



Title: AIDS and HIV

Category: Support - Human resource management

Key words: Employment, confidentiality, fitness to work, information, education

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Policy owner: Director Corporate Services (Human Resources)

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Modification history:

Related legislation:

Related policies:

Policy:

1.1.1 Persons applying for employment

Pre-employment HIV/AIDS screening as part of the assessment of fitness to work is unnecessary and shall not be required. Screening of this kind refers to direct methods (HIV antibody testing) or indirect methods (assessment of risk behaviours).

1.1.2 Persons in employment

- HIV/AIDS screening: HIV/AIDS screening as part of an assessment of fitness to work shall not be required, whether direct (HIV antibody testing) or indirect (assessment of risk behaviours).
- Confidentiality: It is important that confidentiality regarding all medical and personal information, including HIV/AIDS status, be maintained.
- Informing the employer: There shall be no general obligation on employees to inform the employer regarding their HIV/AIDS status.
- Protection of employee: Person in the workplace affected by, or perceived to be affected by HIV/AIDS, shall be protected from stigmatisation and discrimination. Information and education will be provided to maintain a climate of mutual understanding necessary to ensure this protection.

- Benefits: HIV-infected employees shall not be discriminated against for example in access to and receipt of sickness benefits in general (as for other chronic infections) and training and occupationally related benefits.
- Reasonable changes on working arrangements: HIV infection by itself is not associated with any limitation in fitness to work. If fitness to work is impaired by HIV-related illness, alternative working arrangements shall be considered where practicable.
- Continuation of employment relationship: HIV infection is not a cause for termination of employment. As with many other illnesses, persons with HIV-related illnesses shall be able to work as long as medically fit for available, appropriate work.
- First Aid: In any situation requiring first-aid in the workplace, precautions need to be taken to reduce the risk of transmitting blood borne infections, including hepatitis B. These standard precautions will be equally effective against HIV transmission.
- Occupation Health and Safety: The Council has no obligation under the N.S.W. Occupation Health and Safety Act to protect the health of all employees by providing a healthy and safe workplace environment.
- Information and Education: All employees of Council shall be provided with a copy of this Policy, and counselling of employees shall be provided upon request.

1.1.3 Members of the Public and Elected Members of Council:

No member of the public or elected member of Council affected by or perceived to be affected by AIDS regardless of age or circumstances, shall be denied access to any facility or service of the Council, nor shall any such person be prejudiced or discriminated against in any way.

1.1.4 Review of Policy

This Policy shall be continually reviewed in the light of epidemiological or other scientific information.