



Workplace Policy on HIV and AIDS, TB and Other Opportunistic Illnesses for the Clothing Industry in Zimbabwe



**WORKPLACE POLICY ON HIV AND AIDS,
TB and OTHER OPPORTUNISTIC
ILLNESSES
FOR THE CLOTHING INDUSTRY IN
ZIMBABWE**

2011

Prepared by

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Industry and Members of the National Employment Council for the
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FOREWORD

The southern Africa region is the epi-centre of HIV and AIDS and it remains a major development challenge to all countries, including Zimbabwe. However, there has been a remarkable decline in HIV infection in Zimbabwe in the past five years, from 18.3% in 2006 to 15% in 2010 (Zimbabwe Demographic Health Survey, 2010).

The world of work has not been spared by the pandemic as it affects the social and economic fabric of society, particularly the most productive segment of the labour force. At enterprise level the impact of HIV and AIDS is evident through decline in productivity; increased absenteeism, reduction of skills and labour supply and general increase in business costs. Interventions in the workplace help to prevent the spread of HIV and AIDS and mitigate its impact on workers and their families by providing social protection to help cope with the disease.

This policy was developed through consultations of key stakeholders within the Clothing Industry. It provides a framework and foundation upon which the Clothing Industry may design, adopt, implement, monitor, and evaluate suitable and flexible HIV and AIDS programmes at sub sector and enterprise levels. It is important to point out that this HIV and AIDS Policy only sets the basic minimum standards expected of each enterprise and, therefore, enterprises are encouraged to set even higher standards.

The aims and objectives of this guiding policy are, among others: to foster behavioral and attitudinal change; to motivate openness; and to support action within workplaces and across all sectors by building partnerships, networks, initiatives and collaborations against HIV. I am more than confident that these will be achieved in due course.

The policy is not an end in itself, but a means to an end, hence it is anticipated that it will be widely implemented resulting in positive achievements in the Clothing Manufacturing Industry.



Honourable P. Mpariwa
Minister of Labour and Social Services

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- The National Employment Council for the Clothing Industry (NECCI)
- The Indigenous Clothing Manufactures Association (ICMA)
- The Zimbabwe Clothing Manufacturers Association (ZCMA)
- The Clothing Industry Workers Union (CIWU)
- The National Union of the Clothing Industry (NUCI)
- The Employer's Confederation of Zimbabwe (EMCOZ)
- The Zimbabwe Congress of Trade Unions (ZCTU)

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ACRONYMNS

AIDS	Acquired Immune Deficiency Syndrome
ART	Antiretroviral Therapy
ARV	Antiretroviral
CIWU	Clothing Industry Workers Union
EMCOZ	Employers' Confederation of Zimbabwe
HIV	Human Immunodeficiency Virus
ICMA	Indigenous Clothing Manufacturers Association
IEC	Information, Education and Communication
ILO	International Labour Organization
MOHCW	Ministry of Health and Child Welfare
MOLSS	Ministry of Labour and Social Services
NAC	National AIDS Council
NEC	National Employment Council
NECCI	National Employment Council for the Clothing Industry
NGO	Non-Governmental Organization
NUCI	National Union of the Clothing Industry
OI	Opportunistic Infection
PEP	Post Exposure Prophylaxis
PITC	Provider Initiated Testing and Counselling
PLHIV	People/Person Living with HIV and AIDS
PMTCT	Prevention of Mother-To-Child Transmission
SADC	Southern African Development Community
SI	Statutory Instrument
SIT	Sexually Transmitted Infections
TB	Tuberculosis
UNAIDS	Joint United Nations Programme on HIV/AIDS
VCT	Voluntary Counselling and Testing
ZCTU	Zimbabwe Congress of Trade Unions

GLOSSARY OF TERMS

The definitions below are derived from existing publications by the International Labour Organization (ILO), the World Health Organization (WHO), the United Nations Joint Programme on HIV/AIDS (UNAIDS) and national policy documents.

Affected person: One whose life is changed in any way by HIV or AIDS.

Confidentiality: Keeping private, patient or client information obtained in the course of employment or duty.

Counselling: An interpersonal interaction between a counsellor and a client with a problem that enables the client to talk about and deal with the problem presented in an atmosphere of trust, acceptance and confidentiality.

Discrimination: Distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion or social origin, or perceived or real HIV status.

Employee: A person who works for and receives wages from an employer.

Employer: A person or body employing people under a written contract of employment in accordance with the laws of the land.

Epidemic: Outbreak of a particular disease on a large scale within a geographical area.

