



# **SIERRA LEONE HIV AND AIDS POLICY FOR THE MINING SECTOR**

**April 2011**

## **FOREWORD**

Globally, Sierra Leone remains one of the least countries affected by HIV and AIDS. While, recent reports indicate positive trends in the stabilization of the epidemic at 1.5% between 2005 and 2008, HIV and AIDS continue to affect our youths including Sierra Leoneans within the most reproductive and productive age segment of the Population, the 15–49 years age group. The survival of this age group, which constitutes the nation’s work force, is critical to the socio-economic and cultural development of the country.

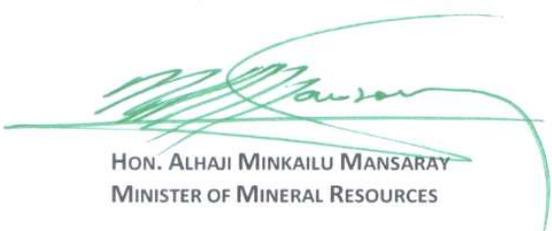
Recognizing the worker as the most important factor in production and the fact that the mining sector is labour intensive and not well developed, the Ministry of Mineral Resources in collaboration with the Ministry of Labour and Social Security; the National HIV/AIDS Secretariat and its social and development partners have developed this Policy to guide the prevention of HIV and the management of its impact within the mining sector.

As part of our national multi-sectoral approach to HIV and AIDS, private sector organizations, particularly the mining establishments have a key role to play in scaling up HIV prevention, treatment, care and support. To date, only one mining establishment has successfully developed a comprehensive workplace policy and programme addressing HIV prevention, treatment, care and support. The others still need to engage in meaningful dialogue and action on HIV and AIDS as a workplace issue to achieve our national commitments toward Universal Access to HIV Prevention, treatment, care and support.

This Policy commits stakeholders in the mining sector to take action, lays down a minimum standard of practice for employers and workers, gives guidance on implementation of the standards and assists mining establishments/enterprise to put in place a workplace response to HIV and AIDS. The policy serves as a guide for employers, workers and their representatives in the design and implementation of HIV programmes at enterprise level, as well as to monitor and evaluate HIV responses within their respective workplaces.

I therefore, recommend that all mining establishments use this Policy document as a guide to respond to HIV and AIDS in their respective establishments.

Together we can make a difference in ensuring zero new HIV infection within our mining sector and also help to reduce community vulnerability to HIV.



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MINISTER OF MINERAL RESOURCES

## **ACKNOWLEDGEMENT**

The successful development of the National Workplace Policy on HIV and AIDS for the Mining Sector involved lots of consultations with stakeholders within the mining sector. The completion of this policy was realized through the joint efforts of the stakeholders, whose contributions need to be acknowledged.

The National HIV/AIDS Secretariat would like to acknowledge the involvement and commitment of the Ministries of Mineral Resources and Labour and Social Security and the United Mine Workers Union.

We are also even more grateful to the registered mining companies in Sierra Leone for contributing their time and effort in providing us with comments that were crucial in finalizing the policy

Special recognition is given to the National HIV/AIDS Secretariat Staff and the UN Family in Sierra Leone for providing useful comments that helped shape up this document.

ILO-AIDS and the OPEC Fund for International Development (OFID) deserve special mention for the financial and technical resources provided to develop this policy.

Finally, Let us all put our effort s together and implement this policy to achieve Zero New HIV Infection within our mines.



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## **ACRONYMNS**

AIDS	-	Acquired Immune Deficiency Syndrome
ART	-	Anti –Retroviral Therapy
ARV	-	Anti-retroviral
BCC	-	Behavioural Change Communication
CBOs	-	Community Based Organizations
CSOs	-	Civil Society Organizations
HIV	-	Human Immunodeficiency Virus
IEC	-	Information, Education and Communication
ILO	-	International Labour Organization
MOHS	-	Ministry of Health and Sanitation
MOELSS	-	Ministry of Employment, Labour and Social Security
MOMRPA	-	Ministry of Mineral Resources and Political Affairs
M&E	-	Monitoring and Evaluation
NAC	-	National HIV/AIDS Council
NAS	-	National HIV/AIDS Secretariat
NGOs	-	Non-Governmental Organizations
PLWHA	-	People Living with HIV/AIDS
STIs	-	Sexually Transmitted Infections
TOT	-	Training of Trainers
STDs	-	Sexually Transmitted Diseases
SWAASL	-	Society for Women and AIDS in Sierra Leone
UNFPA	-	United Nations Population Fund
UNICEF	-	United Nations Children Fund
UNAIDS	-	Joint United Nations Programme on HIV/AIDS
VCCT	-	Voluntary Confidential Counselling and Testing

