

# THE UNIVERSITY OF ZULULAND

## **POLICY ON HIV & AIDS** *(Draft of a Reviewed Policy)*

**Implementation date:** September 2007

**Review date:** September 2010

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### **1. Purpose of the document**

To provide guidelines to the University with regard to the institution's response to HIV and AIDS with specific reference to its ability to continue functioning thereby preventing HIV and AIDS from undermining its potential to operate and deliver mandated services. The objectives of the policy are:

- through the provision of education and information, to reduce the transmission of HIV
- to seek to maintain a safe environment which empowers both men and women to resist coercive sex
- to raise the level of understanding of HIV & AIDS throughout the University
- to identify and disseminate the available resources to be used in the fight against HIV & AIDS
- to equip students and staff to be able to live and work in societies with increasing rates of HIV infection and AIDS
- to provide HIV & AIDS counseling
- to create an environment where people living with HIV & AIDS are safe to reveal their status and seek appropriate support and counseling
- to facilitate access to care and treatment where appropriate, and to referral where appropriate, for those living with and affected by HIV & AIDS

## **2. Rationale for policy**

The HIV pandemic continues to undermine development thus reversing gains and reforms that have taken place in the Higher Education Sector. The Higher Education Sector may be disproportionately more affected by the pandemic than any other sector as the majority of those who form the Higher Education Community are young and in the age category with the highest prevalence of HIV infection.

The University, as a higher education institution is a critical pillar of human development. It provides not only the high level skills necessary for the labour market, but also produces individuals who have the capacity and analytical skills to drive local economies, support civil society and lead effective government. The University of Zululand has responded to the developmental needs of the society by offering relevant programmes. It is hoped that through these programmes, individuals who will shape South Africa's future economy, communities and government will be developed. This ideal can be achieved through the University's core business i.e. teaching, research and community engagement.

The negative impact of HIV & AIDS is not only confined to students but has the ability to impact on the business of the University at all levels within its core mandate. Increased mortality through HIV & AIDS affects personnel thereby depleting human capital and reducing the accumulation of knowledge and skills. As the potential pool for highly skilled declines, the University would have fewer incentives to invest in education and training.

The University has a responsibility to respond to fight the pandemic and mitigate its impact. This is in response to the policies from the Department of Education ( DoE) which aim at ensuring that the national education system plays its part in stemming the pandemic and to ensure that the rights of all those infected with the disease are fully protected. The DoE's Tirisano document directly relates to HIV & AIDS and education. Its statement of policy identifies the prevention of the spread of HIV on campus and the mitigation of the impact of HIV & AIDS on the higher education sector as the main objectives.

## **3. Scope of the Policy**

The University of Zululand upholds the right to "fair labour practice" and one's entitlement to equality and freedom from unfair discrimination as enshrined in the South African Constitution Act, No. 108 of 1996.

The University will adopt the Code of Good Practice on key aspects of HIV & AIDS and employment provided by the Minister of Labour. The objective of the Code is to provide

guidelines on the elimination of unfair discrimination in the context of key human resource areas as provided by the Employment Equity Act, 55 of 1998. Copies of this document are available at the office of the HIV & AIDS Programme Manager, in the Library, the Campus Clinic, and in the Resource Centre for University Learning and Teaching (D5).

The University treats HIV infection and AIDS like any other life threatening condition, in accordance with the Code of Practice. In respect of employment capacity, risk of workplace transmission and entitlement to employment benefits, no special burdens placed on employees with HIV & AIDS. The policy shall operate in tandem with specific policies of the University (i.e. the employment assistance programme (EAP) policy as mandated by Occupational Health and Safety Act No. 29 of 1996.

The provisions of the policy shall apply to both students and members of staff (i.e. both academic and support staff)

#### **4. Implementation guidelines**

The guidelines are a basis for action and a technical reference. These reflect the key principles of the International Labour Organisation's code of practice on HIV & AIDS in the workplace.

