

Benefits

It is the stated policy of the University that HIV-infected employees are entitled to the same benefits as all other UWC staff and the University therefore commits itself:

- To regularly review any restrictions its medical aid schemes may have with regard to benefits that discriminate against those with HIV infection or AIDS and, if feasible and appropriate, to reconsider its contract with such schemes. The Executive Director: Human Resources will assume responsibility for such regular review.
- To regularly scrutinise its group life insurance and spouse life insurance cover for inappropriate restrictions of benefits which discriminate against those with HIV infection or AIDS and may reconsider its contracts with the insurers. The Executive Director: Human Resources will assume responsibility for such regular review.
- To regularly inform all employees of any benefit limitations with regard to HIV infection or AIDS by its medical or insurance schemes as well as changes to these.

Support Services

The University will facilitate the provision of the following services and support:

- Confidential pre- and post-test HIV and AIDS counseling.
- Referral for further management to appropriate professionals, institutions and/or organisations in the community.
- Support and counseling to infected and affected employees, where possible.
- Training and refresher courses for support personnel who deal with HIV and AIDS.

VI. STUDENTS OF THE UNIVERSITY

Conditions of Admission and Study

The University commits itself to the following principles:

- No student shall be required to have an HIV test prior to admission to UWC.
- No student shall be required to reveal his/her HIV status either prior to admission or as a condition of continuing registration.
- Students living with HIV shall be treated no differently from students with comparable life-threatening illnesses.
- Students who are HIV-positive or have AIDS will not be prevented from attending lectures, living in residences or being involved with campus activities on account of their HIV status.
- HIV status may not be used to evade the University's rules and regulations. The University's standard disciplinary procedures for students may apply for infringement of University rules, regardless of HIV status.

Counseling and Support

The University will, if practicable, feasible and financially possible, provide the following services:

- Confidential counseling and support on HIV and AIDS and related issues to all students.
- Encouraging the establishment of support groups for students infected and/or affected by HIV or AIDS.
- Referral channels for other forms of social and medical support will be identified and students will be referred to these.
- Condoms will be freely available to all students in easily accessible locations.

Care

The University will strive to ensure that:

- All students living with HIV and/or AIDS are treated in a just, humane and life-affirming way.
- No student refuses to study with, or to be housed with, student(s) living with HIV or AIDS.
- Any unfair discrimination or prejudice is appropriately dealt with and may include appropriate disciplinary steps being taken.
- Should a student become too ill to continue to study, he/she is treated in the same way as students with other comparable illnesses.
- No student uses his/her HIV status as a reason for failing to perform work, complete assignments, attend lectures or write examinations. Exceptions will only be considered on professional medical and legal advice.
- HIV status is not used to evade the University's rules and regulations. The University's standard disciplinary procedures may be invoked for infringement of University rules, regardless of HIV status.
- University staff recognises the need to deal compassionately with those students affected by HIV and/or AIDS.

Financial Matters

The University will strive to ensure that:

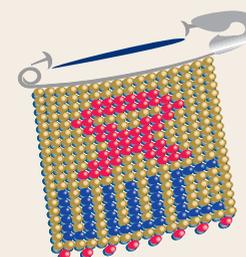
- HIV and AIDS shall not be a consideration when loans, bursaries and scholarships are awarded.
- HIV status shall not be a ground for failure to pay fees, or to repay loans and to meet bursary obligations.

Approved by Council on 4 December 2003 (C 2003/7)

UWC HIV and AIDS Programme

An integrated institutional response to HIV and AIDS

Teaching
Research
Care & Support
Community Outreach
Advocacy
Prevention
Management



We Care
Ous Gee Om
Siyakhathala

Tel: +27 21 959 2247/2648

Fax: +27 21 959 1240

E-mail: tvergnani@uwc.ac.za

www.hivaids-uwc.org.za



UNIVERSITY of the
WESTERN CAPE

HIV and AIDS POLICY

HIV and AIDS POLICY

I. PREAMBLE

The University of the Western Cape acknowledges the seriousness of the HIV and AIDS epidemic and recognises that the disease will have a significant impact on the University. The University shares the understanding of AIDS as a chronic, life-threatening disease with social, economic and human rights implications. This HIV and AIDS policy reflects the University of the Western Cape's desire:

- a. To achieve employment and learning equity.
- b. To protect the human rights and dignity of HIV infected and affected employees and students.
- c. To avoid discriminatory action or stigmatisation of those affected or infected with HIV/AIDS.
- d. To prevent those who are uninfected from acquiring HIV.

