

guidelines for employers

Using the ILO Code
of Practice and
training manual



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Employers and their organizations are well placed to respond effectively.

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Why is AIDS an issue for employers?

Because HIV/AIDS is a huge threat to enterprises and public sector workplaces. Some companies know that over half their employees have HIV.

AIDS is concentrated among adults of working age: of the 40 million people estimated to be infected today, 80% are adults and at least 26 million are workers in their productive prime (15-49 years).

The ILO estimates that the labour force in over 30 countries will be between 10 and 35% smaller by 2020 than it would have been without AIDS. Employers are losing skilled, experienced workers. Recruitment and retraining costs are soaring at the same time as insurance payments and health benefits.

The HIV epidemic threatens the capacity of employers

- *to maintain productivity or the provision of essential services*
- *to retain a stable, skilled workforce, including key managers and supervisors*
- *to support viable sick pay or pension schemes*
- *to attract investment*
- *to retain and expand their markets...*

For smaller businesses, it may even be a matter of survival.

But as those particularly affected, employers and their organizations are well placed to respond effectively.

“The HIV/AIDS epidemic has become a global crisis. Increasingly affected is the business world, which is suffering not only from the human cost to the workforce but also in terms of losses in profits and productivity that result in many new challenges for both employers and employees... Constructive and proactive responses to HIV in the workplace can lead to good industrial relations and uninterrupted production.”
Francois Perigot, President, International Organisation of Employers, May 2002

The impact of HIV/AIDS has repercussions on business, labour and the national economy.

Some examples of costs (training manual Module 1, page 7):

- *One major transport company with 11,500 workers in Zimbabwe found that 3,400 of them were HIV-positive in 1996. HIV/AIDS-related costs for the company amounted to more than US\$1 million or 20% of company profits.*
- *A number of firms in the US report annual costs of between US\$ 3,500 and US\$6,000 for each worker with HIV.*
- *A Thai Government study has calculated that the direct and indirect cost of HIV/AIDS to the nation totalled US\$ 1.2 billion in 2000.*

The return on investment in the prevention of HIV far exceeds that of standard capital investments. Studies have indicated that these returns, in terms of cost savings through preventing HIV, are as much as 3.5 to 7.5 times the cost of intervention.

What can employers do?

Nationally and internationally, employers are able to:

- mobilize the extensive networks of employers and employers' organizations, suppliers and customers
- negotiate workplace agreements/policies with trade unions - and ensure implementation;
- make use of experience in communications, public information and training;
- and build on their influence in the community and with government.

From 'Fighting HIV/AIDS together: a programme for future engagement' - Joint statement by the General Secretaries of the International Organisation of Employers and the International Confederation of Free Trade Unions, April 2003, ILO, Geneva:

"The IOE and the ICFTU jointly recognize the direct impact of the HIV/AIDS pandemic on the world of work. [We] hereby call on [our] affiliates and their member enterprises and trade unions, wherever located, to give the issue highest priority, ... and to work together to generate and maintain the momentum necessary for successful interventions."

Employers and trade unions agree that it is in their common interest to take action against AIDS. Many employers' and workers' organizations are already active in the fight against AIDS. Much experience has been gained and materials developed that can be drawn on. So it's a good idea to make contact with other employers, workers' representatives and useful partners to find out what is already being done, and what more could be done through collaboration. Useful employer alliances include the Global Business Coalition on HIV/AIDS and the World Economic Forum's Global Health Initiative.

HIV/AIDS is a global threat. Because of the links between AIDS and poverty, employers in high-income countries may not give it such high priority as those in parts of Africa, Asia and Latin America. But the response to AIDS needs to be global if it is to be effective - there's no room for complacency or denial. Workplaces in all parts of the world are affected by the disease. Employers, as good corporate citizens, committed to corporate social responsibility, also want to play their part in the fight against HIV/AIDS.

"Two out of three people living with HIV/AIDS go to work every day - it makes the workplace a vital entry point for tackling HIV/AIDS."

