

# **HIV WORKPLACE POLICY** **OF THE FAMILY PLANNING ASSOCIATION OF SRI LANKA**

## **Introduction:**

Family Planning Association of Sri Lanka (FPA Sri Lanka) is committed to ensuring the provision of adequate and appropriate support to all its employees (present and prospective) and volunteers. In order to articulate its commitment to its diverse workforce, FPA Sri Lanka declares the following, as its HIV Workplace Policy while adhering to the existing 'National Policy on HIV and AIDS in the World of Work in Sri Lanka'.

## **1. Purpose**

- 1.1 To ensure its employees and volunteers are informed and educated on methods of transmission, non-transmission and prevention of HIV and a safe, healthy work environment and on issues related to SRH/HIV while upholding and promoting a work environment that is conducive to the Greater Involvement of People Living with HIV/AIDS (as per the GIPA principle).
- 1.2 To ensure a supportive working environment without stigma and discrimination for employees and volunteers of FPA Sri Lanka and their families on the basis of real or perceived HIV status, or vulnerability to HIV.
- 1.3 FPA Sri Lanka will ensure gender equity, equality and respect for Human Rights in all matters related to the HIV Workplace Policy and other policies of the organization.

## **2. Scope**

This policy applies to all staff and volunteers involved in all aspects of FPA; permanent or contractual (including Head Office, Training Centres, Centre for Family Health, District Project Offices and Projects including time bound projects).

## **3. Prevention**

This HIV Workplace Policy's main strategy is prevention. FPA will follow the below mentioned framework for HIV prevention for its employees and volunteers; Education and Training, Access to condoms and Voluntary Counseling and Testing (VCT).

### **3.1 Education and Training**

- 3.1.1 The Human Resource and Admin (HR) Unit in consultation with the HIV unit will ensure that, as part of FPA Sri Lanka induction process, all employees and volunteers currently employed, and new employees and volunteers, are provided with relevant information about HIV in a supportive environment; which will have basic information on HIV, prevention and universal precautions, legal and ethical issues, gender and sexuality, stigma and discrimination, treatment, care and support and management of STIs and linkages to SRH needs and rights.
- 3.1.2 HR unit will conduct the said trainings once in every six months where it will be made compulsory for staff to attend at least one training in every two years.

### **3.2 Access to condoms**

FPA Sri Lanka to provide free condoms for employees and volunteers within its premises.

### **3.3 Voluntary Counseling and Testing (VCT)**

- 3.3.1 FPA Sri Lanka will widely promote VCT services, as they have been demonstrated to be an effective public health strategy to prevent HIV transmission by reducing risk behaviours and increasing condom use in addition to knowing the HIV status. Information on referral and counseling support is provided will be provided to all as required.

## **4. Treatment, care and support**

### **4.1 Access to treatment**

- 4.1.1 FPA Sri Lanka shall develop linkages with the government healthcare system for employees to benefit from services such as antiretroviral therapy (ART), and other organisations which provides care and support, to enable themselves to make informed choices
- 4.1.2 All employees and volunteers can avail themselves of information and services currently available at the FPA Sri Lanka medical clinic.

### **4.2 Reasonable Accommodation**

- 4.2.1 The Director HR, in consultation with Director HIV, a medical specialist and the employee or volunteer living with HIV, will determine the extent to which the employee or volunteer is able to perform his/her duties and make practical reasonable adjustments. Such adjustments, where the employee or volunteer is no longer able to carry out the original duties, will include the provision of a suitable alternative job and required training.
- 4.2.2 Such alternative work should be both available (not constituting an undue burden on the employer) and suitable (in light of both the worker's health status and competencies).

## **5. Disclosure and Confidentiality**

### **5.1 Disclosure**

- 5.1.1 Employees and volunteers are not obliged to disclose their HIV status to FPA Sri Lanka Management (at Head Office & other units of FPA Sri Lanka) or colleagues. Strict confidentiality will be adhered to if an employee or a volunteer discloses that s/he or his/ her dependents are living with HIV.
- 5.1.2 Benefits set out in this policy or to express any related concerns/grievances, employee or volunteer living with HIV or affected by HIV will need to disclose confidential information to the Director HR through Director HIV and obtain further information.
- 5.1.3 FPA Sri Lanka will not require HIV testing or disclosure of HIV status for prospective employees, current employees or volunteers in order to qualify for an appointment at any work station of FPA Sri Lanka or as a condition for transfer or promotion. However, HIV testing may be required to satisfy visa requirements for official travel purposes. In such circumstances the decision will rest with the individual.

