

Ghana Civil Service



REPUBLIC OF GHANA

WORKPLACE HIV/AIDS AND STIs POLICY

Office of the Head of the Civil Service

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ABBREVIATION

| | |
|-----------------|--|
| CSA | Civil Servants' Association |
| HIV/AIDS | Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome |
| ILO | International Labour Organization |
| KABP | Knowledge, Attitudes, Beliefs & Practices |
| MDAs | Ministries, Departments & Agencies |
| OHCS | Office of the Head of the Civil Service |
| PPAG | Planned Parenthood Association of Ghana |
| STI | Sexually Transmitted Infections |
| STD | Sexually Transmitted Diseases |
| VCT | Voluntary Counseling and Testing |



PREFACE

The HIV/AIDS menace is an epidemic that has gripped our world with fear because there is no known cure for it, once acquired. It is a disease which affects mostly the productive and reproductive segments of the population and its ultimate impact on the development status of any country is immense. The rate of its spread is alarming and drastic measures ought to be put in place to arrest the situation.

For us in the Civil Service, the management of the pandemic is critical and urgent because whatever happens to the workforce of the Service impacts positively or otherwise on its performance which may have serious implications for the success or otherwise of government's agenda for development. Our primary aim, as you may be aware, is to serve as the vehicle for policy formulation, implementation, monitoring, and overall service delivery for the well-being of our people.

Currently, the Civil Service employs about 44,000 strong workforce of which close to 30% falls within the age group of 25 to 40 who, by the World Health Organisation standards, are considered to be the most vulnerable.

From 2003 – 2005, a Baseline Survey on Knowledge, Attitudes, Beliefs and Practices (KABP) and the Gender and Human Rights Dimensions of HIV/AIDS among Civil Servants conducted by the Civil Servants' Association (CSA) and the Planned Parenthood Association of Ghana (PPAG) revealed, among others, that:

- Risky practices and behaviours such as multiple sexual partners, transactional and casual sex is common among most Civil Servants.



- There is lack of in-depth knowledge about Sexually Transmitted Infections (STI) including HIV/AIDS.
- There are serious misconceptions about HIV/AIDS.
- The risk of personal infection is perceived to be low.
- Fear of knowing one's sero-status, which could occasion stigmatization and discrimination, is preventing most people from accessing Voluntary Counseling and Testing (VCT) facilities.
- Sexual harassment, sexual abuse, and gender-based discrimination subtly exist in the Civil Service.
- Some officers travel frequently to various destinations within and outside Ghana including high prevalence areas.
- The risk for road accidents increases with frequent travels and possible exposure to HIV contaminated blood.

Although some MDAs have HIV/AIDS programmes in place for their workers, these programmes are generally not well structured and are mostly limited to awareness creation. Consequently, there is an urgent need for the development of broad inter-sectoral and well-coordinated measures to manage the HIV/AIDS pandemic among the workforce.

Every Civil Servant must therefore recognize that HIV/AIDS is real and is also a serious threat to our very existence as individuals and the entire Service.

To this end, this Policy Document seeks to provide guidelines for the Civil Service to ensure that each MDA makes available to its staff, the



requisite information, systems and facilities for prevention, care and support in managing the HIV/AIDS pandemic.

W. K. KEMEVOR

AG. HEAD OF THE CIVIL SERVICE



INTRODUCTION

The Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) pandemic is now a global crisis and a major threat to the world of work. It affects the most productive segment of the labour force and constitutes one of the most formidable challenges to social and economic growth.

The Human Immunodeficiency Virus (HIV) weakens the body's immune system and ultimately leads to the Acquired Immune Deficiency Syndrome (AIDS) which is a manifestation of medical conditions often referred to as opportunistic infections and cancers for which there is no known cure.

The Ghana Civil Service acknowledges the seriousness of this phenomenon and also recognizes the need to address it effectively before the Service is decimated. This workplace policy seeks to provide a framework for the management of HIV/AIDS and promote consistency of practice within the entire Civil Service.

Additionally, the policy aims at minimizing the economic and developmental consequences of HIV/AIDS which may impact on service delivery, productivity, employee benefits, workplace morale and health influence behavior and reduce social stigma and discrimination.

1.0 POLICY OBJECTIVES

The objectives of this policy are to:

- Provide guidelines for dealing with HIV/AIDS related issues in the Civil Service;



- Provide a non-discriminatory and supportive work environment;
- Provide staff with the information necessary to increase their awareness, the assistance and where to go for it.
- Ensure that Civil Service Organizations provide prevention, care and support services to staff.
- Create a balance between the rights and responsibilities of both the employee and employer.

2.0 SCOPE OF APPLICATION

This policy will apply to all Civil Servants as defined by the Civil Service Law 1993, PNDCL 327.

