



**JARAMOGI OGINGA ODINGA UNIVERSITY  
OF SCIENCE AND TECHNOLOGY**

**HIV AND AIDS WORKPLACE POLICY**

**December, 2013**

**JARAMOGI OGINGA ODINGA UNIVERSITY OF SCIENCE AND TECHNOLOGY**

**HIV AND AIDS WORKPLACE POLICY**

**2013**

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## PREAMBLE

HIV and AIDS remains a multidimensional health, social, economic and developmental challenge. Persistent silence in part is related to stigma, and lack of institutional policy, remain challenges that sustain the pandemic.

This document is designed to guide the implementation of HIV & AIDS prevention and control programmes at JOOUST. Once implementation is in full operation, JOOUST hopes that it will touch, sequentially, all its partner institutions and students. The foundation and pillars of the policy will include:

1. Situation analysis of the status of HIV & AIDS conducted at JOOUST.
2. Breaking the silence around HIV and AIDS in JOOUST.
3. A comprehensive and integrated HIV and AIDS intervention, based on Rights-Based Approaches, quality of services to other elements of the relevant National Policies (NHSSP, KNASP, etc), as well as JOOUST values, principles and mandate.
4. Strong commitment to the core principles of non-discrimination and confidentiality with regard to HIV status.

Implementation mechanisms shall include:

1. Treatment, care and support
2. Referral for specialized services,
3. Development of peer education programmes,
4. Making condoms both accessible and available to all employees and students and training them on the correct use and disposal.

The policy stresses the urgency of engaging in accelerated and concerted efforts in prevention, control and support.

JOOUST has worked to establish HIV and AIDS Workplace Policy to enhance prevention and control of new infections through HIV programmes, as a collective social responsibility. The University recognizes that:

1. HIV and AIDS is a workplace and academic issue, which must be addressed like any other serious illness/ condition in the world of work and study.
2. HIV-related interventions in the workplace should touch staff, students and the community around the university.

The immediate task in this policy is to initiate and establish appropriate and empowering services on:

1. Behaviour change communication
2. Counseling on drug and substance abuse
3. Abstinence
4. Being faithful to one partner
5. Correct and consistent use of condoms
6. Post and pre exposure prophylaxis (PEP &Pr-EP)
7. Prevention of mother to child transmission (PMTCT)
8. Voluntary medical male circumcision (VMMC)
9. HIV testing to improve knowledge of status (HCT/VCT)

The University intends to provide and make available the HIV prevention and control programmes and services as a means to achieve awareness among the staff, their dependents, students, and the community. This will become a means to establishing health empowering services, as mentioned above.

Students and members of staff of Jaramogi Oginga Odinga University of Science and Technology are opinion leaders and are incorporated in the HIV and AIDS Workplace Policy, for effective impact-oriented efforts in the TOTAL WAR AGAINST HIV and AIDS.

The HIV & AIDS Workplace Policy for JOOUST will contribute to institutional core values in a number of significant ways:

- i. Helping in entrenching the principles of equity, equality and human rights of all employees regardless of rank and conditions of employment.
- ii. Enhancing the institutional approach to training in responsible leadership and mentorship of staff and students.
- iii. Helping JOOUST to lead by example and demonstrating that it practices what it preaches.
- iv. Reducing stigma and discrimination.
- v. Supporting JOOUST's approach to community support and synergy of partnership.

## **ACKNOWLEDGEMENT**

This policy draws from the University's vision, mission, core values as well as the JOOUST Human Resource Policy and Procedures Manual 2013, Staff Terms and Conditions of Service (2013), Student Rules and Regulations (2013). It also draws from the Kenya HIV and AIDS Control and Prevention Act No. 14 Revised Edition 2012 (2006), the Factories and Other Places of Work Act Cap 514, Laws of Kenya, the ILO Code of Practice on HIV and AIDS and World of Work (2001), The Employment Act Cap.226 (Repealed by Employment Act No. 1 of 2007), Laws of Kenya.