## **DEFINITIONS**

In this policy,

**“Workplace”** means where a person(s) work to earn a living

**“AIDS”** means the Acquired Immunodeficiency Syndrome, which is a fatal disease caused by HIV (the human immunodeficiency virus)

**“HIV”** means the virus that weakens the immune system, ultimately leading to AIDS.

**“STIs”** means Sexually Transmitted Infections

**“HIV testing”** means subjecting a person to a test to determine her/his HIV status. At present this normally takes the form of an antibody test (Rapid Screen Device).

**“Informed consent”** means a process of obtaining consent from a patient that ensures that the person fully understands the nature and consequences of the test before his/her agreement.

**“Pre and post-test counseling”** means a process of counseling which facilitates an understanding of the nature and purpose of the HIV test. It examines the advantages and disadvantages that the test holds for the person and the result, positive or negative, will have on them. This counseling must be conducted in person.

**“Prevalence assessment”** includes various methods to assess knowledge, attitude and extent of HIV prevalence (e.g., questionnaires, verbal interviews etc.).

**“Unfair discrimination”** means direct or indirect unfair discrimination against anyone on one or more grounds in terms of the Constitution of the Republic of Sierra Leone, 1992. In the context of this policy, unfair discrimination may occur when an employee is treated differently due to their real or perceived HIV positive status in a way which impairs that employee’s fundamental human dignity. Discrimination is not unfair if it is based on the inherent requirements of the job.

**“Voluntary Confidential Counseling and Testing (VCCT)”** means a programme, which provides facilities for employees to be tested for the Human Immunodeficiency Virus. Generally, this is combined with a programme, which encourages them to undergo testing and counseling voluntarily. This is founded on the belief that people need to know their HIV and AIDS status in order to protect themselves and others from infection but also to obtain the proper care for themselves.

**“Chronic Illness”** means illness lasting for a long time.

**“Employer”** means a person or organization employing workers under a written or verbal contract of employment, which establishes the rights and duties of both parties, in accordance with national

law and practice. Government, public authorities, private enterprises and individuals may be employers.

**“Formal Sector”** means the sector of the economy in which workers and employers are registered and/or organized into unions and associations; in which there are rules and regulations governing participation in the sector.

**“Informal Sector”** means small scale units producing and distributing goods and services, consisting largely of independent self employed persons, some of whom also employ family labour and/or a few hired workers or apprentices; which operate with very little capital or none at all; which use very low level of technology and skills; which therefore operate at a low level of productivity; and which generally provide very low or irregular incomes and highly unstable employment to those who work in it.

**“Infection”** means an invasion or entry into the body by a disease-causing organism.

**“Pandemic”** means a disease that has spread over a whole country or over the whole world.

**“Worker”** is any person(s) who has entered into or works under a contract with an employer either verbally or in writing and whether it is a contract of service or of apprenticeship.

**“Screening”** means measures whether direct (HIV testing), indirect (risk assessment) or asking questions about tests already taken or about medications.

**“Termination of Employment relationship”** refers to the meaning in the ILO Convention on Termination of Employment (No.158) of 1982, mainly at the initiative of the employer.

**“Vulnerability”** refers to socio-economic disempowerment and cultural context and work situations that make workers more susceptible to the risk of infection and situation and at the same putting children at greater risk of being involved in child labour.