The University of the Western Cape's HIV and AIDS policy applies to both employees and students of the University.

The University of the Western Cape's HIV and AIDS policy is based on the provisions of existing legislation and the regulations made thereunder as well as on other relevant documents.

II. COMMITMENTS BY THE UNIVERSITY

With regard to HIV and AIDS the University of the Western Cape makes the following general commitments, namely:

- a. To treat HIV and AIDS in all respects like other life-threatening conditions.
- b. To create a caring, supportive and non-discriminatory environment for members of the University community infected or affected by HIV and AIDS.
- c. To sustain equal opportunities for employees and students with, or perceived to have, HIV or AIDS.
- d. To create an environment conducive to people with HIV and AIDS revealing their status and seeking appropriate support and counseling.
- e. To respect and uphold the right, in so far as the law permits, to confidentiality of employees and students regarding their HIV status, as well as others affected by this status.
- f. To equip students to be able to live and work in societies with increasing rates of HIV infection and AIDS.
- g. To provide programmes for all employees and students on how to prevent HIV infection and how to care for and support those with HIV and AIDS.
- h. To encourage all employees and students to recognise their responsibility to develop a personal lifestyle in which they will not put themselves or others at risk of infection.

- i. To involve, where possible, representatives of all sectors of the University, including those living with HIV or AIDS, in the development of all prevention, intervention and care strategies.
- j. To aim to achieve 'best practice' standards in all HIV and AIDS interventions.
- k. To view HIV and AIDS education, prevention and care in a broad social context.
- l. To provide an environment in which the equality of all persons is respected, and where neither sexist behaviour nor gender-based discrimination is tolerated.
- m. To give proactive attention to protecting both women and men from coercive sex.
- n. To encourage gender-sensitive programmes that will assist employees and students to become aware of the rights and vulnerabilities of women, as well as the HIV and AIDS-related implications of sexual abuse and violence.

III. TESTING AND DISCLOSURE OF HIV STATUS

The following principles and University-wide policy will apply:

- a. The University will not require an HIV test as a precondition of employment or admission as student.
- b. Testing and counseling on campus will be voluntary and confidential.
- c. Potential employees or students who voluntarily disclose their HIV status will not be refused employment or admission on the grounds of their HIV status.
- d. All students and employees of the University have the right to confidentiality about their HIV status, except in circumstances where legally otherwise indicated. Any breach of confidentiality, unless legally indicated, may justify the instigation of disciplinary proceedings against the person who was in breach of that confidence.

IV. GENERAL PROGRAMMES AND SERVICES

Education and Research

- a. All employees and students shall have access to HIV and AIDS education and awareness programmes. These programmes will provide information and teach the skills necessary for members of the University community to prevent themselves and others from becoming infected and to combat discrimination. Such programmes should also guide staff and students on how to live, work and interact with people living with HIV or AIDS. The Safety, Health and Environment Officer and relevant staff will make sure that all employees and staff are informed about universal safety precautions.
- b. All Faculties, Schools, Centres and Institutes are required to consider how to achieve integration of relevant HIV and AIDS content into the curriculum at both undergraduate and postgraduate levels. If they decide not to integrate such material into the curriculum, where such integration is appropriate and feasible, they may be required by the Rector to account for such a decision.

- c. The Dean of Research will actively promote and support HIV and AIDS as a university-wide focus for research.
- d. The University will endeavour to work collaboratively and to share its expertise of best practice and, where practicable, skills and resources with other tertiary institutions regionally, nationally and internationally.
- e. Where appropriate, education about various aspects of HIV and AIDS will form part of the University's community outreach programmes.
- f. The University of the Western Cape commits itself to forming partnerships with governmental and non-governmental organisations as well as with the private sector for the implementation of practicable and cost-efficient HIV and AIDS programmes.