**LIST OF ABBREVIATIONS AND ACRONYMS**

<b>ACU</b>	AIDS Control Unit
<b>AIDS</b>	Acquired Immune Deficiency Syndrome
<b>ART</b>	Anti-Retroviral Therapy
<b>ARVs</b>	Anti-Retroviral
<b>BCCGs</b>	Behaviour Change Communication Groups
<b>CCC</b>	Comprehensive Care and Support Centers
<b>DVC (AA)</b>	Deputy Vice - Chancellor (Academic Affairs)
<b>HAPC</b>	HIV and AIDS Prevention and Control
<b>HIV</b>	Human Immunodeficiency Virus
<b>HR</b>	Human Resource
<b>IDUs</b>	Intravenous Drug Users
<b>IEC</b>	Information Education and Communication
<b>ILO</b>	International Labour Organization
<b>JOOUST</b>	Jaramogi Oginga Odinga University of Science and Technology
<b>MIS</b>	Management Information System
<b>MSM</b>	Men having Sex with Men
<b>MTEF</b>	Medium Term Expenditure Framework
<b>NASCOP</b>	National AIDS & STI Control Programme
<b>PEP</b>	Post-Exposure Prophylaxis
<b>PMTCT</b>	Prevention of Mother-to-Child Transmission
<b>Pre-EP</b>	Pre-Exposure Prophylaxis
<b>PSC</b>	Patient Support Centre
<b>STIs</b>	Sexually Transmitted Infections
<b>TOWA</b>	Total War against HIV & AIDS
<b>VMMC</b>	Voluntary Medical Male Circumcision

## **1.0 RATIONALE FOR ADOPTION**

The vision statement provides justification and principles for a HIV and AIDS Workplace Policy for a healthy JOOUST community.

HIV and AIDS present the greatest challenge to the provision of quality education, research, and sustainable development in universities as a workplace and academic area in Kenya and have put immense pressure in the workplace.

Loss of skilled and experienced manpower and promising academic talent due to deaths, loss of man-hours due to prolonged illnesses, absenteeism/truancy, reduced performance, increased stress, stigma, discrimination and loss of institutional memories, among others are daily experienced. Consequently, universities suffer economic loss due to decreased productivity and increase in health care costs.

As a result of the negative impact of HIV and AIDS in the workplace and in academics, JOOUST as an employer and trainer has the challenge to provide a policy framework for the prevention, treatment, care and support of the infected and affected in members of staff and students. This policy not only demonstrates JOOUST's concern and commitment in taking concrete steps in the management of HIV and AIDS pandemic, but also provides guidance on the development of JOOUST specific workplace policy.

### **1.1 Statement of Management Commitment**

The JOOUST Council, Vice-Chancellor, University Top Management Board, ACU Steering Committee, and the ACU Program Director are committed to ensure that the program performs and is sustained.

## **2.0 GOALS**

To promote a sustainable health and development for the University community by mitigating against the social and economic impacts of HIV and AIDS.

### **2.1 Objectives**

#### **2.1.1 Main objective**

To provide a framework for addressing HIV and AIDS within the University and partner communities.

### **2.1.2 Specific Objectives**

- a) To conduct research, document and publish information on HIV and AIDS for contribution towards national policy review, and for the prevention of HIV and AIDS, ill health and poverty within households.
- b) Develop and regularly update JOOUST HIV & AIDS model policies for the prevention, control, care for the infected and affected, and mitigating the impact of HIV & AIDS in respect to employment, studies and related benefits.
- c) To mainstream HIV & AIDS awareness within JOOUST curricula and co-curricular activities that will create an effective strategy against HIV related stigma and discrimination, HIV new infections and HIV related deaths.
- d) Provide employee and student-friendly working and studying environment to facilitate care and support of individuals infected and affected by HIV & AIDS within JOOUST.
- e) Establish a coordinated network for HIV & AIDS activities and enhance institutional capacity to develop, implement, monitor and evaluate HIV & AIDS programmes at JOOUST.

### **2.2 Strategies**

The following strategies and activities shall be adopted to assist in achieving the HIV and AIDS policy goals and objectives:

- a) Workplace Staff Peer education, Student Peer Education and Peer Counselors.
- b) High quality counseling, testing, treatment, care and support services.
- c) Establish and update the institutional database for referral cases and develop a tool to fast track relevant indicators on behaviour change
- d) Capacity development for use of appropriate health technology.
- e) Expanded access to and distribution of condoms.
- f) Prevalence Surveys for interventive planning.
- g) Dissemination of information on HIV & AIDS through games and sports.
- h) Mainstreaming HIV & AIDS in academic and non-academic workshops.
- i) Advocacy at JOOUST, local, national and international fora.
- j) Development of appropriate IEC materials for use by staff and students.
- k) Integration of HIV & AIDS information in JOOUST newsletters and other publications.

### **2.3 Activities**

- a) Development and sustenance of effective partnership linkages for resource mobilization and exchange working practices.
- b) Promotion of appropriate and consistent condom use and disposal.

