



# LIMPOPO

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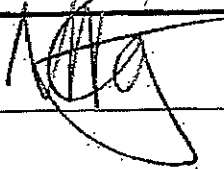

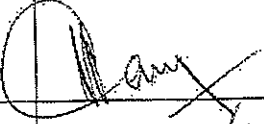


**PROVINCIAL GOVERNMENT**  
REPUBLIC OF SOUTH AFRICA

**OFFICE OF THE PREMIER**

**HAST POLICY**

Document Approval Page

HAST (HIV/AIDS STI AND TB) POLICY

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**1. ACROMYNS AND ABBREVIATIONS**

EXCO	Executive Council
G & A	Government and Administration
CD	Chief Director
HAST	HIV, AIDS, Sexually Transmitted Infections and TB Management
KPA	Key Performance Area
LDP	Limpopo Development Plan
MEC	Member of Executive Council
MTEF	Medium Term Expenditure Framework
MTSF	Medium Term Strategic Framework
NDP	National Development Plan
OtP	Office of the Premier
PFMA	Public Finance Management Act
PT	Provincial Treasury

## **2 INTRODUCTION AND BACKGROUND**

This Policy serves as a guide for the Office of the Premier in responding to HIV/AIDS STI's and TB Management. It provides guidelines on how to implement the programmes in the workplace as part of the overall Employee Health and Wellness initiatives. The policy shall be read in conjunction with the National EH&W Strategic Framework, 2008, Step-by-Step Implementation Guide, the Monitoring tool, National and Provincial Strategic Plan on HIV, STI's and TB.

The Office of the Premier in implementing this policy shall establish and maintain a safe and healthy work environment for employees, a safe and healthy services delivery environment for members of the public.

## **3 PURPOSE AND OBJECTIVE OF THE POLICY**

The objective of this policy, as per the Public Service Regulation, 2016 is to provide guidelines for the Office of the Premier to:

3.1 Mainstream HIV, STI's, and TB within the Office and the public to access appropriate services in line with the department's mandate.

3.2 Provide Prevention strategies and programmes to combat the spread of HIV, STI's and TB.

3.3 Sustain the Health and Wellness of employees through care and support services.

3.4 Protect the human rights of employees living with HIV and improve access to justice.

3.5 The Director General shall, take all reasonable steps to –

3.5.1 Facilitate timely access to HIV Counselling and Testing of an employee who has been exposed to HIV as a results of his or her employment.

3.5.2 Prevent HIV or any other diseases in the workplace.

3.5.3 Provide access to HIV treatment and sustained health and wellness for employees.

3.5.4 Facilitate for the provision of post-exposure prophylaxis in line with prevailing guidelines and protocols for employees who have been exposed as a results of an occupational incident.

3.5.5 If any testing taken indicates that an employee has become HIV –positive as a results of the occupational incident, ensure that the employee is assisted to apply for Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993);

3.6 In respect of non-discrimination, the Director General shall-

3.6.1 Ensure that no employee or prospective employee is unfairly discriminated against on the basis of his or her HIV or health status or perceived HIV or health status, in any employment policy or practice.

3.6.2 Take appropriate measures to actively promote non-discrimination and all forms of stigmatisation in the workplace and to protect employees living with HIV and other diseases from such discrimination and stigmatisation;

3.7 In respect of HIV testing and TB screening, the Director General shall-

3.7.1 Take reasonable steps to facilitate development and implementation of regular, free, voluntary, and confidential HIV counselling and testing for employees in the Office.

3.7.2 Take all reasonable steps to facilitate TB-screening as well as support to complete treatment for eligible employees; and

3.7.3 Ensure that no employee or prospective employee in the Office is compelled to take an HIV test unless the Labour Court has declared such testing as justifiable in terms of the employment equity act.

3.7.4 In respect of confidentiality and disclosure, all employees shall treat information of an employee's HIV status or any other medical disease or condition as confidential and shall not disclose the information to any other person without the employees' written consent.

3.8 In respect of a health promotion programme, the Director General shall-

3.8.1 Allow EHWP sub directorate to introduce appropriate education, awareness and prevention programmes on HIV and AIDS or any other diseases for the employees in the Office and, as far as possible, integrate those programmes with programmes that promote health, productivity and well-being of employees;

3.8.2 Create mechanisms within the workplace to encourage openness, acceptance, care and support of employees with HIV or any other diseases through a comprehensive employee health and wellness programme or health promotion programme for the department;

3.8.3 Allocate adequate human and financial resources to implement the provisions of this regulation, and, where appropriate, form partnerships with other departments, organisations and individuals who are able to assist with health promotion programmes;

3.8.4 Establish an Employee Health and Wellness committee with adequate representation and support from all relevant stakeholders, including trade union representatives, to facilitate the effectiveness of the provisions of this regulation.