- The University recognizes HIV & AIDS as a **workplace issue** because it affects the workforce. The University as a workplace can play a vital role in limiting the transmission and the effects of the epidemic
- There should be **no discrimination** or stigma against individuals on the basis of real or perceived HIV status. Workers with HIV related illnesses should be able to work in appropriate conditions for as long as they are medically fit.
- There should be **no screening** for the purposes of employment or student admission. Testing for HIV should be voluntary and confidential and should never be used to screen applicants.
- The University upholds the right to **confidentiality** of employees and students living with HIV & AIDS as well as others affected by this status
- **Prevention:** The University affirms to identify social partners and involve them in preventive efforts. Social partners are in a unique position to promote prevention efforts through information, education and support for behaviour change.
- **Social dialogue:** A successful HIV & AIDS policy and programme needs cooperation and trust between the management and the employees. A social

dialogue among the various sectors of the University should be promoted in order to achieve the objectives of this policy.

- **Care and support:** The University affirms to create a working and learning environment that is supportive, sensitive and responsive to employees and students living with HIV& AIDS and that encourages employees and students to take personal responsibility for preventing the further spread of HIV. It would also be ensured that workers are entitled to affordable health services and to benefits from statutory and occupational schemes.
- **Gender equality:** More equal gender relations and the empowerment of women are vital aspects in the prevention of HIV transmission and helping people manage the pandemic. Gender relations and programmes aimed at women empowerment will be fostered.
- Create a **healthy environment** by actively promoting good health and positive living on campus

## **5. Implementation of Code of Good Practice at the University of Zululand**

The University of Zululand upholds every employee's right to privacy and confidentiality. An employee does not have a legal duty to inform the management of their HIV status. No health worker should disclose an employee's HIV status without their consent. Employees living with HIV&AIDS will have the same rights, duties and obligations as any other employee.

### ***5.1 Employee specific policy***

#### **5.1.1 Employment conditions**

- Employees with HIV&AIDS will be governed by the same contractual obligations as all other employees according to the University's conditions of service, including appropriate promotion, work alternatives and training opportunities
- HIV&AIDS will not be used as a justification for the non-performance of duties in terms of the employment contract
- No employee will be dismissed or have their employment terminated merely on the basis of HIV&AIDS, nor will HIV&AIDS status influence retrenchment procedures

- HIV&AIDS will not in itself be a reason for unilateral medical "boarding" of an employee
- The University Management in consultation with the trade union will decide on the criteria that should be used to determine when an employee is too sick to work. An employee is under no legal duty to disclose their HIV status even during an incapacity dismissal.
- No employee will be discriminated against on the grounds of their HIV positive status. Any employee who happens to be a victim of discrimination should lodge a complaint by following University's grievance procedure.

### **5.1.2 Performance management**

Employees living with HIV&AIDS will be productive for a longer period if they receive the support they need. The University undertakes to support employees in the following areas:

- facilitating their access to health services internally as well as outside the campus
- giving the employees time off to attend clinics or counseling
- transferring the employee to lighter or less stressful duties where it is both necessary and possible

The University will develop procedures for performance assessment and management so that all supervisors and managers are clear on the criteria for dealing with:

- absenteeism
- sick leave
- transfer to lighter duties
- ill-health
- employee counseling

### **5.1.3 Benefits**

Employees living with HIV&AIDS are entitled to the same benefits as all other University staff.

Unizul commits itself to reviewing restrictions of benefits, which specifically discriminate against those with any infection or AIDS and to reconsidering its contract with the schemes.

Similarly, Unizul commits itself to scrutinising provident fund, pension, group and spouse life insurance cover for restrictions of benefits which specifically discriminate against those living with the HIV infection or AIDS and to reconsidering its contract with the insurers.

Unizul will inform all employees of any limitations of medical or insurance benefits, as well as changes to medical or insurance benefits with regard to HIV&AIDS.

#### **5.1.4 Support services**

Unizul will provide the following services and support:

- pre- and post-test counselling
- referral to appropriate professionals, institutions/organisations within the community, for further management
- provision of training and refresher courses for support personnel who deal with HIV&AIDS

## ***5.2 Student-specific policy***

### **5.2.1 Conditions of study**

Students who are living with HIV or AIDS will not be prevented from attending lectures, living in residences or being involved with campus activities on account of their HIV&AIDS status.

