

Inter-Office Memorandum

Reference No. HRMS 2014.09.115

TO : ALL EMPLOYEES

FROM : ADMINISTRATIVE DIVISION

SUBJECT : HIV/AIDS POLICY

DATE : September 12, 2014

INTRODUCTION:

The HIV/AIDS epidemic is now a global crisis and constitutes one of the most formidable challenges to development and social progress. The company recognizes the seriousness and implications of HIV/AIDS for the individual employee.

FDTP's HIV/AIDS policy comes from a desire to protect basic human rights, preserve the integrity of its labor force, and in compliance to Republic Act 8508 and its Implementing Rules and Regulations.

OBJECTIVES:

- The purpose of this policy is to provide clarity on FDTP's views and commitments with regards to HIV/AIDS and the comprehensive management of HIV positive employees and employees living with AIDS.
- To provide information and education to all employees, on HIV/AIDS; the magnitude, impact and preventative and control measures.

SCOPE:

The scope of this policy applies to all employees of FDTP regardless of their status.

DEFINITIONS / EXPLANATIONS:

AIDS (Acquired Immune Deficiency Syndrome) is the final stage of **HIV (Human Immunodeficiency Virus)**, which causes severe damage to the immune system.

Human immunodeficiency virus (HIV) causes AIDS. The virus attacks the immune system and leaves the body vulnerable to a variety of life-threatening infections and cancers.

Common bacteria, yeast, parasites, and viruses that usually do not cause serious disease in people with healthy immune systems can cause fatal illnesses in people with AIDS.

HIV has been found in saliva, tears, nervous system tissue and spinal fluid, blood, semen (including pre-seminal fluid, which is the liquid that comes out before ejaculation), vaginal fluid, and breast milk. However, only blood, semen, vaginal secretions, and breast milk has been shown to transmit infection to others.

The virus can be spread (transmitted):

- Through sexual contact - including oral, vaginal, and anal sex
- Through blood - via blood transfusions or needle sharing
- From mother to child - a pregnant woman can transmit the virus to her fetus through their shared blood circulation, or a nursing mother can transmit it to her baby in her breast milk

People at highest risk for getting HIV include:

- Injection drug users who share needles
- Infants born to mothers with HIV who didn't receive HIV therapy during pregnancy
- People engaging in unprotected sex, especially with people who have other high-risk behaviors, are HIV-positive, or have AIDS
- Sexual partners of those who participate in high-risk activities (such as injection drug use or anal sex)

People with AIDS have had their immune system damaged by HIV and are very susceptible to these opportunistic infections. Common symptoms are:

- Chills
- Fever
- Rash
- Sweats (particularly at night)
- Swollen lymph glands
- Weakness
- Weight loss

There is no cure for AIDS at this time. However 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.

SPECIFIC POLICIES:

FDTP is fully committed to protect its employees, create awareness, and ensure that all employees are treated with the necessary dignity, fairness and equality.

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

A. ADVOCACY, INFORMATION, EDUCATION and TRAINING

1. All employees shall be provided with standardize basic information and education on HIV and AIDS.
2. HIV and AIDS awareness training will be made available to all employees.

3. The company will strive to make all relevant information about HIV and AIDS including its nature, magnitude of the illness, mode of transmission, causes, treatment and preventions accessible to all employees (e.g. posters to all bulletin boards, fliers and handbooks).
4. The company is committed in maintaining a safe and healthy work environment for all its employees including customers and visitors.
5. Health personnel are trained to provide first aid in cases of emergencies including, taking appropriate precautions to reduce the risk of transmitting blood borne infections.

B. SOCIAL POLICY

1. Non-discriminatory Policy and Practices
2. Any form of discrimination or harassment, directly or indirectly, towards an HIV/AIDS infected employee is considered to be misconduct warranting disciplinary action.
3. HIV/AIDS positive employees will be governed by the same obligations as all other employees.
4. Employees shall not be discriminated against, from pre to post employment, including hiring, promotion or assignment, regardless of the HIV/AIDS status, be it actual, perceived or suspected with HIV/AIDS infection.
5. Employees shall not be terminated from work if the basis is the actual, perceived or suspected HIV/AIDS status.