- c) Promote the prevention of Mother – to – Child transmission (PMTCT)
- d) Promotion of Blood Safety.
- e) Implement the Post Exposure Prophylaxis (PEP) and Pre-Exposure Prophylaxis (Pre-EP)
- f) Promotion of safe injection.
- g) Promotion of Voluntary Medical Male Circumcision programme (VMMC).
- h) Establish the psychosocial support programmes for a holistic support to support groups formed by People Living with HIV & AIDS.
- i) Initiate and strengthen HIV Testing and Counseling (HTC/VCT)
- j) Develop Behaviour Change Communication (BCC) through IEC materials.
- k) Promote programmes aimed at impacting Behaviour Change among youths through formation of BCCGs.

## **2.4 Target Groups**

The policy covers JOOUST staff and their immediate families and dependants, students and the University partner communities and institutions. It will be applied at JOOUST Main campus in Bondo and other learning centres. The programme areas covered under this policy shall include prevention, treatment, care, support and research.

## **2.5 Legal and Regulatory Framework**

### **2.5.1 The Constitution of Kenya, 2010**

This policy shall be implemented within the framework of the Promulgated Constitution of Kenya as supreme law that all other laws must comply with. The fundamental rights for every person as provided for in the constitution with the right to equality and non-discrimination shall be upheld.

### **2.5.2 Service Commissions Act Cap 185 Revised edition 2009 (1985)**

The Policy will be implemented in compliance with the Act to prohibit discrimination in appointment, promotion and transfer of members of staff, and on the enrollment of students. The core values of fairness, professionalism, meritocracy, and gender equity shall prevail.

### **2.5.3 The Employment Act Cap. 226 Revised Edition 2012 (No. 1 of 2007)**

The Policy shall adhere to the Employment Act in setting out the minimum standards applicable for conditions of employment relating to wages, leave, health and contracts of service including termination of the contract. Under the Act, JOOUST shall provide proper

healthcare for employees and students during serious illness. The University will only discharge this function if the employee or the student notifies the University of the illness. This will be non-discriminatory even on grounds of HIV and AIDS status.

#### 2.5.4 HIV and AIDS Prevention and Control Act No. 14 Revised Edition 2010(2006)

In line with the Bill the Workplace Policy will make specific reference to HIV and AIDS in relation to discrimination, privacy, confidentiality and personal rights.

Specifically the Act:

1. Prohibits compulsory HIV testing save where a person is charged with an offence of a sexual nature under Chapter XV of the Penal Code;
2. Prohibits the disclosure of an HIV test result of another person without his written consent;
3. outlaws discrimination against any person on the grounds of actual, perceived or suspected HIV status, in relation to employment, access to education, credit, insurance, healthcare, travel, habitation or seeking public office;
4. Guarantees the right to privacy of the individual; and
5. Guarantees for the provision of basic health care and social services for persons  
LWHA

#### 2.5.5 Factories and Other Places of Work Act Cap. 514

The Policy will be implemented in compliance with The Act which requires of the employer, as far as it is reasonably practicable, to create a safe working environment for the employees and members of the JOOUST community. By the Act, the University as the employer and trainer will ensure that the risk of possible infection in the workplace is minimized.

### **3.0 GUIDING PRINCIPLES**

#### **3.1 Recognition of HIV and AIDS as a Workplace Issue**

The University recognizes that HIV and AIDS present a continuing threat to capacity development and sustainability in the area of health.

#### **3.2 Stigma and Discrimination**

All staff members and students at the University have the same rights and obligations as stipulated in the terms and conditions of services of the institution and students' rules and

regulations, respectively. There shall be no discrimination or stigmatization of any staff member or student on the basis of their known or perceived HIV status.

No employee or student of the University shall be discriminated against or denied employment or admission on the basis of his/her known or perceived HIV status.

### **3.3 Confidentiality**

The operations and activities of the university shall be guided by the principle of confidentiality. Access to personal data relating to staff and student medical records shall be bound by the rules of confidentiality, consistent with ILO code of practice and protection of personal data of employees as per the Laws of Kenya. Any breach of confidentiality shall be handled as a violation of the policy regulations.

### **3.4 Safe and Healthy Work and Study Environment**

The work and study environment at the University shall be made healthy and safe for employees and students to minimize the risk of HIV infection. The institution shall put in place appropriate universal infection precautionary measures to ensure safe working environment for all its employees and students to protect them against HIV infection.

### **3.5 Mandatory Pre-Employment/Admissions Testing**

Mandatory Pre-employment/admissions testing and use of such results during staff recruitment and student admissions shall be prohibited. However, any requirements of the same for health insurance cover shall be based upon the requirements of the insurer.

Employees and students will be encouraged to undergo voluntary Counseling and Testing as a means of planning for Health promotion.