Students who refuse to study or work with any fellow student or staff member who is, or who is perceived to be, living with HIV&AIDS, will be subject to the following:

1. education
2. counselling
3. disciplinary action

### **5.2.2 Grievances and Disciplinary Procedures**

A student living with HIV&AIDS has the same rights, duties and obligations as all other students. Where discrimination occurs as a result of HIV &AIDS status, the student will have recourse to existing University mechanisms for redress.

HIV & AIDS status may not be used to evade University rules and regulations. Standard disciplinary procedures will apply for infringement of University rules, regardless of HIV&AIDS status.

## **6. Procedures and processes**

### **6.1 Awareness strategies**

Continuous HIV&AIDS information, education and communication will be facilitated in the following ways:

- integration of HIV & AIDS issues in the orientation programme for the new coming students.
- Awareness campaigns on particular days ( i.e. valentines and STI week, International Candle-lighting Memorial Day, International World AIDS Day )
- provision of material for peer educators so that these can be used as a source of reference when persuading peers to act towards risk reduction.
- ongoing promotion of services provided on site particularly the voluntary counselling and testing service and peer education.
- advice on treatment, including alternative therapy, for opportunistic infections.

### **6.2 Prevention strategies**

The University will take every opportunity to promote creative and innovative HIV&AIDS preventive programmes. The intuition is to ensure that individuals who have tested HIV negative maintain that status. Preventive services will include:

- promotion of abstinence to ensure that the large portion of youth delay the initiation of sex ( secondary abstinence will also be promoted)
- treatment and control of sexually transmitted infections in accordance with the provisions of the Department of Health's Policy on the treatment of Sexually Transmitted Infections.
- increased access to a comprehensive package for post exposure prophylaxis and ensuring that protocols for dealing with the exposure are in place.
- provision and promotion of voluntary counseling and testing (VCT) services including ongoing psychosocial care and support. Peer educators (both staff and student) will motivate individuals to test for HIV. The Campus Health clinic will

provide pre-test and post-test counselling. A test for CD 4 count will be administered to those individuals who have tested HIV positive

- ensuring that the services at the VCT are rendered with strict confidentiality.
- promotion of proper condom / femodom use and access to these barrier devices
- preventive action for reducing risk that is likely to happen as a result of HIV and AIDS
- ensuring that the universal precautions are available at all times

### **6.3 HIV& AIDS in the Curriculum**

Higher Education is a critical pillar of human development especially in the creation of both tacit and tangible knowledge. With the Higher Education sector likely to be so adversely affected, and given its key role as a driver of social and economic development, it is clear that our graduates must be equipped to manage the pandemic, whilst at university and, possibly even more importantly, after they have left. This would be achieved by:

- including HIV&AIDS education as part of the core curriculum. Each faculty should design an HIV & AIDS specific module to develop knowledge and competence in students as to how they should manage HIV within their disciplines.
- preparing students to be able to best support national responses to HIV & AIDS.
- promoting student-conducted surveys on such topics as the impact of social and sexual practice on the epidemic and investigating ways of positively changing attitudes towards those who are HIV positive.

6.3.1 The HIV & AIDS programme manager will facilitate the process of curriculum development and liase with various faculties and or departments. The incumbent will present suggested modules at the various faculty board meetings and then ensure that submissions are made to Senate for approval.

6.3.2 Members of staff within the various Departments will ensure that issues of HIV and AIDS are integrated in their teaching and that study guides and course outlines do reflect such integration.

6.3.3 Heads of Departments to report to the Executive Deans at the end of every semester on the integration of HIV & AIDS.



6.3.4 Annual faculty reports should reflect the extent to which students, particularly those graduating in the ensuing year, have been prepared to manage HIV & AIDS within their respective disciplines or fields of practice.

