Flyer 4: Workplace Policy on HIV/AIDS

Purpose

The HIV/AIDS pandemic in sub-Saharan Africa has reached such crisis proportions that it affects every aspect of life. The goal of "mainstreaming HIV/AIDS" is to ensure that the impacts of HIV/AIDS are addressed and reduced in communities and within organizations, in all sectors. Many development and humanitarian organizations want to mainstream HIV/AIDS, but do not know where to start.

This flyer outlines the process of addressing HIV/AIDS in a workplace, using lessons learned at a workshop in Malawi dealing specifically with policies regarding HIV/AIDS within an organization. It can help readers to start to address the issues for themselves, and offers suggestions on key issues and resources.

HIV/AIDS in the Workplace

Managers, administrators and human resources staff from several organisations, attended a two-day workshop in February 2001. The objective of this workshop was: "To help organisations to address HIV/AIDS in their workplaces, based on good practice guidelines, the national legal framework, and sample workplace policies."

With adult HIV prevalence rates ranging from 15 to 35% across Southern Africa, many staff and managers are themselves living with, or affected by, HIV/AIDS. All organisations in this region should therefore develop clear workplace policies on HIV/AIDS.

Some feel that their organisation "cannot afford an HIV/AIDS policy," assuming that it will merely cost more money. In fact, organisations cannot afford not to have such policies. The emphasis should be on anticipating likely issues and guiding decisions, while balancing the needs of employees and the organisation. A workplace policy should help employees to protect themselves and their families from HIV transmission, and to minimise impacts of illness and death when they do occur. At the same time, it should help managers to anticipate and minimise negative impacts on the organisation's productivity, finances, workforce morale, and ability to achieve objectives.

Fumakazi Munthali, Oxfam programme coordinator in Mulanje, recounts her experience in these workshops, "It was an eye-opener, in terms of looking at myself as an employee... Realizing what is fair and unfair, and also seeing the face of the organization... People with HIV have a right to privacy, yet managers have difficulty providing support if people don't disclose. It's not easy for managers to implement."

By the end of the Malawi workshop, participants were familiar with important good practice guides on HIV/AIDS in the workplace, and with the Malawi legal framework. They reviewed a sample workplace policy, and used case studies to see how they might address realistic situations in their own organisations.

Overview: Oxfam Malawi

Oxfam Malawi is funded by Novib, Oxfam GB, Oxfam Hong Kong, and Oxfam Ireland, and managed by Oxfam GB. The Shire Highlands Sustainable Livelihoods Programme operates in Mulanje and Thyolo Districts. The Partner Support Programme involves organisations, and two national coalitions on education and on economic justice.

Process Used in Malawi: Workplace Policy on HIV/AIDS

The following sequence used in the Malawi workshop seemed to work well:

- Overview HIV/AIDS statistics and issues in Africa, the region, and in Malawi.
- Brainstorm: "What are the effects of HIV/AIDS in your workplaces?"
- Review good practice guide: Southern African Development Community Code of Conduct on HIV/AIDS and Employment ("SADC Code").
- Overview Malawi's legal framework on HIV/AIDS in the workplace (draft, based on SADC Code).
- Introduce Oxfam's draft organisational policy on Critical Illnesses and HIV/AIDS.
- Practical work: participants worked in small groups to critique the draft Oxfam policy, in light of the SADC Code and the legal framework, and suggested improvements.
- Case studies: Again in small groups, participants discussed realistic examples to decide how they, as managers, would deal with HIV/AIDS in their offices. They referred to good practice, the legal framework, and the draft Oxfam policy.

Follow-up Actions Taken in Malawi

- Partners and Oxfam all agreed to work on their internal policies, and to meet at later dates to review the evolving process.

Key Issues to Consider and Discuss

Participants suggested some important points to consider when designing similar workshops:

- Have external specialists lead discussion on technical aspects, such as legal frameworks
- Good practice guides: SADC Code is important; could also use ILO Code of Practice on HIV/AIDS and the World of Work, June 2001 (see helpful resources below)
- Legal framework: How can one take into account national labour law as it pertains to managing ill health in general? Where and how can managers draw from sources outside HIV/AIDS policies Managers should consider that workplace policies should include HIV/AIDS together with other illnesses, to avoid stigma associated with the disease, instead of having a separate HIV/AIDS policy.
- Privacy an important issue to employees and all infected or affected by HIV. But how do managers support affected staff if those affected do not disclose their situation? How can we reconcile the apparently conflicting interests in terms of confidentiality on the one hand, and openness on the other?
- Managers must take into account costs associated with an HIV/AIDS policy, which collide with issues of treatment and education. How do managers balance cost with the needs and wishes of employees?
- How does one convince donors who may impose percentage caps on overhead spending ("self" spending) why an HIV/AIDS policy is necessary in the organisation? On the other hand, how far can institutional donors push recipient organizations to mainstream HIV/AIDS, including the development of internal HIV/AIDS policy?
- Malawi still has no law on HIV/AIDS within the workplace, so participants focused on the SADC Code as a guideline to create their own effective policies. What other sources may be available?

Helpful Resources

- International Labour Organisation, HIV and the World of Work (contains Code of Practice on AIDS): www.ilo.org/public/english/protection/trav/aids (to go directly to the Code, add /pdf/acodeen.pdf)
- South African Development Community (SADC) Code of Conduct of HIV/AIDS and Employment: write to PO Box 32189, Lusaka, Zambia; call +260 1-235 173 or fax +260 1-235 172