

*HIV and AIDS  
Policy for the Energy Sector  
of Zimbabwe*

September 2009

Prepared by  
A Select Committee from the Energy Sector

Facilitated by the  
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## Acronyms

AIDS	Acquired Immune Deficiency Syndrome
ART	Antiretroviral Therapy
ARV	Antiretroviral
EMCOZ	Employers' Confederation of Zimbabwe
HIV	Human Immunodeficiency Virus
ILO	International Labour Organization
NAC	National AIDS Council
NSSA	National Social Security Authority
NEC	National Employment Council
NOCZIM	National Oil Company of Zimbabwe
PZL	PetroZim Line
REA	Rural Electrification Agency
SADC	Southern African Development Community
TB	Tuberculosis
UNAIDS	Joint United Nations Programme on HIV/AIDS
ZCTU	Zimbabwe Congress of Trade Unions
ZESA	Zimbabwe Electricity Supply Authority
ZEWU	Zimbabwe Energy Workers Union
ZINWA	Zimbabwe National Water Authority



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International Labour Organization (ILO)

Joint United Nations Programme on HIV/AIDS (UNAIDS)

Ministry of Health and Child Welfare

Ministry of Labour and Social Services

National AIDS Council (NAC)

Swedish International Development Agency (SIDA)

Zimbabwe AIDS Network (ZAN)

Zimbabwe Congress of Trade Unions (ZCTU)

Zimbabwe National Network for People Living with HIV and AIDS (ZNPP+)



## Foreword

**Z**imbabwe is one of the countries of the world most affected by HIV and AIDS, and ranks among the highest in the sub region and in Africa as a whole. At the workplace, HIV has negatively affected human and financial balance sheets, through a marked reduction in the supply of skilled labour.

The energy sector is one of the most vulnerable, owing to the nature and scope of the work within the industry. The sector offers potentially fertile ground for the spread of HIV. While some individual companies have introduced and implemented enterprise based HIV and AIDS programmes, the need for an industry based HIV and AIDS policy cannot be over emphasized.

This policy, which was developed through consultations among key stakeholders, provides a framework and foundation upon which the energy sector's social partners may design, adopt, implement, monitor and evaluate suitable and flexible HIV and AIDS programmes at sub sector and enterprise levels. It is important to point out that this HIV and AIDS Policy only sets the basic minimum standards expected of each enterprise and, therefore, enterprises are encouraged to set even higher standards.

The Policy provides in detail the rationale, HIV preventive strategies, prescriptive solutions, and the priorities for mitigation that should be employed in combating the contracting, spread and effects of HIV. It deals with the rights and responsibilities of players within the industry, with regard to this epidemic.

The aims and objectives of this guiding policy are, among others: to foster behavioral and attitudinal change; to motivate openness; and to support action within workplaces and across all sectors by building partnerships, networks, initiatives and collaborations against HIV. I am more than confident that these will be achieved in due course.

I commend this policy to God the Almighty and to all the stakeholders in the energy industry.

PG Mpariwa  
Minister of Labour and Social Services  
September 2009



## 1. Introduction

**T**he HIV and AIDS pandemic continues to grow at an alarming rate in Africa, with many southern African countries, including Zimbabwe, experiencing among the highest prevalence rates in the world.

The magnitude of the national economic and social burden of HIV is very high at employee, employer and sectoral levels. The energy sector, comprising electricity, water, fuel, oil and gas companies, is no exception. The challenges are characterized by a large resident labour force at power stations, water catchment areas, fuel depots and other work locations countrywide. The lack of varied entertainment at such compound-like cantonments contributes towards risky sexual behaviour which increases the risk of HIV transmission. This is manifested through the death of employees and their immediate family members, resulting in loss of production through absenteeism due to illness and increased medical and labour costs, as well as the costs of hiring temporary or replacement staff. The workplace is an important entry point for the provision of information on risk prevention, treatment, care and support to ensure that employees are empowered with knowledge to reduce the spread of HIV.