#### ***6.4 Providing informal education and information***

Continuous HIV & AIDS information dissemination and education will be facilitated by establishing peer education programme for students and staff

6.4.1 The HIV & AIDS programme will be integrated into the students orientation programme. This will help introduce new coming students to the resources and activities that are available

6.4.2 The Health Promotion Officer will be responsible for the recruitment and the supervision of student peer educators

6.4.3 The HIV & AIDS office will coordinate the training of peer educators for both staff members and students

Staff and students at Unizul will be apprised of human rights policies under the South African Constitution with special reference to the rights of women, sexual preference, and people living with HIV & AIDS.

Training in the use of universal precautions will be provided to students and members of staff.

#### ***6.5 Treatment, Care and Support***

All staff and students with living with HIV&AIDS will be treated in life-affirming ways, without any discrimination. Symptomatic treatment, e.g. treatment for opportunistic infections, will be provided at the University at the level of primary health care.

##### **6.5.1 Treatment**

In line with the provisions of the South African National Strategic Plan (2007-2011). The University will create the conditions for access to a comprehensive package of treatment by incorporating the guidelines of the HAST (HIV AIDS Sexually transmitted illnesses and Tuberculosis) programme.

### **6.5.2 Counseling**

The University pledges to:

- \* strengthen and expand the existing counseling and guidance services to include HIV&AIDS.
- \* ensure that all students and staff, who have been subjected to rape and sexual violence, have access to counselling and support provided by the University
- \* develop protocol for dealing with instances of rape and sexual violence.

### **6.5.3 Care and support**

The University pledges to:

Encourage the formation of support groups for both students and staff, after appropriate counseling training has been offered.

Expand the services of the Campus Health Clinic in order to provide the CD 4 count services and the anti-retroviral therapy

Provide immune boost supplements for the infected

Ensure that when appropriate, referrals are made to relevant institutions and organisations within the area, for further assessment, treatment and management.

## ***6.6. Strategy for Top-Management***

The University will strive to ensure that:

There is ongoing support of Top-Management in the strategic planning and the implementation of HIV & AIDS Programme (i.e. sustained involvement of the Rectorate in the HIV & AIDS Committee)

Voluntary Counseling and Testing (VCT) is promoted and Top Management leads by example.

Special events days appearing in the prospectus are used for social dialogues on issues related to HIV & AIDS and that Top-Management becomes part of such dialogues.

If and when time allows, brief presentations on HIV & AIDS are part of the agenda for Senate meetings.

## **6.7 Research**

The University will promote research into all aspects of HIV&AIDS. These will include:

- operational research to improve the efficiency in the implementation and effectiveness of programmes
- policy research to keep up with scientific developments e.g. anti retroviral therapy, traditional medicines, nutrition and other areas
- establishment of an HIV Research Interest group to support and strengthen knowledge generation, assimilation and dissemination with respect to HIV & AIDS.

The University's staff and students should benefit from any research and community activity undertaken within the institution through relevant focussing and participation.

## **7. Responsibilities**

It is important that all sectors of the University are involved in the implementation of the policy.

### **7.1 Responsibilities of employees**

- Employees should take responsibility for own health.
- They should not only participate in the programme but also own it.
- They should respect the privacy and confidentiality of those living with HIV
- They should respect the rights of those who are not HIV positive
- They have a responsibility to take the lessons they have learnt at the workplace to their homes and or communities
- Participate in collaborative partnerships

### **7.2 Responsibilities of heads of sections ( academic & non-academic)**

- Ensure that the process of consultation takes place
- Show commitment to the HIV & AIDS programme
- Allow time for employees to take part in the HIV & AIDS programme including attending clinics, other health services and educational / awareness programmes
- Assess the performance of employees taking into cognizance the effect of factors like ill-health, sick leave
- Ensure that sick leave forms are completed and timely submitted to the human Resources Department for monitoring purposes
- Consider the transfer of employee to lighter duties as and when the need arise

- Ensure that their sections or departments participate in collaborative partnerships

### 7.3 Responsibilities of academic heads of departments

- Ensure the integration of HIV and AIDS aspects in the various modules and that this is reflected in the study guides and the course outlines
- Report quarterly to the Executive Deans on the extent to which issues of HIV & AIDS have been integrated
- Annual reports should reflect the extent to which graduates have been prepared to manage HIV & AIDS within their respective fields/ disciplines.

