



ILO CODE OF PRACTICE ON HIV/AIDS AND THE WORLD OF WORK: *QUESTIONS AND ANSWERS*

Q. Why do we need a Code of Practice on HIV/AIDS and the World of Work?

A. The ILO has developed a Code of Practice because tackling HIV/AIDS as a workplace issue is an essential part of the global response to AIDS. HIV/AIDS affects the world of work in several ways: it cuts the supply of labour and slashes income for many workers. Increased absenteeism raises labour costs for employers. As illness forces workers to leave their jobs, valuable skills and experience are lost. HIV/AIDS threatens fundamental rights at work and undermines efforts to provide women and men with decent and productive work in conditions of freedom, equity, security and dignity. Many affected by HIV/AIDS have no social protection or medical help. Discrimination against HIV-positive persons worsens existing inequalities in society. HIV/AIDS has an unusually high negative impact on the economy through lost productivity, and the large number of orphans left behind is pushing children into child labour and creating a whole generation of child-headed households. In the most affected countries the epidemic is undermining decades of development gains. HIV/AIDS is devastating the lives of individuals, their families and communities. It is a real threat to social and economic progress.

The Code of Practice represents the ILO's commitment to help secure conditions of decent work in the face of a major development and humanitarian crisis. The Code focuses on the workplace because most of those infected and affected by HIV/AIDS are workers. It seeks to prevent HIV in the workplace as well as care for those living with HIV/AIDS in the workplace. The Code also seeks to protect the fundamental rights of those living with HIV/AIDS, such as the right to non-discrimination, equal protection and equality before the law, privacy, freedom of movement, work and social security.

Q. What is the objective of the Code of Practice?

A. The objective of the Code is to help prevent the spread of the epidemic, mitigate its impact on workers and their families, and provide social protection to help cope with the disease.

The Code provides a set of guidelines from which concrete responses can be developed at the enterprise, community and national levels in the following key areas:

- prevention of HIV/AIDS
- management and mitigation of the impact of HIV/AIDS on the world of work
- care and support of workers infected and affected by HIV/AIDS
- elimination of stigma and discrimination on the basis of real or perceived HIV status

Q. What are the main principles of the Code?

A. The Code covers key principles, such as recognition of HIV/AIDS as a workplace issue, non-discrimination in employment on the basis of real or suspected HIV status, gender equality, screening and confidentiality, social dialogue, prevention and care and support, as the basis for addressing the epidemic in the workplace.

Q. How was the Code developed?

A. A Resolution on HIV/AIDS and the World of Work, adopted at the International Labour Conference in June 2000, resulted in a special programme on HIV/AIDS within the International Labour Office. The Conference Resolution also requested that international guidelines be developed to tackle HIV/AIDS in the workplace. The Code is the product of collaboration between the ILO and its tripartite constituents. It was reviewed and revised by a tripartite group of experts and subsequently adopted by the ILO Governing Body in June 2001.

Q. Who will use the Code?

A. The Code applies to all employers and workers in the public and private sectors, and all aspects of work, formal and informal. These include governments, employers and workers and their organizations, occupational health personnel, specialists in HIV/AIDS issues, and all relevant stakeholders. The Code is not only intended for countries where the epidemic has a strong grip: its purpose is also to prevent infection rates from increasing in relatively unaffected countries.

Q. How can the Code be used?

A. The provisions of the Code are based on widely accepted ILO principles and standards, which have been adapted to the specific circumstances of the HIV epidemic and its impact on the world of work. National policy makers and workplace partners can use them as the basis for their own national programmes, enterprise policies and collective agreements. The Code can be an instrument for advocacy, in particular for strengthening the involvement of the private sector in action against HIV/AIDS, as well as a guide to the development and implementation of programmes in the workplace and the community.

Q. Where do we go from here?

A. The Code establishes the importance of the workplace in HIV prevention, care and support. It will be formally launched at the United Nations General Assembly Special Session on HIV/AIDS, in New York, 25-27 June. Although it is a pioneering instrument, the Code, in itself, represents a beginning. The greater challenge remains in its distribution and effective implementation by all relevant stakeholders. The ILO Director-General, Mr. Juan Somavia, has taken the initiative to develop an HIV/AIDS policy based on the Code, and to apply it throughout the International Labour Office. He will appeal to all participants at the Special Session – including other agencies of the UN system - that they adopt the Code and ensure its effective implementation in their various workplaces.