APPENDIX:
WORKPLACE POLICIES
1. HIV/AIDS in the Workplace: A Sample Human Resources Policy Statement

An HIV/AIDS workplace policy provides the basic framework for company action to reduce the spread of HIV/AIDS and to manage its impacts. The policy should serve as a guide for present and future situations regarding HIV/AIDS and clarify this topic to employees and managers. Workplace HIV/AIDS policies should:

- Make an explicit promise for corporate action;
- Commit to confidentiality and non-discrimination for all employees;
- Assure consistency with appropriate national laws;
- Lay out a standard of behavior for all employees (whether HIV-infected or not);
- Provide guidance to supervisors and managers;
- Explain to employees living with HIV/AIDS the type of support and care they will receive, so they are more likely to come forward for counseling and testing;
- Help stop the spread of the virus through prevention programs;
- Be made available to all employees, in a format that is easily understood; and,
- Manage the impact of HIV/AIDS with the ultimate aim of cutting business costs.

Here are several examples that can be used and adapted.

[Box 25] Sample Workplace Policy

YOUR COMPANY NAME will treat HIV/AIDS the same as other life-threatening illnesses and handicaps in terms of our policies and benefits, where they apply, and will not discriminate against a qualified individual with regard to job application, hiring, advancement, discharge, compensation, training, or other terms, conditions, or privileges of employment.

YOUR COMPANY NAME recognizes that an employee with HIV/AIDS or another life-threatening illness may wish to continue with as many of his or her normal pursuits as the illness allows, including work. YOUR COMPANY NAME will be supportive of and make reasonable accommodation for the employee who is medically able to perform his or her job. An employee’s medical information is personal and will be treated as confidential.

While accommodating employees with life-threatening diseases and other disabilities, however, YOUR COMPANY NAME recognizes its obligation to provide a safe work environment for all employees. YOUR COMPANY NAME is sensitive and responsive to coworkers’ concerns and will emphasize employee education. We will continue our efforts to be adequately informed about HIV/AIDS and will make this information available to employees on a regular basis.

YOUR COMPANY NAME will communicate policies and practices to employees in simple, clear, and unambiguous terms.
YOUR COMPANY NAME will provide employees with sensitive, accurate, and up-to-date information about risk reduction in their personal lives.

YOUR COMPANY NAME will protect the confidentiality of employees’ medical insurance information. To prevent work disruption and rejection by coworkers of an employee with HIV/AIDS, YOUR COMPANY NAME will undertake education for all employees before such an incident occurs and as needed thereafter.

YOUR COMPANY NAME does not require HIV screening as part of pre-employment or general workplace physical examinations.

If you have any questions or concerns regarding this policy, please contact the Manager, Human Resources and Administration.


2. Merck & Co., Inc.: HIV/AIDS, Tuberculosis, and Malaria Workplace Policy (Executive Summary)

Merck & Co., Inc. is a leading research-driven pharmaceutical company with over 60,000 employees operating in more than 90 countries worldwide. Merck recognizes that infectious diseases, in particular HIV/AIDS, TB, and malaria represent major health care burdens worldwide and pose a critical challenge to nations, communities, and people across the globe, including Merck employees and their families.

Consistent with the company’s longstanding commitment to its employees and to improving human health and expanding access to medicines and quality care, Merck has an HIV/AIDS, Tuberculosis and Malaria Workplace policy that ensures that our employees and their dependents have access to appropriate disease prevention programs and access to a minimum standard of medical care and treatment. The workplace policy formalizes and extends existing practices and applies to all Merck employees and dependents globally to lessen the social, economic, and health burdens that accompany HIV/AIDS, TB, and malaria.

Policy Principles:

The following principles guided the development of the HIV/AIDS, TB, and Malaria Workplace Policy:

- Ensure that all employees and their dependents have access to prevention, care, and treatment for HIV/AIDS, TB, and malaria.
- Ensure that HIV/AIDS, TB, and malaria care and treatment programs for all Merck employees and their dependents meet a minimum standard of care, and that prevention programs are locally appropriate.
- Promote confidentiality, equal opportunity, nondiscrimination, and reasonable accommodation of employees, including those with HIV/AIDS, TB, or malaria.
- Supplement and support local governmental health care responsibilities.
- Provide company-sponsored benefits where local access to appropriate prevention, care,
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and treatment is inadequate.