*Juan Somavia,
Director-General, ILO*

From 1st September 2003, companies listed on the Johannesburg Securities Exchange have been required to report on the action they are taking on HIV/AIDS, and how the company may be affected in terms of its performance.

Five steps to action for all employers

1. Draw up a workplace policy on HIV/AIDS, with trade union involvement; designate a manager with lead responsibility; set up a workplace-based committee and establish a time-bound action plan
2. Promote the rights of HIV+ employees and declare 'zero tolerance' for discrimination
3. Raise the issue of HIV/AIDS in business groups and employers' organizations
4. Discuss the implications of AIDS with suppliers, sub-contractors and customers - especially small enterprises, include them in workplace programmes, and support initiatives in your community.
5. Lobby the government to recognize AIDS as a critical labour and development issue, with the aim

- of
- increasing the funds they give to fight it (whether as overseas aid or the national budget),
 - including the social partners in national planning, and bringing down the prices of drugs
 - reforming labour legislation if necessary

How can employers develop policies and programmes?

The ILO has produced a package to encourage and support action at the workplace:

a Code of Practice + training manual



The ILO Code of Practice on HIV/AIDS and the world of work and the training manual are available in hard copy and CD-ROM, as well as Adobe Acrobat (.pdf) which can be downloaded from the ILO/AIDS website.

The ILO Code of Practice on HIV/AIDS and the world of work sets out fundamental principles for policy development and practical guidelines for concrete responses in the following key areas:

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

The nine sections cover the objectives, use and scope of the Code; key principles; rights and responsibilities of each of the tripartite partners; prevention through information and education, training programmes; testing; and care and support.

The Code was drafted in consultation with constituents in all regions, reviewed and revised by a tripartite group of experts, and adopted by the ILO Governing Body in June 2001. It can be used to introduce social dialogue on HIV/AIDS and as the basis for negotiations; it includes a checklist for planning and implementing workplace action.

Implementing the ILO Code of Practice on HIV/AIDS: an education and training manual has been produced to complement the Code. It provides technical information, case studies, learning activities,

model training courses, and samples of legislation, policies and collective agreements. It covers the roles of government and the social partners, human rights and legal issues, workplace policies, programmes for prevention and care, the gender dimension, and reaching out to the informal economy. Each module of the manual follows the same pattern: it presents information on key issues that help explain and expand on what is covered by the Code, includes useful reference material such as sample policies, and has a section of learning activities ready to photocopy - a number specifically targeted to employers and employers' organizations.

The first section is a guide to the manual - it includes tips for trainers plus eight sample programmes for workshops or courses (lasting two or three days) and four components (lasting two or three hours) that you can slot into other courses.

Please read it!

The Code and manual together provide information to help deal with your members' questions and give guidance for action. The following pages show where to find some of the answers you may be looking for.



1. Basic information about HIV/AIDS

Impact of the disease and how it is transmitted

How does the epidemic affect business?

See in the Code of Practice

Section 5.2 Rights and responsibilities of employers and their organisations
Appendix I Basic facts about the epidemic and its implications

See in the manual

Module 1 **The epidemic and its impact on the world of work**
pages 9 - 13: The impact of HIV/AIDS on the world of work;
page 15: Responding at the workplace
Learning activities 1, 3 and 4

Module 2 **HIV/AIDS and human rights**
pages 4 - 6: The ILO, HIV/AIDS and human rights; pages 13 - 16: Testing
Learning activities 6, 7, 8 and 9

How is HIV transmitted and what are the risks of infection at the workplace?

See in the Code of Practice

Appendix I Basic facts about the epidemic and its implications

See in the manual

Module 1 **The epidemic and its impact on the world of work**
pages 2 - 4: Facts about HIV/AIDS
Learning activities 1 and 2

Module 6 **Workplace programmes for HIV/AIDS prevention**
page 1: Introduction; pages 7 - 8: Risk assessment and management
Learning activities 3, 7 and 10

The human immunodeficiency virus (HIV) is transmitted through body fluids, typically during unprotected sex, infected blood transfusions, contaminated hypodermic needles and from an infected mother to her unborn child. It is not transmitted through casual contact with an infected person such as shaking hands or hugging, sharing toilets and washing facilities, or through coughing and sneezing.

