended sick leave,

have been exhausted, the employment relationship may cease in accordance with anti-discrimination, labour laws and the Municipality Policies and Procedures.

- An employee's HIV/AIDS status as with other chronic conditions, will not in any manner influence Municipality practice, in so far as the existing Policies and Procedures are applied including those pertaining to promotion and benefit entitlement.

6. Education and training

- The municipality will initiate basic HIV/AIDS training to inform, educate and train all employees about HIV/AIDS prevention, care and the Municipality's policy on HIV/AIDS.
- The Municipality's HIV/AIDS training will include measures to reduce discrimination and stigmatization against people living with or affected by HIV/AIDS and advice on employee benefits and entitlements.
- The municipality will establish HIV/AIDS Steering Committees made up of Senior Managers, Human Resource representatives, medical staff, union representatives and other interested employees, who will engage external experts to provide employees with the new information and insights; as well as organize awareness and prevention campaigns on an on-going basis. These will ideally take place every quarter and on AIDS Awareness DAY, Health Day etc.
- The municipality will place information materials on safe sexual practices, prevention of Sexually Transmitted Diseases, and overall health promotion, including information on alcohol and drug abuse in department offices. In addition, condoms and sexual prevention devices will be provided in all toilets within the municipality premises to encourage safer sexual practices.
- The municipality will encourage and facilitate use of voluntary HIV/AIDS testing and counseling services.

7. Occupational benefits

- Richtersveld Municipality will continue to treat HIV/AIDS in the same manner with which other illnesses have been treated in terms of employee benefit policies, health and life insurance, leave of absence and other related disability benefits.
- In instances whereby the Healthcare provider(s) and insurers have restriction on specific infections, life threatening diseases and HIV/AIDS benefits, the Municipality will engage into negotiations insisting that Healthcare provide extra cover for employees exclude by the schemes.
- In terms of the Labour Relations Act and Employment Equity Act, and subject to local laws and rules of local Pension/Provident Funds, HIV/AIDS will continue to be handled in the same manner as any other case of ill-health retirement.

8. Risk reduction and management

- Richtersveld Municipality will work to ensure a safe and healthy working environment, including the application, the provision and maintenance of protective equipment and first aid.
- We will make available to all employees condoms, counseling support and referral services. Where cost considerations make this difficult, the Municipality will seek support from government and other outside institutions and organisations.

9. Community involvement and advocacy

- In keeping with Batho Pele Principles concerning our social responsibility and in co-ordination with our departments, the Municipality will identify community outreach opportunities that can be offered on a voluntary basis to employees with full Municipality support.

10. Non-discrimination grievance and disciplinary procedures

- Where an employee perceives discrimination to be occurring as a result of his/her HIV/AIDS status, that individual shall have resource to the Municipality's grievance procedure.
- Richtersveld Municipality will take the corrective and disciplinary actions necessary against employees found to be involved in the stigmatization harassment or discrimination against employees directly or indirectly affected with HIV/AIDS.

11. Information sharing

- In order to ensure the municipality is in a good position to respond to the health needs of its workforce and to assist its efforts in future manpower panning, it may undertake means to obtain a realistic assessment of the HIV situation in the Municipality. Such assessments will be undertaken in a particular manner, and information will be kept confidential.
- The Municipality ensures such information will not disclose the identity of individuals.
- Richtersveld municipality will communicate regularly within the municipality about the HIV/AIDS program and its development.

12. Policy review

- This policy will be reviewed and updated as and when the need arises or when developments relating to necessitate policy review.

13. AUTHORITY

MM Approval:

A handwritten signature in black ink, enclosed within a hand-drawn oval. The signature is stylized and appears to consist of several overlapping loops and lines.

Date: 30/06/2022