



OBJECTIVES

The purpose of this policy is to provide clarity on KVTC's views and commitments with regard to HIV/AIDS and the comprehensive management of HIV positive employees and employees living with AIDS. The Policy is also aimed at focusing on aspects of HIV/AIDS which, if not carefully addressed may impact negatively on KVTC's business and/or the wellbeing of its employees. KVTC recognizes the seriousness and implications of HIV/AIDS for the individual employee, as well as co-workers of affected individuals.

SCOPE.

The scope of this policy applies to all staff.

RESPONSIBLE PERSON.

All Senior Management Level.

All Junior employees.

POLICY

Kilombero Valley Teak Company Limited ("KVTC"), acknowledges the seriousness of the HIV/AIDS epidemic and seeks to minimize the social, economic and developmental consequences to the company and its employees through comprehensive, proactive HIV/AIDS workplace programs, therefore committing itself to providing leadership in implementing such programs. KVTC is fully committed to protect its employees, create awareness, encourage behavior changes where necessary as well as ensure that all employees are treated with the necessary dignity, fairness and equality.

KVTC commits itself to the following in as far as HIV and AIDS are concerned:

- HIV positive employees will be governed by the same contractual obligations as all other employees.
- HIV/AIDS education and awareness training will be made available to all KVTC and Contractors employees.
- KVTC will issue contraceptive items e.g., condoms to all KVTC and Contractors employees for free.
- KVTC will ensure that where necessary/appropriate, affected employees and their colleagues and or line managers receive appropriate advice and guidance should such a colleague wish to disclose their status.
- The company will also ensure that affected employees are referred to appropriate professionals for e.g., medical and or counselling services.
- Consultation with affected employees in managing their illness will also be ensured.

Confidentiality

Persons with HIV or AIDS have the legal right to confidentiality and privacy concerning their health and HIV status. Under no circumstances will employees be obliged to disclose their HIV status.

Where an employee chooses to voluntarily disclose his / her HIV status to the employer, this information may not be disclosed to any other party without the employee's expressed consent.



All medical information regarding employees with HIV/AIDS will be kept strictly confidential, except where required by law to be disclosed to specified people or/ with the consent of the employee. Should any person within KVTC disclose such confidential medical information, without legal authority or relevant consent from the employee, appropriate disciplinary action will be instituted.

Testing

No KVTC staff member shall be required to undergo HIV testing, unless undertaken with the informed and explicit consent of the employee, and with the objective being to assist the employee in obtaining the appropriate support and care (counselling). HIV testing will not form part of the recruitment and selection process. KVTC will maintain the number of tested employees.

Non-discrimination

HIV/AIDS is a disease that shows no racial, gender or class boundaries. KVTC believes that a person with the HIV or AIDS must be treated on a similar basis to any other employee suffering from a life-threatening disease. As such, employees who are HIV positive or those with AIDS will not be subjected to any form of victimization or discrimination.

KVTC is committed to fair, sound and non-discriminatory employment practices. Employees who develop, choose to disclose, or are diagnosed as HIV/AIDS positive will not be prejudiced, victimized or discriminated against on account of their medical condition or status. The presence of HIV/AIDS does not justify termination of employment, demotion, or discrimination in employment. The compulsory conditions of service, including pension/provident funds, medical aid, stated benefits, sick leave, housing, training and development would continue, as amended from time to time. Employees living with HIV/AIDS, have the same rights and obligations as all staff.

PRESENT EMPLOYEES

KVTC acknowledges that employees with HIV/AIDS as well as other life-threatening diseases may sometimes need continued therapeutic assistance in order to continue performing their duties. KVTC commits itself to assisting employees wherever possible and necessary. Thus, employees who are aware that they have a life-threatening disease are encouraged to inform the company (through the company's Nurse Officer) as soon as possible to enable the company to assist. This information will be treated with the highest level of confidentiality. No employee will be victimized or discriminated against.

EMPLOYEES IDENTIFIED AS HIV POSITIVE

The diagnosis of HIV status is confidential. Should an employee wish to disclose to the company that he/she is HIV positive, appropriate counselling service will be offered.

INCAPACITY TO PERFORM NORMAL DUTIES

Once an employee's disease starts to impact on his/her ability to perform his/her duties or attendance, the normal incapacity procedures will apply.



COLLEAGUES OF EMPLOYEES IDENTIFIED AS HIV POSITIVE

It is not possible for colleagues of an HIV positive employee to become infected through normal contact in the workplace. Educational program in the workplace informing employees of the facts of AIDS should encourage the appropriate attitudes in this regard. Unless the HIV positive employee is acting in an inappropriate manner, it is not acceptable for colleagues to refuse to work with that person.

Should an employee, after reassurance and with all appropriate safety and health precautions being taken and supplied by the company, remain unwilling to work with the HIV positive employee and this refusal affects productivity, he/she will be warned that his/her reaction is unreasonable, medically unjustified and that disciplinary action may be taken against him/her.

Any colleague of an HIV positive employee who embarks on any form of discrimination towards that particular employee may be subjected to the company's disciplinary procedure.

EMPLOYEES AT RISK

Certain employees, such as first aides, company nurse officer, and safety representatives may be at a minimal risk of contracting a life-threatening disease such as HIV/AIDS. However, this risk can be avoided by taking precautions or following infection control procedures. KVTC will ensure that correct equipment is provided where necessary.


There are no grounds for health care workers to refuse to treat an HIV positive employee and such refusal may lead to disciplinary action.

Definitions/Explanations

Acquired Immune Deficiency Syndrome (AIDS) is a condition that follows an infection with a virus known as Human Immune Deficiency Virus (HIV), which causes a breakdown of the body's natural defense mechanisms leaving the carrier increasingly vulnerable to opportunistic infections and malignant tumours. It is caused by our body being unable to fight infections. At present, there is neither vaccination nor cure for AIDS. HIV is transmitted mostly in four ways:

- Through unprotected sexual intercourse with the infected person.
- From an infected mother to child during pregnancy, birth, or breast-feeding
- Through contaminated (infected) blood products
- Through sharing contaminated instruments such as sex toys or needles/ injections.

Not all individuals who become infected with the HIV virus will develop AIDS, and some may experience no symptoms at all although they have the potential to infect others. HIV can live in our bodies without obvious effect. Most people with HIV feel healthy and are capable of living productive, healthy lives for many years. HIV does not usually cause immediate incapacity in a person.


Irvine Kanyemba
Chief Executive Officer