



Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

HIV & AIDS, STI and TB Management Policy

2024

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SIGN OFF

I. Head of Department

This Policy on HIV/AIDS, STI and TB Management has been recommended by Mr V. Mlokothe in my capacity as Acting Head of Department for Cooperative Governance and Traditional Affairs.

I am satisfied and concur with the contents of this Policy.


The development of the policy on HIV/AIDS, STI and TB Management Policy will ensure the department is able exercise its powers in compliance with the law and guide decision- making in the department.

Recommended	
Designation	Head of Department
Date	20/05/2024

II. Executive Authority

The Department of Cooperative Governance and Traditional Affairs has unprecedented opportunity to improve the lives of the staff by effectively rendering services that it is expected to provide. We have envisaged a department that has the required capacity to respond adequately to challenges of its staff.

I therefore trust that the guidance from this HIV/AIDS, STI and TB Management Policy will contribute to the effective integration of HIV/AIDS, STI and TB Management in the Department.

Signed	
Designation	Hon. Mr Z.A. Williams: Member of the Executive Council: (MEC)
Date	24/05/2024

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1. PREAMBLE

The Department of Cooperative Governance and Traditional Affairs recognizes the increasing HIV infection rate and other chronic diseases such as TB and STIs with the resultant in ill health, absenteeism and retirements which requires concerted programming and implementation of evidence based on cost effective strategies. It is against the background that the Department commits itself to minimizing the impact of the diseases through the implementation of targeted preventative and therapeutic programmes.

2. INTRODUCTION

The Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) and Tuberculosis are serious public health problems which have socio-economic, employment and human rights implications.

It is recognized that the HIV & AIDS and TB epidemic will affect every workplace, with prolonged staff illness, absenteeism, and death impacting on productivity, employee benefits, occupational health and safety, production costs and workplace morale.

The Department of Cooperative Governance and Traditional Affairs wants to reduce and manage the impact of epidemic in the workplace by affecting this HIV/AIDS and TB Management policy and programmes.

Implementing this HIV/AIDS and TB Management policy in the workplace will enable employer, trade unions and government to effectively and actively contribute towards local, provincial, national and international efforts to prevent and control the spread of HIV and AIDS.

3. PURPOSE

The Purpose of this policy is to regulate the management of HIV & AIDS, STIs and TB Programmes within the Department.

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4. OBJECTIVES OF THE POLICY.

The objectives of this policy are:

1. To create and sustain an inclusive environment for all employees.
2. To establish effective workplace HIV&AIDS, STIs and TB intervention strategies.
3. To ensure the health and wellness of employees living with HIV&AIDS, STIs and TB is well taken care of by providing sufficient information and education.
4. To provide guidelines for both the employer and the employee on how to utilize the services offered by Employee Wellness Programme.

5. DEFINITIONS

Word/Term	Definition (with examples if required)
<i>HIV</i>	<i>Blood borne virus transmitted amongst human beings. HIV attacks the immune system of the human being and once it has rendered it weak, a person could develop various illness because the body will be too weak to defend itself</i>
<i>AIDS</i>	<i>Condition that is present when the body's defence system is deficient and various life-threatening infections occur. These life-threatening infections are called opportunistic infections or diseases.</i>
<i>TB</i>	<i>TB is an abbreviation which stands for Tuberculosis. It is a disease that usually affects the lungs and is passed on by coughing</i>
<i>STIs</i>	<i>STIs is an abbreviation which stands for Sexually Transmitted Infections. They are infections caused by a certain bacteria, viruses, or other microorganisms that can be passed from one person to another through blood, semen, vaginal fluids, or other body fluids, during oral, anal, or genital sex with an infected partner.</i>
<i>HIV&AIDS AND TB COORDINATOR</i>	<i>An employee tasked with the responsibility to coordinate the implementation of HIV/AIDS and TB Programme within the Department. The HIV/AIDS and TB Coordinator can be professionally trained to</i>