### **3.6 Community and Stakeholder Management**

Effective partnerships with stakeholders and communities at partnership sites will be developed to enhance the success of its HIV Workplace policy implementation. The institution shall participate in community initiatives to help in reducing the rate of HIV infection and the impact of AIDS in the community and among the stakeholders of the University. The community response initiatives by the University shall include:

- i. HIV and AIDS awareness activities through peer education.
- ii. Blending of name, logo and institutional legacy towards community responsiveness events.

- iii. Participation in joint community outreach activities in schools, churches, homes offering orphan, widow or widower support, and other institutions.
- iv. Dissemination of health messages through inter-university sports events.

### **3.7 Prevalence Surveys**

Periodic sentinel testing and surveillance will be conducted for purposes of planning. Such tests will be conducted in accordance with the laws of Kenya. Using guidelines provided by Laws of Kenya, and ACT NO. 14 Revised Edition 2010(2006) - HIV and AIDS Prevention and Control Act, periodic surveys will be undertaken by the University to generate surveillance information revealing the HIV & AIDS trends. Such institutional data base shall be disseminated to the ACU Steering Committee, and existing University governance structures for information and decision making.

The results of such HIV tests and periodic surveillance shall not be used in decisions concerning any staff or any student.

### **3.8 Gender-Based Discrimination**

There will be zero tolerance for sexual harassment, abuse and exploitation. Circumstances and needs of men and women, either separately or together depending on the nature of the issues being addressed will be responded to.

### **3.9 Information Generation**

Research, monitoring and evaluation will be undertaken to collect information on staff members' and students' welfare and service delivery. This information shall be used for planning, decision-making, resource mobilization and allocation, and management of the response to HIV and AIDS.

### **3.10 Social Dialogue**

Dialogue with the students and members of staff to embraced to enhance co-operation, willingness and trust for the successful implementation of HIV and AIDS policy.

### **3.11 Continuation of Employment and Academic Relationship**

HIV infection is and will not be a cause for termination of employment or academic pursuit. Members of staff and students with HIV related illnesses will be allowed to work and attend lectures for as long as medically fit.

### **3.12 Prevention**

Prevention of all means of transmission will be achieved through behavior change, knowledge, treatment, and the creation of a non-discriminatory environment. Prevention efforts will be a collective social responsibility with other partners to promote change in attitudes and behavior through the provision of information and education and in addressing socio-economic factors.

### **3.13 Care and Support**

Solidarity in care and support will guide JOOUST response to HIV and AIDS at the workplace. All members of staff and students are entitled to affordable health services and to benefits from statutory and occupational schemes.

### **3.14 Management Responsibility**

The University Management Board and the Council will ensure the highest-level of leadership as part of the national campaign against the pandemic.

### **3.15 Partnerships**

The University through the ACU will at all times develop effective partnerships to enhance the success of the policy implementation.

### **3.16 Fair Labour and Academic Practices**

Every person, whether infected or affected, has the right to fair labour and academic pursuit practices in terms of recruitment, appointment and continued enjoyment of employment, promotion, training and benefits. HIV testing as a requirement for any of the above is prohibited.

### **3.17 Workplace Ethics**

There will be no tolerance to sexual harassment, abuse and exploitation, stigma and discrimination.

### **3.18 Involvement of People Living With HIV and AIDS (PLWHA)**

The involvement of PLWHA in educating and informing other students and members of staff shall be promoted at all levels of the university.

## 4.0 GUIDELINES

### 4.1 Informing the Employer or Supervisor of HIV Status

The employees and students shall not be under any obligation or coercion to reveal their HIV status to the administrator, management, supervisors, co-workers and fellow students. Where the employees and students volunteer such information, it shall be treated as guided by the principles of confidentiality.

### 4.2 Handling Of Staff/Student Medical and HR Records

The medical information on employees and students from a medical practitioner or the affected employee and students shall be handled with utmost confidentiality.

Any University officer who has access to such records by nature of their duty, and discloses such information to a third party will be liable for disciplinary action as stipulated in the Terms and Conditions of Service and the Laws of Kenya, and Student Rules and Regulations.

The University shall ensure updating of staff HR and student personal files and ensuring that confidentiality is adhered to. Staff or student HIV status is held within strict confidence. This shall involve the signing of a confidential pledge.

### 4.3 Access to HIV and AIDS-Related Services

It shall be the duty of every University officer in authority to ensure that all employees and students are informed about Health cover insurance regulations and changes at any time. They shall ensure that all staff members and students receive medical intervention for the control of opportunistic infections (OIs) at the University clinic.

