



ACORD HIV AND AIDS WORKPLACE POLICY DOCUMENT

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1. INTRODUCTION

Since 2002 ACORD's HIV and AIDS Support and Advocacy programme facilitated a process for development of an organizational HIV Workplace Policy. The policy which has been adopted by ACORD's Senior Management Team (SMT) and Board of Directors is effective 2006 and will be reviewed every 12 months to ensure continued relevance and effectiveness.

The policy presents ACORD's commitment to building a working environment in which all staff are well informed about HIV/AIDS and where infected and affected staff are able to disclose their status and/or express their views and concerns freely and openly in the knowledge that they will be supported in the context of a collective spirit and willingness to face up to the reality of HIV/AIDS both within and outside the workplace". ACORD will work towards achieving this vision by upholding the principles and standards of justice including;

- ❖ Upholding non discriminatory policies and practices.
- ❖ Promoting a supportive working environment
- ❖ Promoting a shared responsibility for prevention
- ❖ Recognising that staff infected and affected by HIV and AIDS have special needs which need to be responded to
- ❖ Protect the rights and

confidentiality on medical status to all staff and their dependants

This workplace policy is an integral part of ACORD's mission to prevent the spread and mitigate the impact of HIV and AIDS, challenge all forms of discrimination including HIV and AIDS related stigma and discrimination, and take concrete measures to challenges such attitudes and behaviour.

In agreement with all ACORD programs and in line with the ILO code of practice, ACORD's HIV and AIDS policy covers the following key components;

1. Awareness-raising and prevention
2. Staff protection
3. Equal treatment and anti-discrimination measures
4. Care and Support
5. Confidentiality

The policy highlights organizational principles with regard to HIV and AIDS in the workplace. Its implementation is a shared responsibility across the whole organization. However, the ultimate responsibility will rest with the Executive Director and the Senior Management Team at organizational level and Area Programme Managers at field level.

2. POLICY RATIONALE

The rationale for developing an HIV/AIDS Workplace Policy in ACORD is based on the following considerations:

Consistency with ACORD's values and aims:

Preventing the spread and mitigating the impact of HIV/AIDS and challenging all forms of discrimination, including HIV/AIDS-related stigma and discrimination is an integral part of ACORD's mission. Over the last decade, ACORD has placed increasing emphasis on these objectives and, currently, most ACORD programmes are making some contribution, however small, towards addressing the HIV/AIDS crisis that communities throughout sub-Saharan Africa are facing. However, these outward-oriented efforts have not been matched by corresponding efforts to address the impact of HIV/AIDS on ACORD itself as an organization and on its staff. Besides having a moral obligation to 'practice what it preaches', ACORD's credibility and its work with communities will be seriously undermined if this discrepancy is allowed to continue. The need for a policy that adequately addresses these concerns is thus both a pragmatic and ethical imperative.

International conventions commitments

The development of HIV/AIDS workplace policies is also strongly recommended as part of the international response to HIV/AIDS. The UNGASS declaration

of Commitment signed by 189 Governments at the UN General Assembly Special Session on HIV/AIDS (UNGASS) in June 2001 affirms the need for all countries to make efforts to strengthen the response to HIV/AIDS in the world of work by establishing and implementing prevention and care programmes in public, private and informal work sectors, and take measures to provide a supportive workplace environment for people living with HIV/AIDS." (Para 49)

Reducing the potential costs to the organization

ACORD like many other development agencies operates in the Sub-Saharan Africa region that is hardest hit by the HIV and AIDS epidemic. Increasingly, among development agencies, HIV and AIDS leads to absenteeism, lower productivity, vacant posts, growing costs of health care and funerals, and overloading of employees.

Protecting staff

The fact that ACORD staff are also susceptible to HIV cannot be overemphasized. This is especially true for staff based in isolated rural areas, spending long spells of time away from their families. The problem of HIV/AIDS is already a reality in some ACORD programmes. Several cases of morbidity and mortality due to HIV/AIDS-related illnesses have been reported. As well as reducing the risk of exposure to the virus, it is necessary to have policies in place to respond to the needs of staff already infected.

Need for fairness and consistency

An ACORD-wide organizational policy is needed to lay down the basic principles and 'ground rules', leaving the details of the policy to be developed by individual programmes in accordance with local realities and relevant national legislation. Thus, there is a need to establish the basic policy as soon as possible to avoid a situation where programme policies have to be modified or overturned in order to fit in with the overall principles and policy guidelines.