Formal sector: In the context of the Clothing Industry includes all registered operators within the sector, from single-person companies to large enterprises

Gender sensitivity: Having sympathetic awareness of the social and cultural construction of female and male identity roles.

Gender: Refers to the difference in social roles and relations between women and men. Gender roles are learned through socialization and vary widely within and between cultures. They are affected by age, class, race, ethnicity and religion, and by geographical, economic, cultural and political environments.

Human Immunodeficiency Virus (HIV): A virus that kills or damages cells of the body's immune system, and which can ultimately cause AIDS.

Informal worker: A person employed on a casual or temporary basis.

Principle: A general law or doctrine that is used as a guide to behavior or practice.

Reasonable accommodation: means any modification or adjustment to a job or to the workplace that is reasonably practicable and enables a person living with HIV or AIDS to have access to, or participate or advance in, employment;

Screening: Measures to assess the HIV status of individuals, whether direct (HIV testing) or indirect (such as assessment of risk taking behaviour or asking questions about medication).

Support group: A group of people with a shared problem or issue which comes together to provide each other with psychological, social, emotional, spiritual, material or other support.

Stakeholder: Any player within the industry, being Government, employers and trade unions.

Social partners: Employer and employees.

Social dialogue: Interaction between and among Government, employers and trade unions.

Stigma: means the social mark that, when associated with a person, usually causes marginalization or presents an obstacle to the full enjoyment of social life by the person infected or affected by HIV;

Termination of employment: Defined in accordance with the ILO Termination of Employment Convention (No. 158 of 1982) as the dismissal of an employee, "at the initiative of the employer".

1. PREAMBLE

The Clothing Industry, having acknowledged the impact of HIV and AIDS, shall endeavour to make a meaningful contribution towards the reduction of HIV prevalence in Zimbabwe. Therefore, the Clothing Industry will treat HIV like any other serious illness or health condition in the workplace, in accordance with the ILO international labour standard on HIV and AIDS and the world of work -- *Recommendation concerning HIV and AIDS and the World of Work, no.200 (2010) and the ILO Code of Practice on HIV and AIDS and the World Of Work*. The industry shall seek to improve the quality of life of the infected and the affected employees as well as mitigate the socio-economic impact of HIV and AIDS at the workplace. This policy is guided by the principles of the Recommendation no.200 (2010). The principles should be observed when enterprises are designing their workplace policies and programmes.

Enterprise level policies and programmes should be developed with full participation of the employer and employee representatives at Works Council with input from the infected and affected members.

2. AIM OF POLICY ON HIV AND AIDS

The aim of this policy is to ensure a supportive environment at all levels and in all enterprises of the Clothing Industry that prevents and prohibits stigma and discrimination in employment and occupation on the basis of real or perceived HIV status. The policy aims to provide human rights-based guidance for the development, adoption, implementation, monitoring and evaluation of tripartite and bipartite policies on HIV and AIDS, TB and related opportunistic illnesses at sectoral and enterprise levels in the Clothing Industry in Zimbabwe.

The policy provides the framework in which the Clothing Industry employers, employees and their representatives should formulate HIV and AIDS policies at enterprise level, as well as design, implement, monitor, and evaluate practical and proactive HIV and AIDS policies and programmes at the workplace.

3. SCOPE OF POLICY ON HIV AND AIDS

This policy applies to all employers and employees including prospective employers and employees of the Clothing Industry. The policy will cover all workers working under all forms or arrangements, and at all workplaces, including persons in any employment or occupation, those in training, including interns and apprentices, jobseekers and job applicants, and suspended workers in economic activity within the Clothing Industry.

4. LEGAL FRAMEWORK

This policy is guided by the following key conventions, regulations, policies and guidelines:

International and Regional

- Recommendation Concerning HIV and AIDS and the World of Work (No. 200), 2010
- Discrimination (Employment and Occupation Convention, 1958 (No. 111)
- Employment Injury Benefits Convention, 1964 (No. 121)
- Collective Bargaining Convention, 1981 (No. 154)
- Occupational Safety and Health Convention, 1981 (No. 155)
- Occupational Health Services Convention, 1985 (No. 161)
- Labour Inspection Convention, 1947 (No. 81)
- Code Of Conduct On HIV/AIDS And Employment In The Southern African Development Community (SADC)

and also the:

- ILO Code of Practice on HIV and AIDS and the world of work (2001)

National

- Statutory Instrument 202 of 1998 (as amended)
- Statutory Instrument 64 of 2008

Also guiding this policy are the following national policy documents and legislation:

- Zimbabwe National HIV and AIDS Strategic Plan (2011 2015):** The Plan outlines the “three ones” which are (a) one agreed HIV and AIDS action framework that provides the basis for coordinating the work of all partners; (b) one national AIDS coordinating authority with a broad-based multi-sectoral mandate and (c) one agreed country-level monitoring and evaluation system.
- Labour Act, Chapter 28:01:** This Act declares and defines the fundamental rights of employees and provides for the prevention of unfair labour practices and regulates conditions of employment, negotiations, Scope and enforcement of collective bargaining

agreements. Section 5, of the Act provides for non-discrimination on the basis of HIV status.