### 4.4 Assistance to Members of Staff and Students Living With HIV & AIDS

It shall be the duty of every University officer, to encourage staff and students to utilize referrals recommended and provide them with linkages to other service providers. The same assistance shall be extended to the immediate family members and dependants of staff, either living with HIV or affected by the condition in any way, as well as the student's family. The member of staff, their immediate dependants and the students shall be helped to access specialised health care and support as appropriate and available.

The assistance shall include providing psycho-social support to staff members and students affected and infected with HIV and AIDS at all stages of the disease progression.

#### **4.5 Reasonable Accommodation to Staff and Students**

The reasonable accommodation to employees and students of JOOUST shall include streamlining of new regulations into the existing staff Codes of Conduct and Student Rules and Regulations to ensure rational work or study transfers and scheduling for staff and students living with HIV and those constrained by the demands of care giving. The reasonable accommodation to staff members shall include allowing employees living with HIV to continue working and studying, respectively, be allocated appropriate tasks or allowed flexible working hours. Ex-gratia assistance and academic leave will be offered to both employees and students, respectively who exceed their acceptable sick leave as per JOOUST Terms and Conditions of Service or Student Rules and Regulations and return to work or study arrangements as appropriate.

#### **4.6 Handling Concerns from Colleagues and Fellow Students**

It shall be the duty of the University Management and members staff to take appropriate measures to intervene in situations where a worker or a student perceives another to have a communicable disease that poses a risk to others within the workplace, lecture hall and halls of residence.

Concerns reported by work colleagues and fellow students, respectively, shall be verified and treated with the urgency and confidentiality and decisions implemented in an appropriate and a timely manner.

#### **4.7 Protecting the Employee and Students from Stigma and Discrimination**

The University will ensure that the rules, regulations, and sanctions as in the employee Terms and Conditions of Service, Student Rules and Regulations and the Laws of Kenya are adopted to manage stigma and discrimination of staff members or students living with HIV and AIDS.

Employees and students are expected to continue good work and study relationship with colleagues and shall not refuse to work, study, interact with or withhold services on the grounds of perceived or known HIV status. Such actions shall constitute misconduct and will be subject to disciplinary procedures that apply to other Policy violations.

#### **4.8 Access to Employment Benefits and Student Merits**

Employees and students shall be entitled to their benefits and merit irrespective of their health status. Such benefits shall include but not limited to non-forfeiture of leave days, maternity leave, medical scheme, leave traveling allowances, appraisals and promotions,

incentives, favorable work conditions, and training for staff members, and; equal opportunities for students in admissions, studies, course and school transfers, work-study and academic leave as appropriate.

## **5.0 HIV PREVENTION, EDUCATION, AIDS CARE AND GENERAL SUPPORT**

The University will undertake, on its own and in collaboration with other partners, a number of programme activities geared towards preventing new HIV infections, providing support for employees and students living with HIV and AIDS and ensuring those who are infected enjoy the dignity of being valued and respected members of the University community.

### **5.1 Behaviour Change Communication, IEC Materials, Partnership and Linkages**

JOOUST shall:

- a) Collaborate with other stakeholders to develop appropriate information, communication and education (IEC) materials for use by students and employees in HIV and AIDS programme activities.
- b) Ensure that information concerning HIV and AIDS with the goal of bringing about behaviour change among employees and students is delivered by competent personnel at all times.
- c) Internally support and provide linkage with external institutions to provide appropriate behaviour change communication.

### **5.2 Prevention and Education**

The University shall facilitate formal and informal seminars and other awareness sessions to prevent new and further transmission of HIV infections among employees and students. The University will provide both Staff peer education and Student peer Education and Counseling activities to strengthen other HIV prevention strategies. The Staff Peer Educators and Student Peer Educators and Counselors will be trained to improve their confidence in performing this voluntary role. Further to this, the University shall develop capacity of its employees and students towards prevention of HIV and AIDS through mainstreaming workshops. Mainstreaming of HIV and AIDS in the teaching curricula and co-curricular activities will be implemented.

### **5.3 Availability and Accessibility of Condoms**

The University will collaborate with other partners to ensure that employees and students who need condoms have access to the devices. Access, distribution and appropriate and consistent use and disposal of both male and female condoms will be promoted.

The institution shall take measures to ensure that the condoms are distributed to reach all areas and cadres of employees and students who need them, regularly and consistently, through dispensers strategically located in areas accessed by staff members and students and in the ACU.

#### **5.4 Pre-EP& PEP and PMTCT Services**

JOOUST shall provide guidelines for access to and appropriate use of pre- and post-exposure prophylaxis by the employees and students.