C. CONFIDENTIALITY

1. Access to personal data relating to employee's HIV/AIDS status should be bound by the rules of confidentiality consistent with the provisions of RA 8504 and the ILO of Practice.
2. Job applicants or employees must not be asked to disclose HIV/AIDS related personal information. Co-employees must not be obliged to reveal such personal information about fellow employees.
3. All medical information regarding employees with HIV/AIDS will be kept strictly confidential and kept only on medical files, whereby access to information should be strictly limited to health personnel or if legally required in accordance with the provisions of RA 8504 and its IRR. Should any person within the company disclose such confidential medical information, without legal authority or relevant consent from the employee, appropriate disciplinary action will be instituted.

4. Work Accommodation and Arrangement

- a. The company should take measures to reasonably accommodate the workers with HIV/AIDS-related illness.
- b. Through agreements made between the management and workers, work accommodation measures to support workers with HIV/AIDS is encouraged through

flexible leave arrangements, rescheduling of working time and arrangement for return to work.

- c. Employees who are prevented from performing their duties due to HIV/AIDS illness will be granted sick leave as advised by his/her attending physician to regain their health. Sick leave is allowed under the terms and conditions described under the company's sick leave policy.

5. Diagnosis, Treatment and Referral for Other Services

- a. The company Clinic will establish a referral system and provide access to diagnostic and treatment services for its workers for appropriate evaluation/monitoring and management by a specialist.
- b. Pre and post-test counseling services will be provided for employees wishing to be tested or for those who are infected with the virus.
- c. The company shall provide the referral procedure for VCCT (Voluntary Confidential Counseling and Testing) and the list of service providers for medical and counseling services.
- d. Adherence to the guidelines for healthcare providers on the evaluation of HIV/AIDS positive workers is highly encouraged.

D. ROLES AND RESPONSIBILITIES OF THE MANAGEMENT AND EMPLOYEES

1. Company's Responsibilities

- a. The management together with employees shall develop, implement, evaluate and fund HIV/AIDS prevention and control in the workplace policy and program.
- b. The company will ensure that the Policy and Program on AIDS/HIV is adequately funded and made known to all workers.
- c. The Company will ensure that the policy and program adheres to existing legislations and guidelines, including provision on leaves, benefits and insurance.
- d. The company Clinic will provide information, education and training on AIDS/HIV consistent with the standardized basic information package; if not available within the establishment, then provide access to information.
- e. The Company will ensure non-discriminatory practices in the workplace.
- f. The Company will provide appropriate personal protective equipment to prevent AIDS/HIV exposure, especially for those workers exposed to potentially contaminated blood or body fluid.
- g. The Company together with the workers organization shall jointly review the policy and program for effectiveness and continue to improve these by networking with government and other organizations promoting AIDS/HIV prevention.
- h. The Company will ensure confidentiality of the health status of its workers, including those with AIDS/HIV.

- i. The Company will ensure that access to medical records is limited to authorized personnel.

2. Workers Responsibilities


Workers, as their individual responsibility, shall abide by and support the company Hepatitis B Workplace Policy and Program.

- a. The workers association is required to undertake an active role in educating their members on AIDS/HIV prevention and control. They must also aim at promoting and practicing healthy lifestyle with emphasis on avoiding high risk behavior and other risk factors that expose workers to increased risk of AIDS/HIV infection, consistent with the standardized basic information.
- b. Workers will practice nondiscriminatory acts against co-workers with AIDS/HIV.
- c. Workers and workers' organization will not have access to personal data relating to a worker's AIDS/HIV status. The rules of confidentiality shall apply in carrying out the organization functions.
- d. The workers must comply with universal precaution and the preventive measures.
- e. Workers with AIDS/HIV may inform the Company Physician or Nurse on their AIDS/HIV status, that is, if their work activities may increase the risk of AIDS/HIV infection and transmission or put the AIDS/HIV positive at risk for aggravation.


E. IMPLEMENTATION AND MONITORING

Within the Company, the implementation of the Hepatitis B Policy and Program shall be monitored and evaluated periodically; the Safety and Health Committee or its counterpart shall be tasked for this purpose.

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