Once infected, a person can live healthily and work effectively for many years, without presenting a threat to other workers.

Stigma and discrimination encourage fear and denial, drive the disease 'underground', and hinder prevention programmes.

2. Creating understanding, stimulating action

Advocacy with governments

How do we persuade the government that national policy should include the world of work and dialogue with the social partners?

See in the Code of Practice

Section 4 **Key principles**
Section 5.1 **Rights and responsibilities of governments**

See in the manual

Module 1 **The epidemic and its impact on the world of work**
pages 7 and 8: AIDS, poverty and development

Module 2 **HIV/AIDS and human rights**
page 1: Introduction; pages 4 - 6: The ILO, HIV/AIDS and human rights
Learning activity 1

Module 3 **Workplace action through social dialogue and the role of employers, workers and their organizations**
page 1: Introduction; pages 3 - 7: Workplace policies and programmes on HIV/AIDS; pages 8 and 9: Advocacy and leadership: employers' organizations

Module 4 **A legal and policy framework: the role of government**
pages 1 and 2: Introduction; pages 3 - 4: The macro-economic impact of AIDS; page 10: Mobilizing resources
Learning activity 2

Advocacy with trade unions

How do we work together with trade unions to respond to HIV/AIDS at the workplace?

See in the Code of Practice

Section 4 **Key principles**
Section 5.3 **Rights and responsibilities of workers and their organizations**
Sections 7.2, 7.3, 7.6 **Training**
Section 9 **Care and support**

See in the manual

Module 1 **The epidemic and its impact on the world of work**
pages 9 - 13: The impact of HIV/AIDS on the world of work
Learning activities 5 and 6

Module 2 **HIV/AIDS and human rights**
pages 7 and 8: The right to non-discrimination; page 9: action by the social partners on discrimination; page 11: on confidentiality; pages 14 - 16: on testing

Module 3 **Workplace action through social dialogue and the role of employers, workers and their organizations**
page 1: Introduction, pages 3 - 7: Workplace policies and programmes on HIV/AIDS; pages 8 - 9: Advocacy and leadership: employers and their organizations
Learning activities 3, 4 and 7

A recent World Bank report (July 2003) warns that the economic consequences of AIDS will be more severe than previously thought because of the loss of skills: "The real economic threat of AIDS is its potential to kill young adults. By doing that, it prevents the transfer of human capital from one generation to another."

As young adults die, more and more children will be taken out of education and pushed into the workforce. There will be fewer resources to educate their children,

and infected children will have less incentive to acquire an education. The overall effect will be rapidly to erode a nation's intellectual capacity, and to produce an economy increasingly dependent on child labour. By reversing development gains made over recent decades - for example, making subsistence farmers out of the children of engineers - the disease will actually reduce the individual earning potential of the survivors.

3. Policies and programmes

A strategy on HIV/AIDS for employers and their organizations

What are the main points to include in a policy and workplan for employers?

See in the Code of Practice

Section 4 **Key principles**
 Section 5.2 **Rights and responsibilities of employers and their organizations**
 Section 6 **Prevention through information and education**
 Section 7 **Training**

See in the manual

Module 2 **HIV/AIDS and human rights**
pages 4 - 6: The ILO, HIV/AIDS and human rights

Module 3 **Workplace action through social dialogue and the role of employers, workers and their organizations**
pages 3 - 6: Workplace policies and programmes on HIV/AIDS;
pages 8 - 10: Advocacy and leadership
Learning activities 1 and 2

Module 5 **The gender dimensions of HIV/AIDS and the world of work**
page 1: Introduction; pages 3 and 4: How does gender inequality spread HIV/AIDS?;
pages 5 and 6: Men and masculinity; pages 7 and 8: gender issues at the workplace
Learning activities 2, 4, 6 and 8

A workplace policy on HIV/AIDS

What should be covered in a workplace policy or collective agreement?