Access to Pre-EP & PEP services through the University clinic or appropriate referral of employees and students to other service providers will be facilitated.

The institution shall utilize its staff and student clinic to offer routine services, as well as specialized services to the extent possible to pregnant employees and students for prevention of mother-to-child transmission of HIV (PMTCT) services, while also referring them, if necessary, for the same at Bondo District Hospital and other existing service provider institutions.

#### **5.5 Management of STIS and Opportunistic Infections (OIS)**

The University shall:

- a) Ensure that employees and students receive appropriate medical advice, counseling and treatment for common STIs through the health insurance cover provided by the institution.
- b) In collaboration with partners, strive to stock the relevant medicines for management of sexually transmitted infections and opportunistic infections at the staff and student clinic to take care of employees and students that have no health insurance cover. Where appropriate, access to the services through referral of employees and students to other service providers near the locations of the campuses will be facilitated.
- c) Develop appropriate laboratory and other diagnostic infrastructure to complement HIV and AIDS services provided to its employees and students by other institutions.
- d) provide or refer employees and students living with HIV and AIDS for anti-retroviral Therapy (ART), counseling and testing, monitoring of CD4 and ARV drugs treatment at the university or relevant medical institution offering the services within the University environs.
- e) Promote blood safety and Voluntary Male Medical Circumcision (VMMC) mid-yearly, for purposes of prevention and control of transmission of STIs, through mobilization

and facilitate access to the services within the University through partnership with service providing institutions and also through referrals.

## **5.6 Access to Care and Support**

The University shall disseminate and enforce internal guidelines on the necessary care and support available for infected employees and students and those with AIDS. The employees and students will be referred for appropriate comprehensive care and support centres (CCCs) within the Patient Care and Support Centres (PSC) of their choice for further care and psychosocial support services.

## **6.0 MANAGEMENT OF HUMAN RESOURCE**

According to ILO, HIV and AIDS is a major threat to the world of work because it affects the most productive segment of the labour force. In this regard, the University Officers in authority have a particularly important role to play in the University's response to HIV and AIDS. It is their responsibility to address the problems caused by HIV and AIDS in the workplace at both institutional and individual levels.

This policy provides consistency in the University's dealings with employees and students through the programmes, procedures and rules that flow from the policy. The policy addresses the following human resource management issues:

### **6.1 Recruitment and Promotion**

HIV screening should not be a requirement for staff recruitment and/or promotion. Neither will it be a requirement for student admission.

### **6.2 Sick Leave**

Sick leave will be provided for as stipulated in the relevant service and student regulations. However, additional sick leave days will be decided by the university college on case-by-case basis at the discretion of the Authorizing Officers.

### **6.3 Working/Study Hours**

Normal work and study hours will continue to apply for all employees and students respectively. However, a more flexible approach will be applied in consideration to the specific conditions of those infected or affected.

#### **6.4 Counselling Services**

The University Management Board will ensure that the ACU and VCT units both have a pool of skilled counselors trained from among the staff to provide counseling and referral services.

#### **6.5 Termination of Employment/Studies**

The policies and procedures pertaining to termination of services and studies will apply to all employees and students respectively. Neither employee nor student shall be dismissed or have employment terminated based solely on perceived or actual HIV status.

#### **6.6 Medical Privileges**

The normal provision of medical privileges will continue to apply. However, to reduce the negative effects of illness and incapacity on employees and students, the University will take steps to improve access to primary and comprehensive health care.

#### **6.7 Deployment and Transfers**

JOOUST shall review its policies in line with the Government current policies, codes and deployment and transfer practices of employees.

In particular, the University shall ensure that:

- a) Where possible, partners and spouses are not separated to minimize vulnerability;
- b) Where employees are deployed in remote areas, the period served in such areas is limited to three years. Employees in these areas will also be facilitated to make frequent visits to their families;
- c) Staff requiring access to family support or medical care is deployed appropriately; and
- d) Where fitness to work is impaired by illness, reasonable alternative working arrangements are made.

#### **6.8 Relief Services**

JOOUST shall introduce relief workforce programme for employees to offer relief services in essential sectors. Where an employee is temporarily unable to perform essential duties, reasonable alternatives through employee relief services shall be made.

## **6.9 Housing and Accommodation**

The existing policy on housing will continue to apply. Suitable accommodation for students and employees requiring institutional housing will be provided and where this is not possible, students and employees will be allowed to reside outside the institutions.