3. KEY PRINCIPLES

ACORD will

- ❖ Implement non-discriminatory policies and practices by opposing all forms of stigma and discrimination against staff on the grounds of their HIV/AIDS status and take concrete measures to challenge such attitudes and behaviour. Equally ACORD upholds the principle that staff with HIV should not be more favourably treated than other staff with long-term, critical and/or terminal health conditions;
- ❖ Promote a supportive working environment where staff can discuss HIV/AIDS openly and without fear of any adverse consequences;
- ❖ Promote a shared responsibility for prevention in providing staff with sensitive, non-judgemental, accurate and up-to-date information on HIV/AIDS, its impact and preventive measures to enable them to protect themselves from HIV and other sexually transmitted infections;
- ❖ Seek to put in place fair medical

arrangements for staff by exploring various insurance and medical scheme options within existing medical infrastructures in each locality. We believe in equal rights to medical care;

- ❖ Protect the right to confidentiality on medical status to all staff;
- ❖ Recognize that staff living with or directly affected by HIV/AIDS have special needs and ensure that reasonable accommodation is made to meet those needs.
- ❖ Recognise that HIV/AIDS impacts differently on male and female staff and design the policy to accommodate these differences, and where possible redress gender inequalities.
- ❖ Emphasise that the policy be flexible to allow variations from country to country due to different situations and circumstances. However, there must be a mechanism to check the variations for consistency with ACORD's global policy and values.

4.0 KEY POLICY ELEMENTS

4.1 Education, Awareness Raising and Prevention

In order to ensure that staff have access to up-to-date and relevant information on HIV and AIDS to enhance their ability to protect themselves and others, to know their rights and to promote the creation of a supportive, stigma free work environment, ACORD will;

- ❖ provide staff and their family members information on HIV/AIDS, its impact, preventive measures and living positively with HIV/AIDS;

- ❖ Include regularly updated awareness raising information about HIV/AIDS and basic facts about transmission, prevalence rates, national/international policies, including employment rights and information about care and support options on an ongoing basis;

- ❖ Adapt and translate training materials for education and prevention programs as appropriate to reflect diversity in terms of staff position, culture, religion, language.

- ❖ As far as possible involve people living with HIV as a way of addressing HIV and AIDS related stigma.

4.2 Staff Protection

To ensure that employees are protected from infection or post exposure effects while at work ACORD will provide;

- ❖ Provide first aid kits with protective gear in case of accidents involving the loss of blood. These

include gloves, syringes and needles, and helmets for motorcycle riders.

- ❖ Counselling and reasonable paid time off for staff following occupational or other exposure.

- ❖ Male and female condoms and updated information on storage, use and disposal.

4.3 Equal Treatment and Anti-Discrimination measures

To promote an environment where stigma and discrimination are not tolerated and to apply measures to ensure that people with HIV are not discriminated against at the point of recruitment and/or with respect to promotion and other work place opportunities, ACORD will;

- ❖ Provide HIV/AIDS training and awareness-raising to all staff in order to reduce stigma against HIV positive people based on ignorance and prejudice;

- ❖ Prohibit compulsory testing or screening for HIV pre-employment or any other time;

- ❖ Provide opportunity where staff members will be under no obligation to inform the organisation about their HIV status unless they wish to;

- ❖ Ensure that affected staff member's HIV/AIDS status, when disclosed, will not affect recruitment choices and/or promotion prospects and/or other work opportunities, such as transfers or training. Discrimination and/or harassment of staff on the grounds of their actual or assumed HIV status will be treated as

a disciplinary matter.

4.4 Medical Care and Support

To support infected and affected staff to cope with the physical, social and psychological effects of HIV and AIDS, ACORD will;

- ❖ Seek to put in place fair medical arrangements for staff by exploring various insurance and medical scheme options within existing medical infrastructure in each locality. ACORD believes in equal rights to medical care and medical schemes shall be designed to provide equal coverage as much as possible. However for the treatment and access of staff to ARVs, ACORD's position is that this will be provided for through the existing medical insurances and schemes consistent with the mechanisms of all chronic illnesses.

4.5 Reasonable Accommodation

In instances, where staff living and/or directly affected by HIV/AIDS, may require special arrangement with regard to their work, ACORD shall take steps to accommodate the needs within the given context.

Reasonable accommodation may include:

- ❖ Flexible working hours and time off for counselling and medical appointments
- ❖ Redeployment: any proposed redeployment (for example, to a less physically demanding position) should be discussed beforehand with the staff member concerned;
- ❖ HIV/AIDS status should not be

used as a basis for termination of employment. Staff with HIV related illness should be enabled to continue in employment so long as they are in a physical condition to do so. In the case of termination of employment due to extended illness, the same termination benefits and conditions due to other serious illnesses will apply;

- ❖ Voluntary retirement: in the event that the infected staff member can no longer cope with his/her work and wishes to retire, he/she should be allowed to take that option. In this case, ACORD should provide an early retirement package equivalent to six months salary.

4.6 Confidentiality

In order to protect the rights and confidentiality on medical status to all staff and their dependants, ACORD will;

- ❖ Uphold confidentiality in respect of all medical information relating to an existing or prospective employee at all times unless disclosure is legally required. In such a case, prior written consent of the staff member shall be obtained;
- ❖ Ensure that confidentiality requirement also extends to all health professionals under contract with ACORD;
- ❖ While always respecting the individual's right to privacy, simultaneously work towards creating a work environment in which staff will feel able to disclose their status, in

the knowledge that they will not be discriminated against and will be supported by colleagues and the organization;

- ❖ Treat as a disciplinary matter any case of a breach of confidentiality and there by apply the procedures for grievance handling;

- ❖ Facilitate any employee willing to declare his/her status to either the Program Manager or the Country Coordinator or any other member of the management team. Where the staff feels so, disclosure should be done in the presence of a counsellor or a doctor who can confirm the results. The information must be kept confidential.