- iii. **Statutory Instrument 202 of 1998, Labour Relations (HIV and AIDS) Regulations, 1998 (as amended).** The instrument covers the prevention and management of HIV and AIDS in the workplace and is meant to ensure non-discrimination of HIV-infected employees and establishes the rights and responsibilities of both employers and employees.
- iv. **Statutory Instrument 64 of 2008:** An inspection form used by the labour inspection officers to assess the level of HIV and AIDS interventions at both the sector and enterprise level.
- v. **Statutory Instrument 68 of 1990, National Social Security (Accident Prevention and Workers' Compensation Scheme) Notice, 1990.** The instrument covers accident prevention, compensation for accidents in factory workplaces as well as diseases contracted during the course of duty, including HIV and AIDS.
- vi. **Pneumoconiosis Act, Chapter 15:08 Revised Edition 1996.** The act provides for the control and administration of persons employed in dusty occupations, including those infected by HIV.
- vii **The Factories and Works Act, Chapter 14:08 Revised Edition 1996.** The Act provides for registration and control of factories, regulation of conditions of work in factories, supervision of the use of machinery and prevention of accidents, among other issues.

5. KEY PRINCIPLES

This policy is guided by the following key principles which should be observed when enterprises are designing workplace policies and programmes:

5.1 Recognition of HIV and AIDS as a Workplace Issue

HIV and AIDS is a critical workplace issue and calls for commitment from employers and employees to do everything possible to combat the pandemic. The Clothing Industry employers, employees and their representatives should formulate enterprise policies based on this policy. The policy encourages meaningful involvement of people living with HIV and AIDS (MIPA) in workplace policy formulation and programme implementation.

5.2 Non Discrimination

Workplace programmes, policies and structures should ensure observance of human rights and dignity. There should be no stigmatization and/or discrimination of workers on the basis of HIV status real or perceived. All employees, employers, clients or customers should be protected against discrimination and stigmatization at the workplace.

5.3 Gender Equality

The gender dimension of HIV and AIDS should be recognized. Different needs of men and women and empowerment of all workers should be addressed in the design of workplace programmes whether they belong or not to a vulnerable group. An assurance of gender sensitivity and awareness is required, to enable men and women to know their rights and obligations. Men and women need to uphold the values that respect their own and each other's sexuality. The policy should aim to promote the protection of sexual and reproductive health and rights of both women and men and ensure actions to prevent and prohibit violence and harassment in the workplace.

5.4 Safe and Healthy Work Environment

Occupational health and safety should be assured at the workplace. A healthy working environment ensures security to both infected and uninfected employees. Practices and procedures should address vulnerability of

employees and protect them from potential HIV infection. There should be clear rules and procedures with respect to exposure at the workplace.

5.5 Social Dialogue

Transparency and an all-inclusive approach is critical in all interactions among the social partners and is the basis for establishing confidence and trust in all collaboration. The bipartite partners involved in the fight against HIV and AIDS must provide a conducive and supportive environment for maximum dialogue and include those living with HIV and AIDS. This openness encourages voluntary disclosure of status by the infected, thus enabling timely care and support mitigation strategies.

5.6 No testing or screening for purposes of exclusion from employment or work processes

Workers, including job applicants and interns, should not be required to undergo HIV testing or screening for purposes of recruitment, continued or termination of employment, training, promotion or other work processes. Routine fitness-for-duty medical examinations should apply to all employees irrespective of HIV status.

5.7 Confidentiality

All personal health information should be treated with full confidence. There shall be no compulsory disclosure of HIV status by workers, job applicants and interns. Any disclosure should be voluntary, with written consent of the concerned party and after counseling on the potential consequences. Employers, their representatives and health care personnel with access to personal health information should be provided with training and guidance to ensure confidentiality.