## **1.0 Introduction**

The HIV epidemic in Sierra Leone could be characterized as slow and mixed epidemic, that is both concentrated among sex workers and at the same time generalized and heterogeneous, affecting different population sub-groups in the general population. Results from the 2010 Sierra Leone HIV Modes of Transmission Study: Know Your Epidemic, Know Your Response undertaken by the National HIV/AIDS Secretariat demonstrated high incidence not only in clients of sex workers and sex workers themselves, but also among other members of the population including casual heterosexual sex, which comprise of men and women who have multiple sex partners or have sex with non-regular, non-cohabiting partners.

HIV incidence modelling in the 2010 Sierra Leone HIV Modes of Transmission Study: Know Your Epidemic, Know Your Response revealed that of all new HIV infections in adults (15-49 years) in 2009, commercial sex workers, their clients and partners of clients contributed 39.7% of new infections. Of these multiple sex partnership groups, the casual heterosexual sex group and their partners contributed about 15% whereas Fisherfolks contributed the second highest incidence in of 10.8% in this group followed by traders, transporters and mine workers with 7.6%, 3.5% and 3.2% respectively.

A similar study conducted among miners in 2008 revealed a national HIV prevalence of 1.13 % among miners. However, the prevalence rate for different mining establishments ranged from 0.7% to 2.3%. The same study revealed low condom use (17.6%) and high multiple casual sexual relationships (53.7%) among miners.

These studies have revealed that HIV and AIDS is no longer an issue to be left to the health sector alone but requires the collective involvement of all stakeholders within the mining sector. Therefore, a sector-wide policy on HIV and AIDS is essential to enable the management of the epidemic and development and implementation of workplace prevention and care programmes within the sector.

## **2.0 Purpose and Scope of Policy**

The purpose of this policy is to provide a framework in which the mining sector employers, employees and their representatives formulate and implement HIV and AIDS policies at company level, monitor and evaluate HIV and AIDS programmes at the workplace through social dialogue processes by complementing the National Workplace and other corporate sector policies where they exist.

The Policy aims to enhance commitment among Government, mining companies and the United Mine Worker's Union to respond effectively to HIV and AIDS in the mining sector. The policy shall be used to give effect to changes designed to prevent and reduce the impact of HIV and AIDS in national legislation, collective bargaining agreements and company decisions. The Policy shall cover the following key areas of action:

- i) prevention of HIV through workplace prevention, education and training programmes
- ii) promote and support all enterprises to implement workplace policies and programmes
- iii) reduction of vulnerability arising from unequal gender and employer/employee relationships
- iv) elimination of stigma and discrimination on the basis of real or perceived HIV status and adherence to the rights of infected or affected staff and students
- v) treatment, care and support of employees infected and affected by HIV and AIDS
- vi) safe, healthy and non-violent work environments

This policy shall apply to all employers and employees, including job applicants, students/interns in the mining sector and all aspects of work in the industry both formal and informal. For the purpose of this policy, all workplaces are referred to as companies.

### **3.0 Legal Framework**

The policy is a result of consultations among tripartite partners in the mining sector and other stakeholders. The tripartite partners comprise Government, represented by Ministries of Labour and Social Security and Mineral Resources; businesses, represented by the Chamber of Mines and the Mine workers represented by the United Mine Workers Union of Sierra Leone. The policy draws from the Sierra Leone Workplace Policy on HIV and AIDS, the Revised 2007 HIV Prevention and Control Act, the 2008 Mines and Mineral Act, Regulation of wages and Industrial Relation Act 1971, the Child Rights' Act, the 2001 ILO Code of Practice on HIV and AIDS and Recommendation concerning HIV and AIDS and the World of Work, 2010 (no. 200) and all ratified ILO and international conventions with labour related issues and conventions that ensure basic rights for dignity in employment.

### **4.0 Key Principles**

The policy is guided by a number of key principles and these are described in the ensuing sections. These principles should guide companies in designing workplace HIV and AIDS policies and programmes.

#### **4.1 Recognition of HIV and AIDS as a Workplace Issue**

HIV and AIDS is acknowledged as a critical workplace issue. This calls for total commitment by the tripartite partners of government, employers and employees to do everything possible to combat the spread of HIV and to mitigate its impact.

