

HIV / AIDS POLICY

REVIEWED AND APPROVED BY SKILLS AND EMPLOYMENT EQUITY COMMITTEE ON THE 12TH OF NOVEMBER 2012

1. Scope

This policy applies to all employees at Ramsay Webber Attorneys .

2. Objectives

The objective of this policy is to ensure that all employees of the company are kept informed about the HIV/AIDS pandemic as well as to detail the steps that will be taken to protect both the company and the employee against the effects of this disease. This will be achieved by:

- a) Eliminating unfair discrimination in the workplace;
- b) Promoting an environment in which people living with HIV/AIDS in a structured manner;
- c) Monitoring the prevalence of HIV/AIDS in a structured manner;
- d) Developing proactive guidelines and programmes; and
- e) Implementing HIV/AIDS awareness programmes aimed at providing support and education.

3. Responsibility

Implementation of this policy is the responsibility of all managers and supervisors, as is the continued dissemination of information about HIV/AIDS to all employees. It is however the responsibility of employees to take appropriate action on being informed about HIV/AIDS, to protect themselves and their families and to seek counseling in case of uncertainty.

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4. Principles

The following principles will be covered in this HIV/AIDS policy:

a) AIDS awareness

Management will be provided with all information pertaining to HIV/AIDS. This is aimed at establishing a reservoir of information and knowledge that will be available to all employees and which will better enable them to make informed decisions. This information will be updated from time to time.

b) Pre- employment testing

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HIV testing is not a pre-requisite for employment and pre-employment testing will therefore not be conducted by the company

c) Special circumstances requiring HIV testing

In the case of persistent illness, an employee may be referred for medical examination, and may be required to undertake an HIV test. Any report on the employee's state of health will only be divulged to the company with the employee's consent in writing.

d) Disclosure of HIV test results

HIV test results will not be disclosed to management without the employee's written consent and such disclosure will be treated as strictly confidential. It is however the employee's prerogative to disclose such test results to any party he/she wishes to. The employee reserves the right to disclose the results of his/her HIV test at any given time.

e) Pre-test counseling

Before an employee undergoes HIV testing, he/she will receive pre-test counseling.

f) Post-test counseling

Following an HIV test, each employee will receive post-test counseling.

g) Discrimination

No employee may be discriminated against based on his/her HIV status. Discrimination against HIV positive employees by fellow employees, based on their HIV status, will not be condoned. Such action will render employees involved subject to disciplinary action in accordance with the company's disciplinary code and procedure.

h) Protection against HIV infection in the workplace

HIV may be transmitted in a number of ways:

- The exchange of body fluids, i.e. exposure to blood products or through sexual conduct;
- Through the exchange of intravenous needles; and
- From mother to unborn child.

Every employee must take the appropriate precautions when faced with a situation that may lead to the transmission of HIV.

i) Transparency

The company will adopt a consultative and transparent approach to the management of HIV/AIDS. This policy will be reviewed should the school's strategy or legislation change.

j) Grievances

All grievances about issues related to HIV/AIDS will be handled according to the standard policy that exists within the school to deal with complaints and grievances of employees.

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k) Access to training, promotion and benefits

An employee with HIV/AIDS will be expected to meet the same performance requirements that apply to other employees, with reasonable performance accommodation if necessary. Reasonable accommodation refers to those steps that management will take regarding any employee with a disability. Reasonable accommodation may include, but is not limited to, flexible or part-time working schedules, leave of absence, work restructuring, or reassignment. HIV infected employees will be entitled to the same benefits as all other employees.

l) Budget

A budget will be allocated to ensure that all facets of the programme are implemented.

5. Implementation and monitoring

This policy will be reviewed on a regular basis, using the following indicators:

- a) Absenteeism;
- b) Sick leave;
- c) Early retirement; and
- d) Employee Assistant Programme (EAP) referrals (treatment and counseling).

6. Management will apply the following procedures in response to staff members who cannot perform their job due to ill-health caused by HIV/AIDS:

- 1st step is to adjust their work responsibilities
- 2nd step is to consider alternative employment opportunities with the organisation
- The company will only resort to dismissal for incapacity when the above measures have been applied