5.8 Continuation of employment relationship

HIV infection, real or perceived, should not be a cause for termination of employment as long as the employee is fit for work. Persons with HIV related illnesses should not be denied the possibility of carrying out their work with reasonable accommodation, if necessary, as long as they are medically fit to do so. However, if the working environment is likely to worsen the condition of the employee, the employer may in consultation with the employee and their representatives, arrange for a transfer to a suitable job and location with no loss in status and benefits. Where the employee cannot continue working due

to ill health the normal cessation of the employment arrangements including policy on sick leave and absenteeism should apply.

5.9 Prevention

Prevention is key in all efforts to combat HIV and AIDS at the workplace. The industry recognizes the need for the adoption of a holistic, comprehensive, proactive, innovative and practical approach to prevention based on behaviour change. This involves the design, implementation and coordination of various interventions to change attitudes, beliefs and risky sexual behaviors of employers, employees and their spouses. All prevention measures should provide information on the modes of HIV transmission, as well as harm reduction strategies.

All information and training should be formulated, implemented, regularly reviewed and updated, taking into consideration the most recent scientific and social developments and the need to mainstream gender and cultural concerns.

5.10 Treatment, Care and Support

Care and support of the infected and the affected families is essential in lessening the socio, economic and psychological burden. It helps remove the fear of being unable to deal with an HIV positive status and encourages openness and disclosure to facilitate early assistance. Work place programmes should assist by providing material support such as food, spiritual and psychological support to the infected and their spouses. The industry should facilitate access to antiretroviral therapy for the infected employees and their spouses.

5.11 Budgeting and Sustainability

There should be concerted efforts to mobilize resources at both the industrial and enterprise level for HIV and AIDS programmes. Enterprises should provide financial, human and material resources as well as time for HIV and AIDS activities.

5.12 Monitoring and Evaluation

Workplace policies on HIV and AIDS must be up to date and in sync with the changing environment and ongoing research. There must be continuous monitoring and periodic evaluation and reviews of policies and programmes.

6. IMPLEMENTATION STRATEGIES

6.1 RECOGNITION OF HIV AND AIDS AS A WORKPLACE ISSUE

Policy Statement

Having realized that the future and existence of the Clothing Industry is under threat from the HIV and AIDS pandemic, the stakeholders implore all role players in the industry to formulate HIV and AIDS policies based on diverse needs of the enterprises.

Strategies

Recognizing the serious negative impact that HIV has on the Clothing industry, the NEC should ensure that all enterprises:

- Develop and implement HIV and AIDS policies and programmes in line with requirements of the Clothing Industry policy on HIV and AIDS.
- Allocate and avail adequate financial and non- financial resources to enable the implementation of HIV and AIDS policies and programmes
- Formulate HIV and AIDS committees comprising employers, employees and other relevant stakeholders including people living with HIV in order to spearhead implementation of policies and programmes as well as ensure monitoring and evaluation of these programmes.
- Mainstream HIV and AIDS programmes into other enterprise policies, (including those on occupational safety and health), regulations, CBAs and activities.
- Create and promote a conducive environment for open dialogue and transparency between the bipartite partners in the fight against HIV and AIDS.
- Ensure communication about programme implementation and reports are submitted to national level using the Clothing Industry NEC structures in order to contribute to the national response.

6.2 NON DISCRIMINATION

Policy statement

PLHIV can be subjected to stigma and discrimination at the workplace, leading to delayed recruitment, non promotion and retrenchment. Workplace policies and programmes and structures should ensure the observance of human rights and dignity. There should be no stigmatization nor discrimination against individuals on the basis of real or perceived HIV status. All employees and prospective employees, clients and customers should be protected against stigmatization and discrimination.

Strategies

NEC and enterprises should:

- Educate all employees and employers on the provisions of Statutory Instrument 202 of 1998 and 64 of 2008 and relevant industrial statutes and translate copies in local languages.
- Where necessary, after consultation with the infected employee, transfer HIV infected employee to more suitable job and location without the loss in status and benefits.
- Provide training to employers and employees to identify and manage workplace behaviour, conductor practices which discriminate against or alienate employees with HIV/AIDS.
- Define grievances and disciplinary procedures for handling cases of discrimination on the basis of HIV/AIDS, and amend the existing company employment regulations that are inconsistent with this policy.
- Strengthen enforcement of all relevant legislation, especially unfair dismissal and retrenchments on the basis of discrimination because of one's HIV status.

6.3 GENDER EQUALITY AND EQUITY

Policy Statement

The gender dimensions of HIV and AIDS should be recognized and the different needs of women and men should be addressed in the design of workplace programmes. An assurance of gender sensitivity and awareness is required,

especially to enable men and women to know their rights and obligations. Women and men need to uphold values that are respectful of their own and each others' sexuality. The prevention and prohibition of violence and harassment at the workplace and promote the protection of sexual and reproductive health and rights of both women and men. Gender concerns should be mainstreamed into the strategic framework to ensure that HIV prevention, education and information programmes take gender into account.