### **5.2 Confidentiality**

- 5.2.1 FPA Sri Lanka acknowledges and supports (through the GIPA principle) the particular roles and significant contributions of employees and volunteers who have disclosed their HIV status in addressing the challenges of HIV.
- 5.2.2 Any information relating to the HIV status of any employee, dependents, prospective employees or volunteer that is known by FPA Sri Lanka Management and members of the governance body (National Council) will be treated as strictly confidential and may not be disclosed to anyone without the informed consent of the individual concerned.
- 5.2.3 Any breach of confidentiality by FPA Sri Lanka Management, governance body, employees or volunteers will be considered a disciplinary matter that will be dealt in accordance with Standard Disciplinary Procedures of FPA Sri Lanka.

## **6. Stigma and Discrimination**

- 6.1 FPA Sri Lanka may not in any way discriminate against any employee or volunteer on the basis of actual or perceived HIV status.
- 6.2 Employees and volunteers are encouraged to take appropriate steps to actively promote a non-discriminatory workplace environment, in particular, to protect the rights of staff living with HIV. This will create the background for employees and volunteers to access information and commodities, such as condoms for HIV prevention and promote voluntary counseling and referral to health and other available services.
- 6.3 Living with HIV will not be a reason to exclude a candidate from employment, provided the candidate is medically fit and otherwise competent to undertake the role. Nor will it be a reason to exclude existing staff or volunteers from promotion, training and development, or any other opportunity, provided they are medically fit and otherwise competent to undertake the role.
- 6.4 Any discrimination against an employee or volunteer living with HIV by another employee or volunteer will not be tolerated. Such action will be subject to disciplinary action in accordance with FPA Sri Lanka Standard Disciplinary Rules. Discrimination might include spreading rumors about an individual's supposed HIV status or refusal to work with an employee or volunteer living with HIV.

## **7. Benefits**

- 7.1 All conditions of service including absence through different types of leave entitlements will be applied equally to all employees including those living with HIV as per standard policies of FPA Sri Lanka.
- 7.2 In some circumstances, and at the discretion of FPA Sri Lanka Management, for example in relation to sick leave, employee living with HIV or affected by HIV may be offered enhanced benefits such as special leave.
- 7.3 FPA Sri Lanka will make every effort to support requests made by employees or volunteers living with HIV to work by creating flexible working hours allowing reasonable time off for counseling and treatment

## **8. Occupational Risk**

- 8.1 The HR Unit in collaboration with the respective Units will provide and maintain, as far as reasonably possible, a working environment that is safe, healthy and without undue risk to the health of all employees and volunteers, specially the employees working at the FPA clinic (The clinic staff procedure at FPA Sri Lanka follows the guidelines for universal precautions for HIV).
- 8.2 It is the responsibility of HR Unit to ensure that they have up to date knowledge of this policy and that they can advise the employees and volunteers on information and support available.
- 8.3 If HIV exposure took place during employment, the Director HR with the consultation of Director HIV can advise on access to post-exposure prophylaxis (PEP) treatment steps to be followed according to the national guidelines for the employee and volunteers concerned and will be linked to STD and HIV services.
- 8.4 FPA Sri Lanka will maintain an injury register as per the ILO Recommendations concerning HIV and AIDS and the World of Work, 2012 (No.200) and will be included in the existing risk register.

## **9. Review of the FPA Sri Lanka HIV Workplace Policy**

- 9.1 The Policy will be reviewed bi-annually by the HR Unit together with the HIV Unit.
- 9.2 Overall responsibility for the implementation of the FPA Sri Lanka HIV Workplace Policy rests with the Executive Director.
- 9.3 The Policy will be updated to include any changes in legislation, regulations or codes of good practice.

## **Glossary of Terms**

- a) HIV: The human immunodeficiency virus; a virus that damages the human immune system. Infection can be prevented by appropriate measures. Within this policy, advanced stages of HIV (AIDS) will be covered under the HIV framework.
- b) AIDS: The acquired immunodeficiency syndrome which results from advanced stages of HIV infection, and is characterized by opportunistic infections or HIV-related cancers, or both.
- c) Persons living with HIV (PLHIV): Persons infected with HIV.
- d) Stigma: A dynamic process of devaluation that significantly discredits an individual in the eyes of others.
- e) Discrimination: Any distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.
- f) Affected persons: Employee's or volunteer's family or caregivers, whose lives have been impacted by HIV or AIDS owing to the boarder impact of the pandemic.
- g) Reasonable accommodation: 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.
- h) Vulnerability: Unequal opportunities, social exclusion, unemployment or precarious employment, resulting from the social, cultural, political and economic factors that make a person more susceptible to HIV infection and to developing AIDS.
- i) Workplace: Any place in which staff and volunteers of FPA Sri Lanka in whatever the basis of their employment, carry out their duties and functions.
- j) Employee: Any persons working under any form of arrangement for FPA Sri Lanka.
- k) Volunteer: Any persons who serves on a voluntary basis at FPA Sri Lanka