#### **4.2 Social Dialogue among the Tripartite Partners and other Stakeholders**

A successful HIV and AIDS policy and programme requires cooperation and trust between Employers, workers and the Government, where appropriate, with the active involvement of People Living with HIV and AIDS. The policy recognizes the need for continuous and meaningful open dialogue, especially between Government, the Employers and Workers represented by their Organization (United Mine Workers Union). The Policy further recognize the need to involve other stakeholders in the community such as local authorities, traditional leaders, faith-based organizations and their leaders, civic organizations and non-governmental organizations.

#### **4.3 HIV is Preventable**

Prevention is central to all efforts in combating the HIV and AIDS epidemic. The partners recognize the need for adopting a holistic, comprehensive, proactive approach to HIV prevention. This involves the design, implementation and coordination of various interventions to change attitudes, beliefs and risky sexual behaviour in the mining communities. All mining establishments shall be mandated to have in place a workers' education programme irrespective of sexual orientation. This shall not be limited to the training of peer educators and counselors in the mining sector. Print and electronic communication materials and company policies shall be produced to address specific issues. These will include the HIV and AIDS workplace education resource kit.

#### **4.4 Non-Discrimination of Employees in all work processes on the basis of HIV status**

This workplace policy promotes and encourages all mining establishments to institute mechanisms that would ensure the observance of human rights and dignity of its employees irrespective of HIV status. There should be no discrimination and stigmatization of employees living with HIV and AIDS on the basis

of real or perceived HIV status and sexual orientation of workers, families or dependants. All employees should be protected against victimization by employers and co-employees.

#### **4.5 No screening for purposes of exclusion from employment or work processes**

HIV and AIDS screening shall not be required of job applicants or persons in employment and testing for HIV should not be carried out at the work place except for unanimous unlinked HIV prevalence studies, following the norms of confidentiality.

#### **4.6 Respect for confidentiality of the employees' HIV status**

There is no justification for asking job applicants to disclose HIV-related personal information. Nor should co-workers be obliged to reveal such personal information about fellow workers. Access to personal data relating to worker's HIV status should be bound by the rules of confidentiality consistent with the ILO's Code of practice on the protection of workers' personal data (1997).

#### **4.7 Non-termination of Employment**

HIV infection is not a cause for termination of employment. If an employee is not medically fit to work based on objective medical criteria, the employer may, in consultation with the medical practitioner, the employee and his/her workers' representative make any modification and adjustment to a job or to the workplace that is reasonably practicable and will enable the person living with HIV and AIDS to have access to or participate or advance in employment or as a measure of last resort arrange for a transfer to a more suitable job and location, where available but with no loss in benefits. This ensures that transferring the employee is a measure taken after all other options have been eliminated and that the employer should take measures to accommodate the employee in the existing job.

#### **4.8 Safe and Healthy Working Environment**

A healthy and safe working environment should be provided for all employees irrespective of HIV status. The working environment should ensure security to both infected and uninfected employees and practices and procedures should address vulnerability of employees and protect them from potential infection during their course of duty.

#### **4.9 Gender equality in the workplace**

Gender equality should be promoted in the workplace. Preventive and care programmes and the different needs of men and women should be addressed in all programmes. Gender sensitivity and awareness, especially the need for men and women to know their rights especially sexual and reproductive health and rights should be ensured. Men and women should respect their own and each other's sexuality. Workplace policies and programmes should take cognizance of the fact that women are more vulnerable to HIV and AIDS due to their biological make-up, socio-economic and cultural factors.

#### **4.10 Care and Support**

Care and support of the infected and the affected families is essential in lessening the economic burden and social and psychological stress. It helps to remove the fear of being unable to deal with an HIV-positive person and encourages people to come out and share their status in order to facilitate for early assistance. Where possible, workplace programmes should assist by providing material support, for example, food and medical care, and psychological support to infected employees, and where possible, to their spouses and children as well. Companies should endeavor to facilitate for implementation of anti-retroviral therapy at the workplace.

#### **4.11 Sustainable and Adequately Funded Programmes**

Workplace HIV and AIDS programmes should be adequately resourced and sustainable at all times. Each company should at least allocate five percent (5%) of the Company's or enterprises health budget to its HIV and AIDS prevention programme.