Strategies

NEC and enterprises should:

- Mainstream gender and reproductive health into HIV and AIDS programmes.
- The principle of equal job and equal employment opportunities shall apply irrespective of HIV status.
- Facilitate access to the continuum of home based care services.
- Avail male and female condoms at strategic positions at the workplace and educate employees on correct and consistent use thereof.

6.4 SAFE AND HEALTHY WORK ENVIRONMENT

Policy statement

Occupational health and safety should be assured at the workplace. A healthy and safe work environment ensures security to all employees, regardless of HIV status. Practices and procedures should address the vulnerability of employees and protect them from potential HIV infection.

Strategies

Recognizing the need to protect employees from work related illnesses and injuries in the Clothing industry, the NEC shall ensure that:

- Where a direct link can be established between an occupation and the risk of infection, AIDS and HIV infection should be recognized as an occupational disease Or accident.
- Enterprises in collaboration with relevant government departments provide training and education to employers and employees on communicable diseases and accidents at the workplace, including provisions of SI19/02 as

read with SI 68/90.

- Enterprises and government carry out periodic audits to assess and ensure a healthy and safe work environment.
- Enterprises should identify and provide training of potential first aid officers, including matters of access to post exposure prophylaxis (PEP) services.
- Enterprises ensure a clean, safe and spacious working environment that reduces the likelihood of air borne pathogens such as TB.
- Enterprises should ensure that there is adequate provision of first aid kit, protective clothing, equipment, good ventilation and sanitary facilities to all employees.
- Enterprises provide a stress free working environment for the infected and affected employees.
- Enterprises should redeploy employees to other work reasonably adapted to their abilities when their capacity is compromised due to HIV-related illness.

6.5 SOCIAL DIALOGUE

Policy Statement

Transparency and an all inclusive approach are critical in all interactions among social partners and for the establishment of confidence and trust in all collaborations. The social partners involved in the response to HIV and AIDS must provide a conducive and supportive environment for maximum dialogue and include people living with HIV.

Strategies

Due to the fact that HIV and AIDS threatens the business, open dialogue among the employer, employee representatives leads to a great sense of tolerance, mutual benefit, transparency and meaningful results.

NEC and enterprises should:

- Promote openness and dialogue among the employer, employee representatives regarding HIV and AIDS programming
- Clarify the roles and responsibilities of all stakeholders in the fight against HIV and AIDS in the Clothing industry and foster equal commitment from all parties.
- Ensure meaningful involvement of relevant stakeholders including PLHIV
- Form networks with organizations that deal with HIV and

AIDS related issues who can provide technical support and resources.

- Collaborate with public and private sector institutions that provide HIV treatment, follow up care and support.
- Promote the sharing of information and reports, paying particular attention to issues of confidentiality.

6.6 NO SCREENING FOR PURPOSES OF EXCLUSION FROM EMPLOYMENT

Policy statement

Employees shall not be screened for HIV, whether directly or indirectly, before and during employment. Routine fitness for duty medical examination shall apply to all employees or job applicants irrespective of HIV status.

Strategy

Employees can be stigmatized on the basis of their actual or perceived HIV status and discriminated against in terms of the employment, promotion and training or may find themselves forced into early retirement or retrenchment.

NEC and enterprises should:

- Bipartite parties are equipped to handle selection, promotion, retrenchment and training in the presence of an HIV and AIDS environment without bias.
- Disciplinary procedures and penalties for violation of HIV regulations are clearly defined and conveyed to all parties concerned.
- Enterprises harmonize other policies with this HIV and AIDS policy.

6.7 CONFIDENTIALITY

Policy statement

Recognizing the need to maintain integrity and trust in the Clothing Industry through the control and flow of information on HIV and AIDS, there is need to establish sustainable mechanisms to protect confidential medical information and service provision.

Strategies

Lack of confidentiality might subject HIV infected employees to stigma and discrimination.

Therefore, the NEC should ensure that:

- Enterprises train HIV and AIDS employer and employee representatives, on employee rights, confidential management of database including existing labour laws such as SI202 of 98.
- Enterprises maintain privacy and confidentiality during counseling, follow up care and support service provision to all employees and their spouses.
- Disciplinary procedures and penalties for violation of HIV policies should be included in the disciplinary code of conduct.
- Ensure confidential safe keeping of all employee records, in particular those related to one's medical condition.