The energy sector realizes that HIV is no longer an issue for the health sector alone, as its effects are felt across all sectors of the society. Therefore an energy sector-wide HIV and AIDS policy is essential to enable management of the epidemic through development and implementation of workplace prevention, treatment, care and support programmes.

This policy shall apply to all employees and prospective employees, and employers within the energy sector and shall operate in conjunction with other relevant statutes that become operational from time to time.

The policy draws inspiration and valuable input from the National Policy on HIV and AIDS of the Republic of Zimbabwe, Zimbabwe National HIV and AIDS Strategic Plan (2006–2010), The Zimbabwe Statutory Instrument 202/98 on Labour Regulations on HIV and AIDS of 1998,

the SADC Code of Conduct on HIV and AIDS and Employment, and the ILO Code of Practice on HIV and AIDS and the World of Work.

The following key principles have been adopted from the above documents in drawing up this energy sector HIV and AIDS policy:

- (i) Recognition of HIV and AIDS as a workplace issue
- (ii) Non-discrimination
- (iii) Gender equality and equity
- (iv) A healthy work environment
- (v) Social dialogue
- (vi) No screening for purposes of exclusion from employment or work processes
- (vii) Confidentiality of medical information
- (viii) Continuation of the employment relationship
- (ix) Prevention and control
- (x) Care and support

## 2. Aim and Scope of the Policy on HIV and AIDS

**T**he aim of the policy on HIV and AIDS is to provide guidelines for effective workplace HIV intervention programmes for the Energy Sector. This policy shall apply to all employers and employees within the Energy Sector, including prospective employers and apprentices.

### 3. Policy and Legal Framework

This policy is a result of consultation among the key stakeholders within the energy sector, namely) the Zimbabwe Congress of Trade Unions (ZCTU) and its affiliate Union, the Zimbabwe Energy Workers Union (ZEWU), the Employers' Confederation of Zimbabwe (EMCOZ), the Energy sector National Employment Council (NEC), ZESA Holdings (Private) Limited, the National Oil Company of Zimbabwe, the Rural Electrification Agency, the Zimbabwe National Water Authority (ZINWA) and PetroZim Line.

The policy must be understood in the context of the following relevant conventions, regulations, policies and guidelines:

- (i) Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
- (ii) Employment Injury Benefits Convention, 1964 (No. 121)
- (iii) Collective Bargaining Convention, 1981 (No. 154)
- (iv) Occupational Safety and Health Convention, 1981 (No. 155)
- (v) Occupational Health Services Convention, 1985 (No. 161)
- (vi) ILO Code of Practice on HIV and AIDS and the World of Work

Also guiding the policy are the following pieces of national policy and legislation:

- (i) Zimbabwe National HIV and AIDS Strategic Plan (2006–2010)

The Plan outlines a coordinated approach in HIV and AIDS mitigation strategies under the “three ones” which are: one agreed HIV and AIDS action framework that provides the basis for coordinating the work of all partners; (b) one national AIDS coordinating authority with a broad-based multisectoral mandate; and (c) one agreed country level monitoring and evaluation system.

- (ii) Labour Act, Chapter 28:01
  - This Act declares and defines the fundamental rights of employees, provides for the prevention of unfair labour practices and regulates conditions of employment, negotiations, and scope and enforcement of collective bargaining agreements. Section 5, of the Act provides for non-discrimination on the basis of HIV status.
- (iii) Statutory Instrument 202 of 1998, Labour Relations (HIV and AIDS) Regulations, 1998
  - The Instrument covers the prevention and management of HIV and AIDS in the workplace and is meant to ensure that HIV-affected employees are not discriminated against. It establishes the rights and responsibilities of both employers and employees.
- (iv) Statutory Instrument 64 of 2008
  - An inspection form used by labour inspection officers to assess the level of HIV and AIDS interventions at both the sector and enterprise level.
- (v) Statutory Instrument 68 of 1990, National Social Security (Accident Prevention and Workers' Compensation Scheme) Notice, 1990
  - The instrument covers accident prevention, compensation for accidents in factory workplaces and diseases contracted during the course of duty, including HIV.