#### **4.12 Monitoring, Evaluation of HIV and AIDS Policy and Programmes**

Workplace policies on HIV and AIDS should be up to date and in synchrony with the continuously changing circumstances. Therefore, there should be continuous monitoring and periodic evaluation and review of policies and programmes at enterprise level by both employers and employees and at national level by government, employers and employees.

### **5.0 Policy Objectives and Strategies**

The development objectives of this policy are to prevent the spread of HIV and to mitigate its impact on the mining sector. This shall be achieved through the introduction of workers' education programme on HIV and AIDS and treatment, care and support for employees affected by the disease. The responsibility for the implementation of this policy rests with the tripartite plus partners – the Government represented by the Ministries of Mineral Resources and Labour and Social Security; the National HIV and AIDS Secretariat; Workers' Representative (The United Mine Workers' Union) and the Employer (Mining Establishment). A holistic, comprehensive and co-ordinated approach to respond to HIV and AIDS in the mining sector will be achieved through the involvement of all stakeholders, particularly the leadership of company management and the employee representatives. This policy shall be implemented through the following objectives and strategies:

#### **5.1 Acknowledgement by management and employees and their representatives that HIV and AIDS is a workplace issue and ensuring commitment to take action in the fight against HIV and AIDS**

- (i) Each mining company or enterprise should put in place its own workplace HIV and AIDS policy/Guidelines and programmes to address the disease.
- (ii) Each mining company or enterprise should establish bi-partite HIV and AIDS committees with representation from management and employees to design and effectively implement, monitor and evaluate its programmes on HIV and AIDS in a participatory and consultative manner
- (iii) Each mining company should ensure that its workplace policy on HIV and AIDS is harmonized with the National Policy on HIV and AIDS and its enterprise policies
- (iv) Each mining company/enterprise should allocate time, human and financial resources (at least 7% of its health budget) to its HIV and AIDS programmes

#### **5.2 To promote transparency and open dialogue among social partners in order to create an enabling environment for combating HIV AND AIDS in the workplace**

- i) Companies should set up a transparent system of accountability on all issues pertaining to its HIV and AIDS policies and programmes. Changes to its policy should involve dialogue and consultation between the employers and employees
- ii) Companies should, involve employees and other stakeholders in programme formulation, implementation, monitoring and evaluation. Examples of other stakeholders include Traditional

Leaders, the Local Councils, employees living with HIV and AIDS, their spouses and children, suppliers and service providers etc.

- iii) HIV and AIDS committees comprised of employees and employers should be set up at the enterprise level
- iv) Tripartite plus partners should periodically conduct joint policy and programme reviews, monitoring and evaluation.

**5.3 To prevent HIV and sexually transmitted infections and reduce AIDS-related deaths by promoting sustained behaviour change through a holistic and comprehensive programme**

Companies should:

- i) provide education and training on HIV and AIDS prevention to all its employees, including those in management, starting with new employees at induction
- ii) HIV and AIDS should be mainstreamed in all enterprise/company training programmes
- iii) provide male and female condoms in the workplace and encourage their correct use
- iv) promote voluntary confidential counseling and testing
- v) encourage and maintain shared confidentiality on HIV status with spouses and workmates

**5.4 To ensure non-discrimination and non-stigmatization of employees on the basis of perceived and real HIV status**

Companies should:

- i) provide training to supervisory and managerial personnel to identify and manage workplace behaviour, conduct or practices which discriminate against or alienate employees with or suspected to have HIV and AIDS
- ii) design and implement programmes at the enterprise level to provide information and education on HIV and AIDS to employees
- iii) provide continued counseling services to infected employees
- iv) promote employees on merit other than HIV status
- v) define grievance and disciplinary procedures for handling cases of discrimination on the basis of HIV status and other occupational diseases.

**5.5 To ensure no screening for purposes of discrimination of employees in decisions on recruitment, retrenchments, promotion and training on the basis of HIV-status**

Companies should:

- i) provide information and education to management, employee representatives and employees on employee rights under existing labour laws.
- ii) clearly define disciplinary procedures and penalties for violation of those rights
- iii) harmonize other company policies with the HIV and AIDS policy.