6.8 CONTINUATION OF EMPLOYMENT RELATIONSHIP

Policy statement

HIV infection, real or perceived, is not a cause for termination of employment. As long as the employee is fit for work, they should be allowed to continue working in line with their contractual obligations. Persons with HIV related illnesses should not be denied the possibility of carrying out their work with reasonable accommodation, if necessary, as long as they are medically fit to do so. However, if the working environment is likely to worsen the condition of the employee, the employer may, in consultation with the employee, his or her representatives, transfer the employee to a suitable job location with no loss in status and benefits and precluding the use of the clause to transfer HIV positive employees to less favourable job locations. Where the employee cannot continue working due to ill health, the normal cessation of the employment arrangements including policy on sick leave and absenteeism should apply.

Strategies

The actual or perceived HIV status of an employee can lead to stigmatization and discrimination in the work place.

In view of this, NEC and enterprises should:

- Provide education and training to employers and employees on their rights and obligations in relation to the existing labour laws regarding HIV and AIDS such as the SI

202 of 98.

- Clearly define disciplinary procedures and penalties for violation of company codes.
- Enterprises should transfer employees to appropriate positions to suit their changed medical status when necessary, where such jobs are available in a manner which ensures that discrimination does not occur.
- Harmonize HIV and AIDS policy requirements into human resource policies and practices.

6.9 PREVENTION

Policy statement

Prevention is central to all efforts to combat HIV. Enterprises shall adopt a holistic, comprehensive, proactive, innovative and practical approach to HIV prevention, based on behavior change. This must recognize the different levels of vulnerability to the disease and its differential impact on men and women. This will also involve the design, implementation and coordination of various interventions to change attitudes, beliefs and risky sexual behaviours of employees and their spouses.

Strategies

To prevent the spread of HIV and Sexually Transmitted Infections (STIs) and reduce AIDS related deaths by promoting sustained behavior change through holistic and comprehensive programmes, the NEC and enterprises should:

- Promote abstinence and faithfulness to spouses
- Provide female and male condoms in the workplace and educate employees on their correct and consistent use
- Facilitate the training of workplace peer educators, lay counselors, trainers etc
- Create awareness on HIV epidemiology and provide information, education and communication (IEC) materials
- Promote measures for workers to know their own status through Voluntary Counselling and Testing (VCT) and Provider Initiated Testing and Counselling (PITC)
- Promote programmes that encourage prevention of parent to-child transmission (PMTCT)
- Facilitate access to male circumcision services
- Promote effective occupational safety and health measures
- Promote measures to reduce high-risk behaviors

- Design and implement programmes to provide information and education on HIV and AIDS to employees and their families
- Encourage shared confidentiality on HIV status with spouses and workmates
- Encourage early detection and treatment of opportunistic infections (OIs) and STIs as well as facilitate access to antiretroviral therapy (ART) to those eligible
- Ensure that post exposure prophylaxis (PEP) is available should an employee be exposed to risk of HIV transmission as a result of their job
- Adopt the standard of practice to be used to minimize the risk of blood-borne pathogens known as “universal precautions”.
- Mainstreaming gender equality as part of prevention measures

6.10 TREATMENT, CARE AND SUPPORT

Policy statement

Care and support of HIV infected employees and their spouses is essential in lessening socio-economic and psychosocial burden of HIV and AIDS. It helps remove the fear of being unable to cope with one's HIV status and encourages openness and disclosure which in turn facilitate early assistance. Workplace programmes should assist by providing material support such as food to the infected and their spouses. The NEC should facilitate the provision of ART for the employees living with HIV and their spouses.

Strategies

To facilitate access to medical care including drugs for treatment of OIs, HIV prophylaxis, ART, and nutrition, the NEC and enterprises should:

- Encourage the formation of informal clubs and company based support groups for employees living with HIV and their spouses.
- Provide follow up counseling services for those infected by HIV
- Facilitate access to psychosocial support for the infected and affected employees
- Provide information in the workplace on community resources, including those providing ART and treatment of opportunistic infections.
- Ensure that those living with HIV have access to

nutritional support, and assistance and guidance in adhering to treatment.

- Facilitate access to ARVs for infected employees

6.11 BUDGETING AND SUSTAINABILITY

There should be concerted efforts to mobilize resources at both the NEC and enterprise levels for HIV and AIDS programming. Enterprises should provide financial, human and material resources as well as allocate time for HIV and AIDS activities during working hours.