Counseling, Care and Support

- a. Where possible, all employees and students shall have access to testing and counseling related to HIV and AIDS provided by the University during normal working hours.
- b. The University will encourage the establishment of support groups for students and employees infected with or affected by HIV and AIDS.
- c. Condoms shall be freely available to all employees and students in easily accessible locations.

Risk Reduction

The University has various departments in the health care, clinical and biological sciences fields (e.g. Student Health Services Department, Dentistry and the clinical departments within the Faculty of Community and Health Sciences). Employees and students working in these fields face higher risks of accidents that may result in HIV infection.

Whenever it is financially affordable, the University will provide HIV prophylaxis in the form of anti-retrovirals, where clinically indicated and appropriate, in cases of potential exposure to HIV (provided that such prophylaxis is not provided by the state medical services) as a result of:

- a. Injuries or contact with contaminated materials that occur in the line of duty or study on campus or at an approved off-campus site, and are officially reported. Incidents of this nature must be reported at the earliest opportunity to the Safety, Health and Environment Officer or, depending on availability, the Chief Fire Officer.
- b. Rape or assault that occurs on campus.

All employees and students are, however, encouraged to implement universal precautions to effectively eliminate the risk of transmission of all blood-borne pathogens, including HIV. The University undertakes to educate all students and staff in this regard and the first aid instructions regarding the general precautions that need to be followed when dealing with blood and bodily fluids will be displayed prominently in all relevant working areas.

The University will endeavour to provide HIV-positive pregnant students with the appropriate short-course anti-retroviral protocols needed to prevent mother-to-child transmission in cases where these are not provided

by the state. This does not cover provision of medication or feeding formula to the infant. The University will refer the mother and child to relevant health and social services.

Evaluation, Monitoring and Implementation

- a. In order to ensure that the University's HIV and AIDS policy and programmes remain current and effective, the University is committed to an ongoing process of monitoring, evaluation and review of its HIV and AIDS policy and programmes. New understandings of medical, epidemiological, legal, economic and other pertinent aspects of HIV and AIDS will regularly be taken into consideration by the University in order to further refine and develop this policy.
- b. Deans will introduce strategies for ensuring the implementation of the policy in each Faculty and set up HIV and AIDS task teams. Deans will regularly convene HIV and AIDS task teams in their Faculties, which are to be representative of students, academic and support staff and will be required to report on their activities to the relevant Faculty Board.
- c. Similarly, the Director of Residences and Catering Services will set up a task team to address issues relating to HIV and AIDS in the residences. The task team will meet on a regular basis and report to the Vice-Rector: Student Support and Development.

V. EMPLOYEES OF THE UNIVERSITY

Conditions of Employment

With regard to the employment of staff, whether academic staff or non-academic staff, it is the stated policy of the University that:

- a. Employees with HIV or AIDS are to be governed by contractual obligations no less favourable than those applying to other employees.
- b. Employees with HIV or AIDS are not to be prevented from attending any campus activities.
- c. Continued employment for employees with HIV or AIDS, including appropriate promotion, work alternatives and training opportunities is to be available to such employees, provided that they are able to work effectively.
- d. No employee is to be dismissed or have his/her employment terminated merely on the basis of his/her HIV status, nor is an employee's HIV status to influence retrenchment procedures.
- e. HIV or AIDS in itself may, however, not be used as a justification for the non-performance or under-performance of duties agreed to between the University and its employees.
- f. Should an employee no longer be able to work due to HIV or AIDS, the appropriate ill-health policies will apply.
- g. Employees with HIV or AIDS will, without discrimination, be governed by the University's existing sick leave policies and procedures. (HIV and AIDS may, however, not preference nor prejudice their entitlement to sick leave).
- h. Undermining the privacy and dignity of a member of staff with HIV or AIDS will constitute a breach of discipline. Appropriate disciplinary steps may be taken in such instances.