## **5.6 To maintain confidentiality where HIV and AIDS issues concern specific individuals**

Companies should:

- i) provide education to all stakeholders about their rights and obligations with respect to management of confidential health information of employees
- ii) provide information and education on existing labour laws
- iii) provide information and education on voluntary counseling and testing
- iv) counsel infected and affected employees
- v) formulate clear disciplinary procedures for the violation employees health information

## **5.7 To ensure that HIV-infected employees continue to work as long as they are medically certified fit for appropriate employment**

Companies should:

- i) put in place or harmonize human resources policies and practices that are in place in line with the National HIV and AIDS Workplace Policy and relevant legislation
- ii) provide education and information to company management and supervisory staff and employees on their rights and obligations
- iii) transfer employees to appropriate positions to suit their changed medical status when necessary where such jobs are available.

## **5.8 To provide a healthy and safe working environment to both HIV-infected and uninfected employees**

Companies should:

- i) set up proactive systems that promote healthy and safe working environments
- ii) provide information and training on first aid and use of first aid kits to employees and place these in the workplace in order to prevent infection of employees
- iii) have the requisite health and safety personnel in place
- iv) where appropriate and after consultation with medical personnel, the employee and his workers' representative management should transfer infected employees to appropriate jobs.
- v) Such transfer should not result in loss of benefits. Where such appropriate jobs are not available, medical discharge should be made where the employee is assisted to settle in this new position

## **5.9 To achieve gender equality and sensitivity in the workplace**

Companies should:

- i) create equal opportunities for both men and women, irrespective of HIV status
- ii) provide education on gender awareness and gender dimensions of HIV and AIDS to management, employees and their representatives

- iii) mainstream gender in all HIV and AIDS prevention, treatment and care programmes.

**5.10 To provide a caring and supportive environment for infected workers and, if possible, including their families**

Companies should:

- i) encourage voluntary confidential counseling and testing openness
- ii) encourage formation of informal social clubs and company-based support groups for people living with HIV and AIDS.
- iii) link this support group with the National network of HIV positives (NETHIPS)

**5.11 To ensure that workplace HIV and AIDS programmes are well resourced and sustainable at all times**

- i) Companies should ensure that workplace policies on HIV AND AIDS are amended by full representation of all stakeholders
- ii) Companies should provide HIV and AIDS programmes with an annual budget of at least 7% of the health budget through employer and if possible through employee contributions.
- iii) The mining sector should come up with a funding strategy for HIV and AIDS programmes, including resource mobilization from donors and the National HIV and AIDS Secretariat.
- iv) The mining sector should collaborate with HIV and AIDS service organizations for expert input into programmes and should work out cost sharing arrangements.

**5.12 To monitor, evaluate and assess impact of HIV AND AIDS policy and programmes**

Companies should:

- i) ensure there is a system and tools for continuous monitoring, evaluation and review of their HIV and AIDS policy and programmes
- ii) conduct periodic participatory policy reviews and monitor and evaluate HIV and AIDS programmes at the workplace
- iii) calculate the cost of HIV and AIDS programmes and their opportunity cost and
- iv) factor the impact of HIV and AIDS into company strategic plans and annual budgets.

**6.0 Roles and responsibilities for implementation of policy**

The key stakeholders in the mining sector shall include but not limited to the tripartite partners, that is, government, employers and employees and their representatives. Other stakeholders include government health care service providers, community organizations, NGOs, religious groups and suppliers of goods and services to the mining sector.

- i) Government shall provide primary infrastructure, which should include referral facilities, for the implementation of the policy and programmes. Among other things, Government should provide

guidelines and technical information to assist employers in the care and management of HIV and AIDS in the workplace.