### 7.4 Responsibilities of shop stewards and trade unions

- Ensure that the process of consultation throughout the workplace takes place
- Show commitment to the programme
- Encourage employees to be involved in the programme
- Feed comments up from the shop floor
- Participate in collaborative partnerships

## ***8. Monitoring and evaluation***

An assessment of the institution is essential in determining the risk

KAP survey will be conducted to establish baseline and develop needs-based interventions.

There has to be improved HIV surveillance screening and diagnosis through VCT to ascertain the incidence of HIV infection.

In order for the policy to be a success, an operational plan should be in place. The plan should incorporate specific indicators so that interventions can be measurable.

Ongoing monitoring will assist in determining a need for change in the programme.

Conduct surveillance on HIV and STI risk behaviours

The Human resources section will have to maintaining records on sickness or absence and looking at the causes of absence will be important in monitoring the impact of HIV and AIDS.

Records connected to health and counseling will be kept confidential.

Records and reports related to the programme will be kept as evidence of the programme roll-out.

## **9. UZ HIV & AIDS Committee**

The University will establish an HIV&AIDS Committee, residing under the University Council in accordance with the Standing Orders of the University.

The HIV& AIDS Committee will meet to:

- ensure that the Policy is implemented
- consider new submissions to the Policy
- implement changes in legislation, regulations and/or codes of good practice
- plan and discuss any activity to further the intention of this Policy.
- ensure continual improvement of the Policy and such a process will take place during the month of September of each year

## ACKNOWLEDGEMENTS

- Department of Health ( 1997) *Guidelines for Developing a Workplace Policy and Programme on HIV/AIDS and STIs*
- Department of Labour ( 2004) *Code of Good Practice on Key Aspects of HIV/AIDS and Employment*
- Employment Equity Act No. 55 of 1998
- HEAIDS Strategic Framework 2006-2009 and Beyond
- HIV and AIDS and STI Strategic Plan for South Africa 2007-2011
- Labour Relations Act No. 66 of 1995
- Muraah WM & Kiarie WN (2001) **HIV and AIDS: Facts That Could Change Your Life**. English Press LTD, Nairobi
- Occupational Health and Safety Act No 29 of 1996
- University of Zululand ( 2002) HIV/AIDS policy
- World Health Organisation ( 2005) *Joint ILO/ WHO Guidelines on Health Services and HIV/AIDS*

## **WHERE TO GET HELP?**

### **Unizul Campus**

HIV & AIDS Programme ( Dr. ZM Mkhize)	035-9026661
Campus Clinic ( Dr. BN Vilakazi)	035-9026157/8
Dean of Students ( Dr. MM Hlongwane)	035-9026341
SRC Office ( President)	035-9026746
Centre for Guidance & Counselling ( Ms NN Makalima)	035-9026342
Nursing Science Department ( Dr NJ Dlamini )	035-9026509
Department of Educational Psychology ( Dr JD Adams)	035-9026236
Department of Psychology ( Dr. HSB Ngcobo)	035-9026610
Department of Human Movement Science ( Dr GK Longhurst )	035-9026395
Department of Consumer Science ( Mrs SM Ntuli )	035-9026375

### **uMhlatuze Region**

HIV& AIDS District Coordinator ( Ms TE Luthuli) 035-7722098

#### Dlangezwa

Khandisa Clinic ( Sister Mthembu) 035-7933642

#### Esikhawini

Phaphamani Clinic ( Sister TG Nxumalo) 035-7960135

Thokozani Clinic ( Sister Nyawo) 035-7960109

#### Enseleni

Enseleni Clinic ( Sister Ntuli) 035-7951127

#### Richardsbay

uMhlatuze Municipality Clinic ( Sister H Dladla ) 035-9075303

Note that there are well established support groups at Khandisa, Ntuze, Nseleni and Richardsbay. For more information contact Mr. Sphamandla Mafuleka (035-9026162)

### **Areas outside of uMhlatuze but within South Africa**

All Government hospitals, Government clinics and Municipality clinics offer Voluntary Counselling and Testing (VCT) services.