## **6.10 Training and Development**

JOOUST will:

- a) Educate and train all its employees on HIV and AIDS related issues.
- b) Monitor and evaluate human resource so that there is adequate supply of appropriately skilled manpower to meet the needs for service delivery.
- c) Mainstream HIV and AIDS in all its academic and extra-curricular programmes and undertake regular updates to respond to the dynamics of HIV and AIDS.
- d) Ensure there is appropriate recognition of HIV and AIDS related training and development of career paths that encourage staff to work and students to study and remain in HIV and AIDS related fields.

## **6.11 Sexual Harassment, Abuse and Exploitation, Stigma and Discrimination**

There shall be no tolerance to sexual harassment, abuse and exploitation, stigma and discrimination in the workplace. Involvement in these vices shall be treated as gross misconduct and where proven, shall lead to disciplinary action.

## **6.12 Gender Responsiveness**

HIV and AIDS affects and impacts on women and men differently due to their biological, social, cultural and economic circumstances. Application of this policy should be responsive to their different needs.

## **6.13 Exposure at the Workplace**

- a. Employees and students who accidentally get exposed to HIV in the course of their duties shall be entitled to immediate Post-Exposure Prophylaxis (PEP) and follow up in the form of treatment in case of infection.
- b. Provision shall be made to ensure safety and absence of risk to health, arising from the use, handling, storage and transport of articles and substances.

#### **6.14 Retirement or Termination on Medical Grounds**

HIV and AIDS is not a cause for termination of employment or studies. As with many other illnesses, persons with HIV-related illnesses should be able to work or study as long as medically fit for available appropriate work or programme, or until declared unfit to work or pursue studies by a Medical Board. Where an employee or student is medically unfit to continue working or studying, JOOUST will initiate the retirement or termination process.

#### **6.15 Terminal Benefits**

Whenever an employee retires or dies due to HIV and AIDS or other reasons, JOOUST will facilitate speedy processing of terminal benefits. Accordingly, JOOUST and its employees will ensure that the next of kin records are updated regularly.

#### **6.16 Confidentiality and Disclosure**

- a. Disciplinary action, consistent with relevant legislation and regulations, will be taken against any employee or student who discloses fellow employee's or student's HIV sero-status without consent.
- b. Creating a climate of openness about HIV and AIDS is an effective prevention and care strategy. JOOUST shall create a work and study environment in which employees and students can feel safe to disclose their HIV status.

#### **6.17 Discrimination and Stigma**

- a. All employees and students have the same rights and obligations as stipulated in the terms and conditions of service and, in the Students Rules and Regulations.
- b. No employee or job applicant nor a student shall be discriminated against in access to or continued employment, training, promotion and employee benefits on the basis of their actual or perceived HIV status.
- c. Students and employees shall not refuse to work or interact with fellow colleagues on the grounds that the latter are infected or perceived to be infected. Such refusal shall constitute misconduct.

#### **6.18 Grievances and Concerns**

All authorised University officers shall establish and maintain communication channels for employees and students to raise concerns and grievances and access support relating to HIV and AIDS.

### **6.19 Management Responsibility**

The University officers in authority have obligation and responsibility to:

- a. Show leadership as part of the national campaign to address the pandemic.
- b. Be educated and informed about the pandemic including developments in respect of prevention and treatment.
- c. Implement this policy, as well as to continuously disseminate information about HIV and AIDS to all employees and students.
- d. Include HIV and AIDS workplace issues in the JOOUST's Strategic Plan and Statutes.

### **6.20 Employee and Student Responsibility**

- a. It is the responsibility of an employee or a student to take appropriate action on being informed about HIV and AIDS, to protect him/herself and the family and seek guidance and counseling.
- b. All employees and students must comply with the HIV and AIDS workplace policy. In addition, all employees and students are required to attend, lend support to and participate in all activities aimed at combating HIV and AIDS.
- c. It is the moral responsibility of infected employees and students to take care of themselves and others to avoid re-infection and infecting others.

## **7.0 IMPLEMENTATION**

The success of the policy depends on its effective implementation and a coordinated effort of stakeholders. The following components will form the implementation modalities:

### **7.1 Institutional Framework**

This entails the human and financial resource management which calls for high level commitment by the Vice Chancellor of the University, and the Management Board in terms of allocation of adequate resources for HIV and AIDS under the Medium Term Expenditure Framework (MTEF) to facilitate effective implementation of this policy.

The ACU Steering Committee structure has been established under the direct guidance of the Office of the Vice-chancellor which will be strengthened by designating officers on full time basis to coordinate HIV and AIDS activities and policy implementation.

The ACU Steering Committee shall be charged with the formulation and review of HIV and AIDS workplace policy. It will advise Schools, Departmental and Section Peer Education

Leaders in the University with regard to implementing HIV and AIDS human resource workplace policy in liaison with NACC.