To facilitate funding of HIV and AIDS activities, it is necessary that:

- Enterprises budget for HIV and AIDS programmes
- The National Employment Council (NEC) mobilizes resources for HIV and AIDS programmes for its members
- Enterprises ensure that all workplace HIV and AIDS programmes are well resourced and sustained
- Enterprises mainstream HIV and AIDS in all activities, policies and programmes to ensure sustainability.

6.12 MONITORING AND EVALUATION

Workplace policies on HIV and AIDS must be up to date and in sync with the changing environment and ongoing research. There must be continuous monitoring and periodic evaluation and reviews of policies and programmes.

To monitor, evaluate and review HIV and AIDS policies and programmes, the NEC shall set up an HIV and AIDS committee at industrial level and promote the same at enterprise level to spearhead the monitoring and evaluation of policies and programmes.

The NEC and enterprises should:

- There is a system and tools for continuous monitoring, evaluation and review of policy and programmes both at the industrial level and at the workplace
- Enterprises are able to assess the impact of HIV on company profitability by maintaining information and records relating to HIV and AIDS costs at the workplace
- Enterprises should periodically conduct joint policy and programme reviews and reformulation with stakeholders.

This policy will be subject to periodic reviews in tandem with the ZNASP or as and when necessary.

7. ROLES AND RESPONSIBILITIES FOR IMPLEMENTING THE POLICY

The stakeholders in the sector include government, employers, employees and their representatives, health care providers, community organizations, non-governmental organizations, religious groups, and suppliers of goods and services both formal and informal.

7.1 The role of Government

Government, in consultation with other stakeholders, should facilitate and participate in periodic, national policy review processes. Further to this, it should:

- (i) Provide guidelines and technical support to assist in the care and management of HIV and AIDS in the workplace
- (ii) Provide primary infrastructure, including treatment referral facilities
- (iii) Promote research on the impact of HIV and AIDS in the world of work
- (iv) Enact and revise the necessary legislation to enhance the effectiveness of HIV programming in the world of work
- (v) Strengthen structures and procedures for the enforcement of laws protecting the workplace and other rights of people living with HIV
- (vi) Provide guidelines to employers and health personnel on medical examinations for fitness for work.

7.2 The role of the NEC

The parties in the Clothing Industry shall set up an HIV and AIDS Committee at NEC level. The membership of the committee shall include the tripartite partners. It should be gender sensitive and should involve PLHIV meaningfully. The Committee structure should be replicated at enterprise level. The Committee will be responsible for:

- (i) Formulating, coordinating and implementing sector-wide programmes and providing back up services to individual establishments
- (ii) Appointing a coordinator through NEC structures who will liaise with establishments, technical parties, development partners and donors or cooperating partners and fund raising committees

- (iii) Periodically monitoring and evaluating and enhancing the sector-wide policy and programmes
- (iv) Linking the sector with other national and sub-regional initiatives.

7.3 The role of employers and their Representative organizations

Employers, in consultation with employees and their representatives, should:

- (i) Formulate HIV and AIDS policies at enterprise level
- (ii) Comply with national laws and policies in relation to negotiating conditions of service and include provisions on HIV and AIDS prevention, support and care in NEC and workplace collective bargaining agreements
- (iii) Develop and implement HIV and AIDS programmes at the workplace
- (iv) Commit resources for the implementation of HIV and AIDS workplace programmes
- (v) Develop and implement human resource policies that are in line with this Policy and the national law
- (vi) Support access to VCT and encourage its use
- (vii) Support the National Employment Council's HIV and AIDS initiatives.

7.4 The role of employees and their representative organizations

The employees, in consultation with their representative committees and trade unions, should:

- (i) Participate actively and make an input into sector and workplace policy formulation, programme planning, implementation, and monitoring and evaluation
- (ii) Facilitate programmes in liaison with employers and government
- (iii) Comply with national policies and laws when negotiating terms and conditions of employment relating to HIV and AIDS for collective bargaining agreements
- (iv) Use existing unions and other enterprise structures to develop IEC materials and provide employees with information on HIV and AIDS, workers' rights and benefits in the workplace
- (v) Work together with employers to develop strategies to

effect behaviour change at the workplace, and assess and respond to the economic impact of HIV on the enterprise

- (vi) Support and encourage employers to create and implement human resource policies that are in line with national, sectoral and workplace policies on HIV and AIDS.
- (vii) Champion the employees' cause by taking up issues at the workplace through grievance and disciplinary procedures or reporting any discrimination to the appropriate legal authorities
- (viii) Develop and carry out training programmes for their members to enable them to better understand and articulate the needs of all employees, whatever their HIV status
- (ix) Advocate for and cooperate with employers to maintain a safe and healthy working environment
- (x) Observe rules of confidentiality when carrying out trade union duties
- (xi) Ensure that factors that increase the risk of infection for certain groups of employees are addressed in consultation with employers
- (xii) Encourage and support access to confidential voluntary counselling and testing
- (xiii) Network with national, regional and international organizations in championing the fight against HIV in the workplace.