## 4. Key principles

### 4.1 Recognition of HIV and AIDS as a workplace issue

#### Policy Statement

The energy sector, having acknowledged the impact of HIV and AIDS, shall endeavour to make a meaningful contribution to the reduction of HIV prevalence. Treating HIV and AIDS like any other serious illness or health condition in the workplace, in accordance with section 5.1 of the ILO Code of Practice, the sector should seek to improve the quality of life of infected employees as well as to mitigate the socio-economic impact of HIV and AIDS at the workplace.

#### Rationale

- (i) Given the fact that southern Africa has the highest HIV prevalence than any region in the world, the energy sector recognizes that it is equally affected.
- (ii) The nature of duties within the sector keeps some workers away from their spouses, thereby increasing their vulnerability to HIV infection.
- (iii) Risky and unprotected sexual behaviours or relationships render workers vulnerable to HIV and increased transmission of HIV impacts negatively on the effectiveness of the workforce.

#### Strategies

Acknowledgement by the tripartite partners (government, employers and employees) that HIV and AIDS is an occupational risk, hence the need to fight HIV and AIDS requires a commitment that:

- (i) Company policies shall be in line with the requirements of the Energy Sector Policy on HIV and AIDS
- (ii) Companies shall allocate adequate financial and non-financial resources so that HIV and AIDS programmes are carried out within the energy sector.



Creation and promotion of a conducive environment for open dialogue and transparency among the tripartite partnership at enterprise level in the response to HIV and AIDS, hence:

- (i) Employees and employers should be involved as partners in the formulation, implementation, monitoring and evaluation of the HIV and AIDS policy and programmes
- (ii) Confidentiality and trust must be maintained by all parties.

In order to prevent HIV and other sexually transmitted infections by promoting sustained behavioural change through education and awareness programmes, enterprises should:

- (i) Provide education and training on HIV and AIDS
- (ii) Ensure access to antiretroviral (ARV) drugs, and treatment of sexually transmitted infections (STIs) and HIV-related illnesses
- (iii) Identify and train employer–employee counsellors and workplace peer educators
- (iv) Highlight and promote the importance of abstinence, faithfulness and condom use as means of protection which may necessitate behavioural change
- (v) Promote, distribute and provide information on the use of female and male condoms at the workplace and in surrounding communities
- (vi) Ensure that occupational risks are minimized and the workplace has adapted to the health and safety capabilities of employees so as to reduce the progression of HIV and AIDS.

Discrimination against and stigmatization of employees and job applicants on the basis of their HIV status is to be eliminated by:

- (i) Educating stakeholders on the provisions of Statutory Instrument 202 of 1998, Statutory Instrument 64 of 2008 and any other relevant statutes
- (ii) Providing copies of the statutory instruments to stakeholders
- (iii) Enabling stakeholders to identify and manage workplace behaviour, conduct and practices that

discriminate against employees on the basis of their real or perceived HIV status.

## 4.2 Non-discrimination

### Policy statement

There shall be no discrimination against employees, including those newly recruited and those in the process of applying for work, on the basis of actual or perceived HIV status, in the spirit of decent work, human rights and the dignity of persons infected by HIV.

### Rationale

Realization of the need to protect employees from being discriminated against, stigmatized, rejected or denied their rights on the basis of their HIV status.

### Strategies

- (i) Educate stakeholders on the provisions of Statutory Instruments 202 of 1998 and 64 of 2008 and other relevant statutes, and translate these into vernacular languages.
- (ii) Where necessary, and if possible as initiated by the employee concerned, noting that advances in the treatment of HIV infection mean that individuals can continue to lead a full working life, transfer employees living with HIV to more suitable jobs and locations, without loss in status and benefits, and precluding the use of this clause to transfer employees living with HIV to less favourable jobs or locations.
- (iii) Provide training to stakeholders to identify and manage workplace behaviour, conduct or practices which discriminate against or alienate employees living with HIV.
- (iv) Define grievance hearing and disciplinary procedures for handling cases of discrimination on the basis of actual or perceived HIV status and amend existing company employment regulations where they are not in line with this requirement.
- (v) Companies shall strengthen enforcement of all relevant legislation and policies on HIV and AIDS,

especially unfair dismissal and retrenchments on the basis of discrimination because of HIV status.