All Authorized University officers are responsible and accountable for implementing this policy and development of appropriate HIV and AIDS programmes and practices in their workplaces. They shall also take immediate and appropriate corrective action when provisions of this policy are violated.

## **7.2 Responsibility and Accountability**

The sections responsible for implementing this policy are:

- a) Office of the Vice-Chancellor
- b) Office of the Deputy Vice-Chancellor (AA)
- c) Office of the Deputy Vice-Chancellor (PAF)
- d) Office of the Deputy Vice-Chancellor (RIO)
- e) Office of the Dean of Students
- f) AIDS Control Unit
- g) University Clinic
- h) Academic and non-academic staff
- i) Students

The tasks are as follows:

- 1. Mobilize resources.
- 2. Mobilize and co-ordinate HIV and AIDS intervention in their sections.
- 3. Develop policy, strategy and guidelines relevant to the section.
- 4. Support the development of section specific programmes.
- 5. Develop Management Information Systems (MIS) for their section.
- 6. Collaborate with local and international agencies.
- 7. Develop mechanisms and guidance for implementing agencies on selection of activities, monitoring and evaluation of activities.
- 8. Play a leadership role in advocacy for the prevention of spread and provision of care and support to those infected and affected by HIV and AIDS.

## **7.3 Responsibility of ACU**

- i. Co-ordinate implementation of the HIV and AIDS workplace policy in the university.
- ii. Identify training needs and build capacity in ACU.
- iii. Advise the Management Board of the university on Human Resource issues as relates to HIV and AIDS.

- iv. Develop and review HIV and AIDS workplace policy in JOOUST.
- v. Maintain linkages with other ACUs.
- vi. Organize bi-annual consultative meetings for the university and other stake-holders to review progress in the implementation of the workplace policy.
- vii. Establish and maintain HIV and AIDS human resource related data base for the public sector.
- viii. Ensure that HIV and AIDS is mainstreamed into the core functions of the university.
- ix. Provide information necessary for planning and budgeting for HIV and AIDS programmes.
- x. Develop and adopt guidelines for the use of allocated resources for HIV and AIDS activities.
- xi. Develop operational objectives and prepare Action Plans for the fight against HIV and AIDS in the university.
- xii. Constitute Secretariat for the university HIV and AIDS Steering Committee and co-ordinate activities for the sections.
- xiii. Conduct statistical analysis and compile data for use by the sections;
- xiv. Liaise with NACC, DPM HIV and AIDS Secretariat and other ACUs for best practices sharing and implementation.
- xv. Introduce new services or models of service delivery to deal with the dynamics of HIV and AIDS.
- xvi. Advocate for legislation to protect the infected from discrimination and to encourage effective roles in prevention and care by all relevant stakeholders.
- xvii. Develop sector specific Information, Education and Communication (IEC) materials.

## **8.0 POLICY REVIEW, MONITORING, EVALUATION AND COMMUNICATION**

### **8.1 Monitoring, Evaluation and Research**

The ACU shall generate information on staff welfare and service delivery through monitoring, evaluation and research for planning, decision-making, resource allocation and managing the university's response to HIV and AIDS.

The University, through its AIDS Control Unit and guided by NASCOP guidelines shall collect periodic surveillance data, for planning purposes.

The Staff peer educators and Student Peer Educators and Counselors shall provide reports on the sessions and attendance by peers at the workplace. The reports shall contribute to the quarterly report to the University Performance Contract Secretariat NACC and monthly reports to DASCO.

## **8.2 Policy Review and Development**

This policy will be reviewed from time to time to ensure it remains relevant to the needs of the University. The following allocation of responsibilities will facilitate policy review, monitoring, evaluation and communication.

The Office of Vice-chancellor in liaison with the Human Resource Office and the AIDS Control Unit will manage the roll-out of policy implementation and will undertake periodic reviews of policy implementation including collection of appropriate surveillance data as appropriate.

The Office of the Vice-Chancellor will be responsible for communicating the policy and shall oversee periodic communication of changes and adjustments therein.

## **8.3 Duration/Intervals of Program Evaluation**

All Departments, Sections, Institutes and Schools shall be responsible for policy implementation and monitoring progress in their respective workplace and study areas and shall report to the ACU Steering Committee and onward to the Vice-Chancellor through either of the DVCs on the basis of an agreed time table.

## **8.4 Effecting Changes on Policy**

The ACU Steering committee shall have overall responsibility for liaison and advocacy within the University and shall facilitate support to the overall policy implementation monitoring and review.