7.5 The role of health care providers

Public and private health care providers complement the efforts of the tripartite partners in combating the HIV epidemic and should:

- (i) Participate in the wider social dialogue on HIV and AIDS
- (ii) Make an input into sector HIV and AIDS policies and programmes
- (iii) Provide health insurance and benefits on a non-discriminatory basis
- (iv) Provide prophylactic, ART and palliative health care Services.

7.6 The role of communities and NGOs

Communities and other stakeholders, such as NGOs, self-help organizations, religious organizations and civic organizations reinforce the work of tripartite partners. They should:

- (i) Participate in the wider social dialogue on HIV and AIDS in the workplace and the community
- (ii) Carry out advocacy work on HIV prevention and care for the affected population
- (iii) Provide support and care for those affected
- (iv) Provide technical assistance and expertise.

7.7 The role of suppliers of goods and services to the sector

Suppliers of goods and services (including those trading informally) to the Clothing Industry are equally affected by the HIV epidemic and could contribute to the efforts of the tripartite partners by:

- (i) Becoming familiar with the sector policy on HIV and AIDS
- (ii) Incorporating HIV issues into their policies and strategies
- (iii) Supplying goods and services in a manner that will promote the sector to achieve the objectives of this Policy on HIV and AIDS in the workplace.

The implementation of policy shall be carried out according to the objectives outlined below.

- (i) Implementation and responsibility

The ultimate responsibility for management of HIV-related risks lies with the National Employment Council (NEC), which shall appoint a committee responsible for ensuring implementation, monitoring, adherence and evaluation of the policy.

- (ii) Education Awareness

The Sector shall identify competent personnel to carry out educational and awareness campaigns from within the sector. In instances where this is not possible, the sector shall acquire competence and skills to carry out educational and awareness campaigns on the risks of exposure to HIV infection at the workplace. Awareness and educational procedures shall take into account differing levels of responsibility, ability, literacy and risk of HIV infection among the target groups.

(iii) Communication

HIV and AIDS issues shall be communicated within the sector through company representatives and existing structures. External communication will be done by the NEC,.

(iv) Documentation

The sector shall establish and maintain information in a suitable medium, such as print or electronic format.

(v) Operational control and management of HIV and AIDS

The sector shall identify those operations and activities that could influence the status of HIV and AIDS management systems and exposure to the risk of HIV and Tuberculosis transmission. Where intervention is needed, the sector shall plan these activities in order to ensure that they are carried out under specified conditions.

(vi) Emergency planning and response

The sector shall establish and maintain plans and procedures to identify the potential for and response to occupational emergency situations, and for preventing and mitigating the likely HIV exposure that may be associated with them. The sector shall review its HIV related emergency preparedness and response plans and procedures from time to time.

8. MONITORING and EVALUATION INDICATORS

A number of indicators can be used to monitor the implementation of this Policy. These indicators could be adopted, together with indicators to be developed with the action plans designed to complement this Policy

8.1 Process indicators

Some indicators of process are:

- (i) The number of enterprises with workplace policies and programmes on HIV
- (ii) The number of enterprises that include HIV in their strategic plans
- (iii) The proportion of enterprises' budgets allocated to and used for HIV programmes
- (iv) The number of enterprises with employee assistance programmes to meet the needs of employees living with HIV
- (v) The number of employees trained in various HIV programmes
- (vi) The number of enterprises offering voluntary counselling and testing
- (vii) The number of employees utilising VCT facilities
- (viii) The number of drop in centres and number of employees visiting them
- (ix) The number of community outreach programmes implemented
- (x) The number of workplace support groups for people living with HIV
- (xi) Resources mobilized for HIV programmes at NEC level
- (xii) The number of hours spent on HIV and AIDS programmes at the workplace.

8.2 Impact indicators

Some indicators of impact are:

- (i) Reduction in incidence of sexually transmitted infections
- (ii) Increased levels of knowledge of HIV issues
- (iii) Reduced number of deaths from HIV related causes
- (iv) Reduced number of person hours lost through HIV related absenteeism
- (v) Reduced impact of HIV on productivity and profitability.