- ii) Employers and their organizations, in consultation with employees and their representatives, should:
- a. formulate HIV and AIDS policies by individual mining establishments
  - b. comply with national laws and policies in relation to negotiating terms and conditions of service and include provisions on HIV and AIDS prevention, treatment, care and support in all workplace collective bargaining agreements
  - c. commit resources and implement programmes at the workplace to inform, educate and train employees in HIV and AIDS prevention, treatment, care and support
  - d. develop grievance and disciplinary procedures specifying the circumstances and how such procedures can be commenced against any employee who discriminates on the ground of real or perceived HIV status or violates the workplace policy on HIV and AIDS
  - e. support and encourage access to voluntary HIV confidential counseling and testing of employees by qualified health service providers
  - f. implement their workplace policy and programmes, monitor and evaluate to ensure compliance with national policy and legislation

**The employees, through their representatives and the United Mine Workers Union, should:**

- a. actively participate and make an input into workplace policy formulation, programme planning, implementation and evaluation
- b. be supportive to infected co-employees
- c. facilitate liaison with employers and government
- d. comply with national policies and laws when negotiating terms and conditions of employment relating to HIV and AIDS for collective bargaining agreements
- e. use existing union and other enterprise structures to develop information, educational and communication materials and provide employees with information on HIV and AIDS, their rights and benefits in the workplace
- f. work together with employers, government agencies and other social partners to raise awareness of HIV and AIDS prevention and management
- g. support and encourage employers in creating and implementing personnel policies that are in line with national, sectoral and workplace policies on HIV and AIDS

- h. champion the employees' cause by taking up issues at the workplace through grievance and disciplinary procedures or reporting all discrimination to the appropriate legal authorities
- i. develop and carry out training programmes for their members to better understand and articulate the needs of infected and uninfected employees
- j. advocate for and co-operate with employers to maintain a safe and healthy working environment
- k. observe rules of confidentiality when carrying out trade union duties
- l. ensure that factors that increase the risk of exposure for certain groups of employees are addressed in consultation with employers
- m. encourage and support access to confidential voluntary counseling and testing services
- n. network with national, regional and international organizations in championing the fight against HIV and AIDS in the workplace

#### **7.0 Implementation of policy and programmes**

The tripartite partners in the mining sector should set up a Joint Labour Committee on HIV and AIDS at the national level that will be responsible for formulating and coordinating sector-wide programmes and providing technical back-up services to individual enterprise programmes. The HIV and AIDS sub-committee will be run by a representative answerable to NAS with representation from government, employers and labour. The sub-committee should consult the various stakeholders and come up with process, outcome and impact indicators for monitoring and evaluating the various policy objectives. This should be done in a participatory manner to engender ownership of and commitment to the monitoring and evaluation tools.

#### **8.0 Policy Review**

The policy will be reviewed every 5 years and whenever substantial scientific and development concerns dictate. This shall be done in collaboration with the Ministries of Employment, Labour and Social Security and the Mineral Resources and Political Affairs, the United Mine Workers' Union and mining companies.

#### **9.0 Budget**

The United Mine Workers' Union and the Ministry of Mineral Resources shall commit itself to making adequate budgetary provision for the effective implementation of all aspects of the HIV and AIDS Policy. The Union in collaboration with the Ministry of Mineral Resources shall advocate for the inclusion of HIV and AIDS education for its membership in the Collective Bargaining Agreement with Mining Companies as well as all mining lease agreement entered into with the Government.

#### **10.0 Indicators**

The indicators to measure the impact of the policy will be developed later and shall be derived from the following:

### **10.1 Process indicators**

By the end of the lifespan of this policy, the following would have been achieved

- (i) 70% of the registered mining companies should have in place workplace HIV and AIDS policies
- (ii) 40% of the companies should have included HIV and AIDS in their organizational strategic plans
- (iii) 60% of the enterprises should have budgets allocated to and used for HIV and AIDS programmes
- (iv) 50% of companies have active HIV and AIDS programmes
- (v) 30% of company employees have gone through basic training on HIV and AIDS
- (vi) 10% of company employees have opted for voluntary counseling and testing
- (vii) 60% of the registered mining companies should have established condom pick-up points for their workers

### **10.2 Outcome indicators**

- (i) 40% of the registered mining companies line managers should have participated in workplace HIV and AIDS programmes
- (ii) At least 5 employees testing positive in three companies disclose their HIV status in public

### **10.3 Impact indicators**

- (i) 20% reduction in national HIV prevalence among miners
- (ii) Reduction in the number of cases of sexually transmitted infections
- (iii) Level of knowledge and awareness of HIV and AIDS issues among the miners and surrounding community
- (iv) At least 50% of employees in 5 mining establishments exhibit accepting attitude to People Living with HIV