3.0 SOURCES/LAWS/GUIDELINES

In the absence of specific laws on HIV/AIDS, this policy document will be used as guiding principles to help take informed decisions on any legal issues that might come up in respect to HIV/AIDS. However, this policy document is informed by the following laws, regulations, guidelines, and document among others:

- The 1992 Constitution of Ghana, Sect 12.2,13.1,14.1(d), 17.1,2,3,4(a)
- The Civil Service Law, 1993 (PNDC L327), Sect 69
- The Labour Act, 2003 (Act 651), Sect 8,9,10,24,46,63(g)
- International Labour Code of Practice on HIV and AIDS in the World of Work, 2001



- Workmen's Compensation Law, 1987 (PNDC L187), Sect 2,4,6,7
- Factories, Offices and Shops Act, 1990 (Act 328), Sect 24,30,34
- National Health Insurance Regulations, 2004 (L.I.1809)
- The Ghana Civil Service Administrative Instructions, 1999, Sect 326, 321, 325
- National Health Policy, 2007
- Baseline Survey on Knowledge, Attitudes, Beliefs and Practices (KABP) and the Gender and Human Rights Dimensions of HIV/AIDS among Civil Servants, 2003 – 2005

4.0 GUIDING PRINCIPLES

The policy is guided by the under-listed principles:

4.1 HIV/AIDS as a Workplace Issue

HIV/AIDS is considered as a workplace issue, and should be treated as such.

4.2 Gender Equality

The gender dimensions of HIV/AIDS shall be recognized and effectively managed.



4.3 Social Dialogue

Consultation, inclusiveness and full participation of all stakeholders shall be pursued.

4.4 Confidentiality

The confidentiality of personal data relating to a worker's HIV status shall be upheld.

4.5 Continuation of Employment Relationship

HIV infection shall not be the basis for the non-recruitment of personnel or termination of employment.

4.6 Equity and Non-Discrimination

The promotion of equity and non-discrimination between individuals with HIV infection and other HIV related conditions shall be pursued.

4.7 Upholding Human Rights

The fundamental human rights and dignity of staff with HIV/AIDS shall be upheld.

4.8 Healthy Work Environment

A healthy and safe work environment shall be maintained for all staff to



make it possible for them to perform their functions effectively and efficiently.

4.9 Care and Support

Adequate care, support and counseling shall be provided to staff, who disclose their HIV status

4.10 Behavioural Change and Communication

A behavioural change and communication strategy shall be developed and vigorously pursued.

5.0 APPROACHES

The following approaches will be adopted to achieve the objectives of the policy.

5.1 Promoting a Non-discriminatory Work Environment

No person with HIV/AIDS shall be discriminated against, with regard to:

- Recruitment (advertising and selection);
- Appointments, job placement and assignment;
- Job classification and grading;
- Remuneration and conditions of employment;
- Training and development;
- Employee assistance programmes;



- Performance evaluation;
- Promotion and demotion;
- Postings and transfers; and
- Termination of service.

5.2 Reasonable Accommodation

Management shall take measures to reasonably accommodate staff with HIV/AIDS. These could include re-arrangement of working time, provision of special equipment, opportunities for rest periods, time off for medical appointments, flexible sick leave, part-time work and return-to-work arrangements.

5.3 HIV Testing:

- No Civil Servant or an applicant for employment shall be required to undertake an HIV test in order to ascertain his/her HIV status.
- Management may provide voluntary counseling and testing (VCT) to staff who has requested a test in the following circumstances:
 - As part of a health care service provided in the workplace;
 - In the event of an occupational accident carrying a risk of exposure to blood or other body fluids;
 - For the purposes of applying for compensation following an occupational accident involving a risk of exposure to blood or other body fluids;



- With informed consent and pre-and post-tests counseling, as defined by the National Health Policy on Testing for HIV; and
- With strict procedures relating to confidentiality of an employee's HIV status.

5.4 Confidentiality and Disclosure

- All persons with HIV/AIDS have the right to privacy. A member of staff is therefore not required to disclose his /her HIV status.
- Where a member of staff chooses to voluntarily disclose his / her HIV status to the employer, this information shall not be disclosed to others without his/her express written consent or otherwise.
- Opportunities should, however, be created to promote acceptance and support for staff who voluntarily disclose their HIV status within the workplace, by:
 - (i) encouraging their participation in education, prevention and awareness programmes;
 - (ii) encouraging the development of support groups for employees with HIV/AIDS; and
 - (iii) ensuring that persons who are open about their HIV/.AIDS status are not stigmatized.

5.5 Education and Prevention

- HIV infection is preventable. Prevention can be achieved through changes in attitude and behaviour. All staff shall be



adequately informed and educated on HIV/AIDS and its impact on the world of work.