	<i>perform therapeutic interventions if not trained such cases should be referred,</i>
<i>The Head of the Department</i>	<i>Means the Head of Department of the Provincial Department</i>
<i>The Designated Senior Manager</i>	<i>Means a member of the Senior Management Services who is tasked with championing the HIV & AIDS and TB Management within the Public Service workplace.</i>
<i>The Employee</i>	<i>Means a person appointed in terms of the Public Service Act of 1994</i>
<i>The Health and Wellness Committee</i>	<i>Is a committee that is established by the HOD to initiate, develop, promote, maintain and review measures to ensure the health and safety employees in the Department. Such committee shall be constituted by the employer, health and safety representatives and labour unions. This is a multi-disciplinary team consisting of relevant representatives as indicated by the Department.</i>
<i>The Peer Educator</i>	<i>Is an employee who is trained in working with his/her peers, sharing information and guiding discussion using his/her peer experience and knowledge</i>
<i>Immediate Family</i>	<i>Means spouse and children or as determined by the Department</i>
<i>Steering Committee</i>	<i>Is a committee established by the DPSA, for all components of Human Resource Management and development at provincial and national level. This committee serve as a vehicle of coordination, communication, collaboration, and consultation of the EH&WP</i>
<i>Reasonable Accommodation</i>	<i>Is any modification or adjustment to a job or to the working environment that will enable a person from the designated groups to have reasonable access to or participate or advance in employment</i>

6. ACRONYMS

- 6.1 ACSSP - South African Council for Social Service Professions
- 6.2 AIDS - Acquired Immune Deficiency Syndrome
- 6.3 ARV - Antiretroviral

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- 6.4 COGTA - Cooperative Governance and Traditional Affairs
- 6.5 COIDA - Compensation for Occupational Injuries and Disease Act
- 6.6 DPSA - Department of Public Service and Administration
- 6.7 DOT - Directly Observed Treatment
- 6.8 DOTS - Directly Observed Treatment Strategy
- 6.9 EAPA-SA - Employee Assistance Practitioners of South Africa
- 6.10 EWP - Employee Wellness Programme
- 6.11 HPCSA - Health Professions Council of South Africa
- 6.12 HIV - Human Immunodeficiency Virus
- 6.13 HRM - Human Resource Management
- 6.14 OD - Organizational Development
- 6.15 OHS - Occupational Health and Safety
- 6.16 TB - Tuberculosis
- 6.17 STIs - Sexually Transmitted Infections

7. SCOPE OF APPLICABILITY

This policy is applicable to all employees of the department and their immediate family members.

8. LEGISLATIVE FRAMEWORK

- 8.1 The Constitution of the Republic of South Africa of 1996.
- 8.2 Employment Equity Act No 55 of 1998.
- 8.3 Labour Relations Act No 66 of 1995.
- 8.4 Basic Conditions of Employment Act of 1997.
- 8.5 Medical Schemes Act No 131 of 1998.
- 8.6 Occupational Health and Safety Act No 85 of 1993.
- 8.7 Compensation of Occupational Injuries and Diseases Act No 130 of 1993.
- 8.8 Promotion of Equality and Prevention of Unfair Discrimination Act No 4 of 2000.
- 8.9 Code of Good Practice on HIV and AIDS and World of Work 2012
- 8.10 DPSA policy framework on Employee Health and Wellness of 2019 as amended.
- 8.11 National Strategic Plan for HIV&AIDS, STIs and TB Management 2023 to 2028.

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- 8.12 National Strategic Framework on Reasonable Accommodation of 2020.
- 8.13 Employment Equity Act 55 of 1998.
- 8.14 Public Service Amendment Regulation of 2023.
- 8.15 Approved Departmental Employee Wellness Pillar Policies.
 - 8.15.1 HIV&AIDS, TB and STI's Management Policy approved in 2013.
 - 8.15.2 Safety, Health, Environment, Risk and Quality (SHERQ) Policy approved in 2016.
 - 8.15.3 Wellness Management Policy approved in 2021.
 - 8.15.4 Health and Productivity Management Policy approved in 2022.

9. CONSULTATION PROCESS WITH STAKEHOLDERS

A number of affected stakeholders including employees at all levels have been consulted throughout the review process and their inputs, comments have been obtained and incorporated into this Policy. Management of the Department have been consulted for inputs, buy-in and adoption. Legal Advisory Services was also consulted for a legal opinion and soundness and inputs are incorporated accordingly.