Policy Elements include:

1. **Nondiscrimination.** Equal opportunity for all people without regard to race, color, national origin, sex, sexual orientation, age, marital status, religion, veteran status, health status, or disability with respect to employment. HIV screening for employment purposes is not conducted unless explicitly required by law.

2. **Confidentiality.** Information about an employee’s medical condition is private and is treated in a confidential manner.

3. **Accommodation of Employees with HIV/AIDS, TB, or Malaria.** As a matter of policy, Merck assigns employees to jobs that they are physically able to perform. Employees with HIV/AIDS, TB, or malaria, as with any other disease, will be treated the same as other employees with regard to absenteeism, assessment, and consideration for reasonable accommodations. Moreover, HIV/AIDS, TB, or malaria infection is not a cause for termination of employment.

4. **Prevention.** Prevention is a key component of a workplace policy. Geographically appropriate prevention initiatives will be a cornerstone of each subsidiary’s program. Where the nature of work assignments may pose a known risk of infection to employees, appropriate safety education, training, and prophylactic treatment will be provided and will be based on locally appropriate norms.

5. **Treatment and Care.** The policy provides access to a minimum standard of treatment and care for Merck employees and eligible dependents with HIV/AIDS, TB, or malaria, respectively. Access includes voluntary counseling and testing, quality medical services and facilities (evaluation, education, monitoring, prevention, and treatment advice), reliable laboratory services, ongoing access to appropriate, quality disease-related medications, and medical evacuation to a regional facility if local facilities and care are inadequate.

6. **Continuation of Treatment Coverage.** The policy provides for continued treatment of eligible participants subsequent to the employee’s end of employment with the company until he or she is covered by a new employer. The continued coverage provided shall be secondary to any government-provided coverage.

This workplace policy will be monitored and evaluated on an ongoing basis to ensure that programs are appropriate and effective.


2. **Chevron Corporation: Policy 260 on HIV/AIDS**

HIV/AIDS is a substantial worldwide threat with enormous human impact and attendant social, economic, and political risks that directly affect our employees and our business. Consistent with our values, Chevron will strive to meet the challenge this threat presents to our business through strategic leadership in our industry and in the communities where our employees live and work.

**Scope**

This policy applies to all Chevron employees worldwide.

**Nondiscrimination**

Employees with HIV/AIDS are fully protected by the company’s existing harassment and discrimination policies (e.g., Policy 200 — Employment, and Policy 202 — Harassment).
Pre-employment HIV Testing
The company will not conduct pre-employment HIV testing except as required by national and/or local laws. If pre-employment HIV testing is required by national or local laws, employment decisions will not be based on the results of the HIV testing. Applicants will not be asked about their HIV status when applying for a job.

Employment Benefits
Employees who become ill with HIV/AIDS will be treated like any other employee with a life-threatening illness and will be administered under the terms of the rules of their respective benefit plans.

Confidentiality
Confidentiality regarding the HIV/AIDS status of an employee shall be maintained at all times consistent with company policies as described in the Business Conduct and Ethics Manual.

Treatment and Support
The company’s intent and long-term goal is to secure treatment for employees and covered dependents, in the presence of accepted medical practice, appropriate medical expertise and infrastructure, pharmaceutical logistics, and national laws in their country or region of employment.

Partnerships
The company will strive to engage and work with national and local governments, public and non-governmental organizations, and multilateral agencies to deploy best practices in the prevention, care, treatment, and support of HIV/AIDS in areas where the company operates.

Workplace and Community Programs
Consistent with need, workplace and community programs of education, awareness, prevention, and treatment will be promoted in areas where the company operates.

Policy Review
This policy will be reviewed on a regular basis and amended as deemed appropriate.

Responsibility
The Director, Health and Medical Services, will:
- Provide advice and counsel on matters pertaining to HIV/AIDS prevention and treatment;
- Recommend HIV/AIDS policy changes;
- Represent the corporation on HIV/AIDS policy externally.

Individual business units will determine the required extent of policy implementation, consistent with local need.

Employees who believe they have been subjected to harassment based on their HIV/AIDS status should immediately report the incident to their supervisor, a higher level of management, their local/designated Human Resources contact, their local Ombudsman, or the Company Hotline. All complaints will be promptly and thoroughly investigated. The company will treat such complaints as confidentially as possible, releasing information only to those with a need or right to know.

Source: GBC and Chevron.