- Civil Servants shall be encouraged to know their blood groups and for this information to be placed on their personal files.
- MDAs shall focus on “Peer Education” as one of the methods of disseminating information at the workplace. A network of “Peer Educators” shall thus be established within MDAs.
- Extensive training-of-trainer programmes shall be undertaken by all MDAs to enable them adequately handle HIV/AIDS education at the workplace. Training will be targeted at and adapted to different groups such as managerial, supervisory and all others.
- All educational programmes should be culturally sensitive.

5.6 Sexually Transmitted Infection (STIs)

Civil Servants will be encouraged to be aware of STIs and to seek early treatment of STIs.

5.7 Providing Care, Support and Counseling

- All workers living with HIV/AIDS are entitled to affordable health care services as provided under the National Health Policy.
- MDAs shall put in place the necessary institutional arrangements for the care and support of staff with HIV/AIDS such as the provision of counseling and other forms of social support services to them and their families (both infected and affected).



5.8 Promoting a Safe Workplace

Management shall provide and maintain a workplace that is safe and without risk to the health of its staff by:

- providing appropriate equipment and materials such as gloves, first-aid boxes and safety boots to protect staff from the risk of exposure to HIV;
- enumerating the steps that must be taken following an occupational accident;
- putting in place the appropriate arrangement for the management of occupational exposure to HIV and other blood-borne pathogens, including access to post-exposure prophylaxis;
- spelling out the procedures for application for compensation for occupational infections; and
- undertaking monitoring of occupational exposure to HIV.

6.0 COMPENSATION

- A Civil Servant who becomes infected with HIV in the performance of his/her duty shall be given the compensation that the Conditions of Service may prescribe.
- Information on any beneficiary of compensation in relation to HIV/AIDS shall be kept confidential.
- An MDA that offers a welfare scheme as part of the staff compensation package shall ensure that this scheme does not directly or indirectly discriminate against a person who has HIV.



7.0 RIGHTS TO CONTINUED EMPLOYMENT

- A Civil Servant with HIV/AIDS shall not be dismissed on the basis of his/her HIV/AIDS status.
- Where a Civil Servant with HIV/AIDS has become too ill to perform his/her work, management shall be obliged to follow accepted guidelines regarding retirement for incapacity (Boarding)
- The rights of the Civil Servant with HIV/AIDS to confidentiality regarding his/her HIV/AIDS status shall be maintained during any incapacity proceedings.

8.0 PROTECTION AGAINST VICTIMIZATION

Staff living with HIV/AIDS shall be protected from stigmatization and discrimination. Disciplinary action shall be taken against persons who refuse to work with an infected member of staff or disclose the HIV/AIDS status of any members of staff without authority.

9.0 GRIEVANCE PROCEDURES

Grievance procedures in the Civil Service shall apply to all Civil Servants against whom decisions are taken because of their HIV/AIDS status.

10.0 POLICY IMPLEMENTATION ARRANGEMENTS

The successful implementation of this Policy shall depend on a number of activities. These shall include:



- The formal launch of the HIV/AIDS Workplace Policy for the Ghana Civil Service by the Head of the Civil Service and within the MDAs by the respective Chief Directors.
- The coordination by the OHCS of all activities in MDAs connected with the implementation of the policy.
- The establishment of Workplace HIV/AIDS Committees in MDAs to be chaired by Chief Directors.
- The OHCS and MDAs ensuring that copies of this Policy are available and accessible to all Civil Servants.
- The planning and budgeting for the provision of adequate resources for the implementation of the Policy. by every MDA;
- OHCS ensuring that HIV/AIDS education is incorporated in the curriculum of Civil Service Training Institutions as well as the Scheme of Service and other programmes.
- The integration of HIV/AIDS information programmes and education campaigns into human resource policies and programmes such as durbars, induction and orientation sessions.
- The establishment of HIV/AIDS desks to be manned by officers not below the rank of Deputy Director, who should be adequately trained for the purpose and their performance appraised annually.
- The inclusion of the tenets of the Policy in the education and training programmes of the Civil Servants' Association for its Executives and members.



11.0 MONITORING AND EVALUATION

Responsibility for monitoring and evaluation of the implementation of this policy shall be at two (2) levels, viz., at the National Level (by OHCS and Ghana AIDS Commission) and Organizational Level (by MDAs).

- Chief Directors and Heads of Departments shall be required to report progress on the implementation of the HIV/AIDS activity plan in their annual reports to the OHCS
- The HIV/AIDS Desk Officers in MDAs should be adequately resourced to collect, compile and analyse data on HIV/AIDS for submission to the OHCS.
- The OHCS shall collate the data from the MDAs for submission to the Ghana AIDS Commission.

12.0 REVISION

This Policy document may be updated any time when necessary. A major review may, however, be undertaken at the end of three (3) years of its coming into effect.