10. POLICY PRINCIPLES

The HIV& AIDS, STI and TB Management shall be underpinned by the following principles:

10.1 Gender Equality

The Gender Dimension of HIV&AIDS and TB and disability must be recognised. Women are more likely to be infected and are often adversely affected by the HIV & AIDS and TB epidemic than men due to biological, socio-cultural, and economic reasons.

10.2 Confidentiality (Disclosure of HIV& AIDS and TB Test Results)

- 10.2.1 Employees have the right to confidentiality regarding their HIV & AIDS status and Voluntary testing by an employee must be based on his/her informed consent.
- 10.2.2 Tests results must not be discussed with management without the employees' written consent, and such disclosure will be treated as strictly confidential. It is

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however the employee's prerogative to disclose such tests results to any party he/she wishes to. Only registered professionals will be allowed to provide therapeutic intervention.

10.3 Non-Discrimination

10.3.1 No employee must be discriminated against based on his/her HIV & AIDS and TB status.

10.3.2 Discrimination against HIV & AIDS and TB positive employees by fellow employee based on their status, must not be done and such action will render employees involved subject to disciplinary code and procedure.

10.4 Transparency

The Department adopts a consultative and transparent approach to the management of HIV & AIDS and TB.

10.5 Grievances

All Grievances about issues related to HIV & AIDS and TB shall be handled according to the standards policy that exists within the Department to deal with complaints and grievances of employees.

10.6 Exposure in the workplace

The Department shall provide guidelines regarding the implementation of precautionary health and safety measures to minimize the risk of exposure to HIV & AIDS and TB in the work environment. The provisions of the Compensation of Occupational Injuries and Diseases Act and Occupational Health and Safety Act will be followed about infection with HIV & AIDS and TB in the course and scope of employee duties in order that such infection may qualify as an injury on duty.

10.7 Equal Access to all health entitlement

Access to affordable health care and social security services for employees and their dependents may be promoted.

10.8 Continuity of Care and Partnership

Continuity of care for employee infected and affected by HIV & AIDS and TB shall be promoted including linkages with other health center as well-established referral mechanisms.

10.9 Departmental Responses

10.9.1 **Preventative therapeutic, care and support programmes** for HIV & AIDS and TB must be implemented by Employee Wellness Services. The programmes shall have the following essential components:

- 10.9.1.1 Prevention
- 10.9.1.2 Treatment, care and support.
- 10.9.1.3 Research, monitoring and surveillance.
- 10.9.1.4 Human Rights and access to justice.

10.10 Measures to eliminate Unfair Discrimination and Promotion of equal Opportunity and Treatment especially:

10.10.1 **Reasonable Accommodation.** The department shall ensure that employees who disclosed their HIV status voluntarily will be reasonably accommodated. The department shall accommodate workers when the work or the work environment changes, or impairment varies which affects the worker's ability to perform the essential functions of the job.

10.10.2 **Termination of employment due to incapacity.** The department shall, when an employee has become too ill to perform his or her work because of HIV & AIDS-related illness, explore alternatives, including reasonable accommodation and redeployment.

10.11 Measures to ensure that HIV & AIDS, STI & TB form an integral part of departmental Occupational Health and Safety strategy:

- 10.11.1 The department shall ensure that the working environment is safe and healthy in order to prevent transmission of HIV and TB in the workplace.
- 10.11.2 Ensure that employees are made aware of the procedures to be followed in applying for compensation for occupational infections and diseases and the reporting of all occupational accidents.
- 10.11.3 Ensure that Health and safety measures are adopted at the workplace to prevent workers' exposure to HIV and TB and to minimize the risk of such workers contracting HIV and TB, which include universal precautions, accident and hazard prevention strategies, work practice control, personal protective equipment, environmental control measures and post exposure.

10.12 Management of HIV&AIDS in the department

- 10.12.1 The department shall conduct impact assessment of HIV&AIDS in the department and that includes risk profiling, resource implications, environmental assessment, vulnerability and susceptibility to HIV infection.