4.7 Grievance and disciplinary procedures

To protect the rights of HIV positive employees to confidentiality and non-discrimination and to ensure that measures are in place to penalize infringements of these rights;

With respect to confidentiality:

- ❖ Divulging confidential information about the HIV status of another employee will be established as a disciplinary offence and employees guilty of such behaviour will be subjected to the appropriate grievance and disciplinary action.

With respect to discrimination:

- ❖ Where an employee is harassed or is in any way subjected to discrimination on the grounds of her/his HIV status (whether imagined or real), s/he will have the right to take out a grievance against that

employee suspected of causing this discrimination. Flexible procedures should be put in place to take account of situations where the guilty party is the person's manager or the person to whom the grievance should normally be reported in the first instance.

With respect to policy enforcement:

- ❖ ACORD will provide procedures that can be used by staff for work-related grievances. Disciplinary proceedings may be commenced against any staff member who, through intended acts or pronouncements, violates some aspects of this policy.

4.8 Counselling services

To provide information to staff to enable them make informed choices and decisions for their future and reduce stress resulting from likely exposure to HIV/AIDS infection, ACORD will;

- ❖ Encourage and facilitate voluntary, confidential counselling and testing. Counselling shall encompass problem solving, crisis situation, pre and post-test counselling and ongoing supportive counselling. ACORD offices should provide information to all staff on where HIV-related advice, counselling and referral could be found outside the work environment;

- ❖ Each country/ Area program office as well as the secretariat shall be encouraged to elect a staff member from whom staff can seek confidential advice, counselling and referral on HIV-related matters and adequate time and training should be provided to that individual to enable her/him to fulfil these functions adequately.

5.0 POLICY IMPLEMENTATION/ MONITORING AND REVIEW

To ensure the policy is enforced through adequate accountability mechanisms and that it is monitored and regularly reviewed to reflect lessons learned within and outside ACORD, and new developments in thinking and practice in this field.

- ❖ ACORD is committed to communicating the HIV/AIDS at workplace policy as part of the induction program.

- ❖ Tool kits and leaflets will be developed and made available to staff in all languages of ACORD'S work.

- ❖ ACORD will encourage regular discussion sessions around HIV and AIDS will be organized.

- ❖ ACORD is also committed to sharing experiences and learning with other partner organizations.

- ❖ The Senior Management Team, HASAP, Area Program Managers with the support of identified HIV/AIDS workplace champions are held accountable to the enforcement of this policy. This will include processes of adapting the policy to the different country contexts, translating the policy into programs, mobilizing the human and financial resources for implementing and sustaining the work place program.

- ❖ Other ACORD policies will be implemented in cognizance of the HIV

and AIDS work place policy and within the framework of national labour legislation and national regulations concerning HIV in the workplace.

5.1 Training/capacity-building:

- ❖ Managers and Human Resource Officers in the Secretariat and Area and Thematic Programmes will be trained in the implementation of the policy.

- ❖ Information and training should be provided to all irrespective of gender, race, nature of employment and sexual orientation.

- ❖ As far as practicable, such information and training will be integrated into existing education and human resources policies and programmes as well as occupational safety and anti-discrimination strategies.

- ❖ Staff training on HIV/AIDS will take place during paid working hours and attendance by all staff including senior staff be considered as part of work obligations.

5.2 Resource Planning

To include provision for increased staff absenteeism and sickness related to HIV in staff planning and programme budgeting with a view to supporting staff and minimizing adverse impact on productivity levels

- ❖ All programmes will be encouraged to develop resource plans that take into account the impact of HIV/AIDS on the resources and productivity of the organization.

- ❖ Options to be considered include, amongst others: introduction of a volunteer/trainee or internship programme as back-up support; training two employees for each job and promoting a 'multi-skilled' approach to staff development; encouraging delegation of tasks.

- ❖ All these options have cost implications, therefore, ACORD should engage in advocacy with the donor community to promote greater flexibility taking account of the effects of HIV/AIDS on organizations

5.3 Monitoring and Review

To ensure the policy is enforced through adequate accountability mechanisms and to ensure that it is monitored and regularly reviewed to reflect lessons learned within and outside ACORD and new developments in thinking and practice in this field.

- ❖ The ACORD Board, Secretariat (SMT), HASAP, Area Programme Managers, Human Resource managers and HIV/AIDS officers will all be held accountable for the enforcement of the policy.

- ❖ The ACORD Secretariat, HASAP and Area Programmes will put in place systems for the regular monitoring and occasional evaluation of the policy based on agreed indicators reflecting organizational, as well as country-specific targets.

- ❖ The policy will be reviewed after the first 12 months and later, on a bi-annual basis to ensure continued relevance and effectiveness in meeting the goals and objectives.

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