3.8.5 Ensure that the health promotion programmes includes an effective internal communication strategy.

#### **4 AUTHORITY OF THE POLICY**

This policy is issued under the authority of the Premier as the Executive Authority and the Director General as the Accounting Officer.

#### **5 SCOPE OF APPLICATION**

Reviewed February 2016



This policy, except where otherwise indicated, is applicable to all employees and structures related to the Office of the Premier, Limpopo Province.

## **6 LEGAL FRAMEWORK**

The policy guideline should be read in conjunction with the following legislative prescripts:

- Constitution of the RSA, [Act No. 108 of 1996]
- Basic Conditions of Employment Act, 1997 [Act No. 75 of 1997]
- Occupational Health and Safety Act, 1993 [Act No. 85 of 1993] and Regulations as amended
- Employment Equity Act, 1998 [Act No. 55 of 1998]
- Labour Relations Act, 1995 [Act No. 66 of 1995]
- Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 [Act No. 4 of 2000]
- Public Service Regulation, 2016
- Compensation for Occupational Diseases and Injuries Act [No. 130 of 1993]
- Mental Health Care Act, 2002 [Act No. 17 of 2002]
- The Medical Schemes Act, 1998 [Act No. 131 of 1998]
  
- Strategic frameworks applicable to EHW within the public service
- National Strategic Framework on Stigma and Discrimination
- National Occupational Health and Safety Policy of 2005
- HIV&AIDS, STIs and TB National Strategic Plan 2012 – 2016
- HIV&AIDS, STIs and TB Provincial Strategic Plan 2012 – 2016
- National TB Infection Control Guidelines, June 2007
- Management of Drug Resistant Tuberculosis in South Africa, Policy
- Mental Health Care Regulations 14 February 2003

## **7 DEFINITIONS**

**7.1. "HIV" stands for HUMAN IMMUNODEFICIENCY VIRUS.** It is a blood borne virus transmitted amongst human beings. HIV attacks the immune system and once it has rendered it incompetent, a person could develop variable illnesses because the body will be too weak to defend itself.

Reviewed February 2016

**7.2 “AIDS”** stands for **ACQUIRED IMMUNE DEFICIENCY SYNDROME**. AIDS is a condition that is present when the body's defense system is deficient and various life-threatening infections occur. These life-threatening infections are called opportunistic infections or diseases.

**7.3 “TB”** stands for **TUBERCULOSIS**. It is an infection caused by an organism called Mycobacterium Tuberculosis, characterized by fever, loss of weight, night sweat, and fatigue. When the infection is in the lungs the person presents with prolonged cough of more than two weeks.

**7.4 “Mainstreaming”** means inclusion of HIV & AIDS and TB into functions relevant to the core mandate of units within the Office.

**7.5 “The HIV&AIDS and TB Coordinator”** is an employee tasked with the responsibility to coordinate the implementation of HIV&AIDS and TB programmes. The HIV&AIDS Coordinator can be professionally trained to perform therapeutic interventions, if not trained, such cases should be referred.

**7.6 “The Head of Department”** means head of a national Department, the office of the premier, a provincial Department, or a head of a national or provincial component, and includes any employee acting in such post.

**7.7 “The Designated Director”** means any member of the Senior Management Service in line with the provisions of the Public Service Regulation 2016, who is tasked with championing the HIV&AIDS and TB management programme within the workplace.

**7.8 “The Peer Educator”** is an employee who is trained to work with his/her peers, sharing information and guiding a discussion using his/her peer experience and knowledge.

## **8 POLICY PRONOUNCEMENTS**

The Office of the Premier shall

**8.1** Make provision of financial, human and physical resources for the implementation of a comprehensive Employee Health and Wellness programmes.

**8.2** Uphold and maintain the confidentiality regarding the HIV status of any employee.

**8.3** Create a safe and healthy working environment to ensure that the risk of HIV and TB infections are minimized.

**8.4** Implement the Compensation for Occupational Injuries and Diseases Act 130 of 1993.

**8.5** Participate in the Limpopo Provincial AIDS Council (LPAC) and any other structure within the LPAC.

Reviewed February 2016

*Office of the Premier HAST – September 2014*

8.6. Participate during the development, review and implementation of the Provincial HAST Policy.

8.7. Provide HCT services and TB screening on site.

**9 DEFAULT**

Any employee of the Office of the Premier who contravenes the provisions of this policy shall be charged with misconduct and the necessary disciplinary measures taken.

**10 INCEPTION DATE**

The inception date for this policy will be after approval by the Accounting and Executive Authority.

**11 TERMINATION AND REVIEW CONDITIONS**

This policy will remain in force unless withdrawn or amended by the Executive Authority and shall be reviewed by a special review committee appointed by the Executive Authority bi-annually or whenever a need arises

**12 ENQUIRIES**

All enquiries can be directed to the Employee Health and Wellness Programme Sub Directorate.