11. ROLES AND RESPONSIBILITIES

11.1 The Head of Department:

- 11.1.1 Must acknowledge that HIV & AIDS, STIs and TB causes low productivity.
- 11.1.2 Must ensure a safe and healthy environment for employees of the Department.
- 11.1.3 Must ensure that the policy on HIV & AIDS and TB Management is endorsed and accordingly implemented.
- 11.1.4 Must support departmental programmes that are focusing on HIV & AIDS and TB in the Department.

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11.2 Senior Management

- 11.2.1 Shall promote capacity development initiatives.
- 11.2.2 May establish organizational support initiatives.
- 11.2.3 May develop governance and institutional development initiatives.
- 11.2.4 Must Facilitate reasonable accommodation initiative as outlined in the Departmental policy on Reasonable Accommodation.

11.3 The HIV & AIDS and TB Management Coordinator

- 11.3.1 Must coordinate the implementation of HIV &AIDS and TB Management programmes, projects, and interventions.
- 11.3.2 Must plan, monitor, and manage workplace HIV&AIDS and TB according to strategies, policies and budgetary guidelines.
- 11.3.3 Must obtain and make condoms available at the workplace and promote usage education thereof.
- 11.3.4 Must initiate and arrange staff training about HIV & AIDS and TB including its relationship.
- 11.3.5 Must make provision for counselling and individual employees and to their immediate family members.
- 11.3.6 Must identify personal development needs for individual employees.
- 11.3.7 Must analyze and evaluates data and communicate information, statistics and results to various stakeholders and management.
- 11.3.8 Must coordinate activities of Peer Educators
- 11.3.9 Must promote work-life balance for employees.
- 11.3.10 Must provide information about positive living.

11.4 The Employee Wellness Committee

- 11.4.1 Must make recommendations to the employer about matters affecting employee's health.

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11.5 The Peer Educator

- 11.5.1 Must act as a focal point for the distribution of evidence based on generic HIV&AIDS promotion material.
- 11.5.2 Must take initiative to implement awareness activities, or to communicate HIV & AIDS and TB information.
- 11.5.3 Must act as a referral agent of employees to relevant internal and external stakeholders.
- 11.5.4 Must identify employees at risks for HIV &AIDS and TB Transmission
- 11.5.5 Must support employees on TB and or ARV treatment to adhere to treatment.
- 11.5.6 Must act as DOTS supporter/ARV buddy.
- 11.5.7 Must submit monthly reports of activities to the HIV &AIDS and TB Coordinator

11.6 Steering Committee

- 11.6.1 May establish and harmonize communication of the HIV & AIDS and TB Management policy at provincial and national levels.
- 11.6.2 Must Coordinate, communicate, collaborates and consults pertaining to issues of HIV&AIDS, STI and TB.
- 11.6.3 Must meet quarterly to discuss HIV&AIDS and TB policy matters.

11.7 The Employee

- 11.7.1 Must take reasonable care for the health of his/her and other employees who may be affected by his/her acts or omission.
- 11.7.2 Shall obey universal precautions as laid down by his or her employer on any authorized person in the interest of prevention of HIV &AIDS and TB.
- 11.7.3 May report as soon as possible any unhealthy situation which comes to his or her attention, to the employer or to the HIV&AIDS and TB Management Coordinator.
- 11.7.4 If involved in any incident which may affect his/her health or which has caused injury to him/herself, report such incident to his/her employer as soon as possible.
- 11.7.5 May contribute to the mitigation of the impact of HIV & AIDs and TB.

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- 11.7.6 May contribute to the enabling of the working environment for care, treatment, and support.

11.8 Labour Representative Union

- 11.8.1 May represent employees in the workplace.
- 11.8.2 May ensure that the employer fulfils the mandate of the Public Service Act 1994, Public Service Regulations 2023, in order to optimize management of HIV&AIDS in the Department.
- 11.8.3 Shall sit in HIV & AIDS and TB Management Steering Committee meetings; and
- 11.8.4 May make representation to the employer and agree on issues affecting the health and safety of employees in the Department.

12. MONITORING AND EVALUATION

Employee Wellness Programmes shall monitor the implementation of this policy and will submit reports to the Chief Director: Corporate Services for submission to the Head of Department.

13. COMMUNICATION /EDUCATION

The HIV &AIDS and TB Management policy shall be communicated to the departments employees using workshops as well as circulars.