See in the Code of Practice

Section 4 **Key principles**
 Section 5.2 and 5.3 **Rights and responsibilities**
 Appendix III **A checklist for planning and implementing a workplace policy on HIV/AIDS**

See in the manual

Module 2 **HIV/AIDS and human rights**
pages 4 - 6: The ILO, HIV/AIDS and human rights; pages 7 - 10: The right to non-discrimination; pages 10 - 12: The right to privacy; pages 13 - 16: Testing;
page 17 - testimonies of stigma and discrimination; page 18: Ravi's story
Learning activities 3, 5, 7 and 9

Module 3 **Workplace action through social dialogue and the role of employers, workers and their organizations**
pages 3 - 7: Workplace policies and programmes on HIV/AIDS
Learning activities 5, 6 and 7

Module 4 **A legal and policy framework: the role of government**
pages 11 - 13: Legislation on HIV/AIDS
Learning activity 4

Module 5 **The gender dimensions of HIV/AIDS and the world of work**
pages 7 - 10: Gender issues in the workplace
Learning activity 8

Companies large and small, international and local, emphasize the cost-effectiveness of workplace action against HIV/AIDS. Prevention programmes are widespread, with an increasing number of employers offering care and treatment. Many companies understand that trust and social dialogue are essential for effective action, and have declared 'zero tolerance' for discrimination at the workplace.

The Ford Motor Company in South Africa was one of the first multinationals to implement a workplace policy developed in full cooperation with the trade unions: "Companies have a moral obligation to employees, a financial responsibility to shareholders, and a responsibility to the community, to act now against HIV/AIDS."

3. Policies and programmes

A workplace programme on HIV/AIDS

What should be included in a workplace programme to reduce the spread of HIV and the impact of AIDS?

See in the Code of Practice

Section 6 Prevention through information and education
Section 7 Training
Section 9 Care and support

See in the manual

Module 3 **Workplace action through social dialogue and the role of employers, workers and their organizations**
pages 3 - 7: Workplace policies and programmes on HIV/AIDS
Learning activities 5 and 7

Module 5 **The gender dimensions of HIV/AIDS and the world of work**
pages 11 - 14: Working towards gender equality
Learning activities 3, 4, 5, 6, 7 and 8

Module 6 **Workplace programmes for HIV/AIDS prevention**
page 6 - 9: Prevention at the workplace; page 10: Gender-specific programmes
pages 11 - 14: Peer educators; page 15: Protecting young people; pages 18 - 20: Case studies
Learning activities 1,3, 6, 7, 8, 9, 10 and 13

Module 7 **Care and support**
pages 4 - 11: Care and support in the workplace; pages 15 - 16: Case studies
Learning activities 1, 2, 4, 5, 6, 7 and 8

Extending workplace action

How can we make links with workers' families, the local community and business in the informal economy?

See in the Code of Practice

Section 5 General rights and responsibilities
Section 6 Prevention through information and education
Section 9 Care and support
Appendix 1 Basic facts about the epidemic and its implications:
The special needs of the informal sector

See in the manual

Module 6 **Workplace programmes for HIV/AIDS prevention**
page 15: Protecting young people; page 16: Mother to child transmission;
Learning activities 10 and 11

Module 7 **Care and support**
page 10: Employee and family assistance programmes; pages 12 and 13: Care and support for orphans; page 14: Social protection; page 16: case study - Molsen, Canada
Learning activities 6, 8 and 9

Module 8 **HIV/AIDS and the informal economy**
page 1: Introduction; pages 8 - 10: Applying the Code; pages 14 and 15: Reaching out to the informal economy
Learning activities 1, 2, 3, 5 and 7

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