14. DISPUTE RESOLUTION MECHANISM

In the event of dispute arising out of this policy, such disputes must be dealt with in terms of the Grievance Procedure and Labour legislation applicable in the Public Service.

15. APPROVAL OF THE POLICY

The policy shall be approved by the Member of Executive Council (MEC), on the recommendation of the Head of Department as per the updated departmental Delegations and the policy will become

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official on the date it is signed by the Executing Authority (i.e., MEC for Cooperative Governance and Traditional Affairs).

16. REVIEW OF THE POLICY

The policy shall be reviewed at least once in five years from the date of approval and when there are material changes in the enabling legislation.

17. VERSION CONTROL AND CHANGE HISTORY

Version Control	Date Effective	Approved By	Amendment
Start from	YYMMDD (The date the policy takes effect)	Contact person – full name & title.	Include any superseded procedures and what the amendment is to the document.
2013	130328	Hon. M. Qoboshiyane	
2024		Hon Z. Williams	<p>NAME OF THE POLICY</p> <p>HIV&AIDS, STI and TB Management</p> <p>SCOPE OF APPLICATION</p> <p>This policy is applicable to all employees of the department and their immediate family members.</p> <p>OBJECTIVES OF THE POLICY.</p> <p>The objectives of this policy are:</p>

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			<p>To create and sustain an inclusive environment for all employees.</p> <p>To establish effective workplace HIV&AIDS, STIs and TB intervention strategies.</p> <p>To ensure the health and wellness of employees living with HIV&AIDS, STIs and TB is well taken care of by providing sufficient information and education.</p> <p>To provide guidelines for both the employer and the employee on how to utilize the services offered by Employee Wellness Programme.</p> <p>LEGISLATIVE FRAMEWORKS</p> <p>DPSA policy framework on Employee Health and Wellness of 2019 as amended.</p> <p>National Strategic Plan for HIV&AIDS, STIs and TB Management 2023 to 2028.</p> <p>National Strategic Framework on Reasonable Accommodation of 2020.</p> <p>Employment Equity Act 55 of 1998.</p> <p>Public Service Amendment Regulation of 2023.</p> <p>POLICY PRINCIPLES</p>
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		<p>Measures to eliminate Unfair Discrimination and Promotion of Equal Opportunity and Treatment especially:</p> <p>8.9.2.1 Reasonable Accommodation. The department shall ensure that employees who disclosed their HIV status voluntarily will be reasonably accommodated. The department shall accommodate workers when the work or the work environment changes, or impairment varies which affects the worker’s ability to perform the essential functions of the job.</p> <p>8.9.2.2 Termination of employment due to incapacity. The department shall when an employee has become too ill to perform his or her work because of HIV & AIDS related illness, explore alternatives, including reasonable accommodation and redeployment.</p> <p>Measures to ensure that HIV & AIDS, STI & TB form an integral part of departmental Occupational Health and Safety strategy:</p> <p>The department shall ensure that the working environment is safe and</p>
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		<p>healthy in order to prevent transmission of HIV and TB in the workplace.</p> <p>Ensure that employees are made aware of the procedures to be followed in applying for compensation for occupational infections and diseases and the reporting of all occupational accidents.</p> <p>Ensure that Health and safety measures are adopted at the workplace to prevent workers' exposure to HIV and TB and to minimize the risk of such workers contracting HIV and TB, which include universal precautions, accident and hazard prevention strategies, work practice control, personal protective equipment, environmental control measures and post exposure.</p> <p>Management of HIV&AIDS in the department</p> <p>8.9.4.1 The department shall conduct impact assessment of HIV&AIDS in the department and that includes risk profiling, resource implications, environmental assessment,</p>
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			<p>vulnerability, and susceptibility to HIV infection.</p> <p>ROLES AND RESPONSIBILITIES</p> <p>Senior Management</p> <p>Must Facilitate reasonable accommodation initiative as outlined in the Departmental policy on Reasonable Accommodation.</p> <p>REVIEW OF THE POLICY</p> <p>The policy shall be reviewed at least once in five years from the date of approval and when there are material changes in the enabling legislation.</p>
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