- (vi) Ensure there is no screening for HIV infection for the purpose of discriminating against employees living with HIV in decisions involving hiring, training, promotion, termination or retrenchment.
- (vii) Ensure a continued employment relationship and that employees living with HIV continue to work as long as they are certified fit for employment.

### 4.3 Gender equality and equity

#### Policy statement

The energy sector shall provide equal employment opportunities for female and male employees regardless of HIV status.

#### Rationale

- (i) Being conscious of the inherent inequality of employment opportunities for both females and males living with HIV.
- (ii) Conscious that women have more responsibilities than men, at work and beyond.
- (iii) Noting that women, by reason of both their physiological make up and their lack of power within relationships, families and society, are more vulnerable than men to HIV infection.

#### Strategies

- (i) The principle of equal job and equal employment opportunities shall apply irrespective of HIV status and gender.
- (ii) Protect all employees from being marginalized regardless of sex, appreciating that women have historically been marginalized in the workplace.
- (iii) Mainstream gender into all HIV and AIDS related activities.
- (iv) Train both males and females as care givers and peer educators in home based care.
- (v) Avail female and male condoms in strategic positions at the workplace to empower both sexes and prevent the spread of HIV.

#### 4.4 A healthy work environment

##### Policy statement

The sector shall commit itself to be a healthy, safe and conducive working environment.

##### Rationale

- (i) Realising that the safety of employees comes before profits.
- (ii) Conscious of the fact that provision of proper protective clothing and equipment, and adherence to the principles of decent work are paramount.

##### Strategies

- (i) Ensure a clean, safe and spacious working environment that reduces the likelihood of airborne pathogens such as tuberculosis, to which those affected by HIV are more susceptible.
- (ii) Provide adequate protective clothing to all employees.
- (iii) Provide first-aid kits to employees.
- (iv) Provide information on and access to post exposure prophylaxis (PEP) for first aid givers and health workers, and to any employee who may be exposed to the risk of HIV transmission through work.
- (v) Provide adequate and suitable tools and equipment so as to reduce the risk of injury at the workplace.
- (vi) Provide a stress free working environment for employees living with HIV and other employees.

#### 4.5 Social dialogue

##### Policy statement

The energy sector shall be devoted to social dialogue which will promote transparency and open communication among the stakeholders.

##### Rationale

- (i) Given that open dialogue is needed to promote trust among government, employers, and employees.

- (ii) Understanding the roles of key stakeholders in the fight against HIV and AIDS in the world of work.

### Strategies

- (i) Promote and support HIV and AIDS programmes in the workplace by stakeholders through team work.
- (ii) Adopt the standard of practice used to minimize the risk of blood-borne pathogens known as “universal precautions”, as indicated in Appendix II of the ILO Code of Practice.
- (iii) Form support groups for employees living with HIV.
- (iv) Form networks with organizations that deal with HIV related issues who can provide technical support and resources, as well as with those representing people living with HIV (PLHIV).
- (v) Collaborate with public and private sector institutions that provide HIV and AIDS treatment, follow up care and support, as well as access to PEP to any worker who may require this to prevent HIV infection.
- (vi) Equal participation of stakeholders to safeguard their interests.

## 4.6 No screening for purposes of exclusion from employment

### Policy statement

Neither employees nor those seeking employment shall be screened for HIV infection, whether directly (HIV testing) or indirectly (assessment of risk-taking behaviour, or asking questions about tests already taken or about medication) before or during employment, while medical examination shall be adequate and apply to all employees or prospective employees irrespective of HIV status.

### Rationale

- (i) Knowledge of a person's HIV status is not a reason to exclude them from any vacant post for which they are qualified; or from opportunities for further or re-training.
- (ii) Desiring to encourage employees who have disclosed their HIV status to be ambassadors of the cause of HIV

and AIDS prevention, treatment and care, and of workers' rights.

### Strategy

- (i) Stakeholders to be equipped to handle selection, promotion, retrenchment and training in an HIV and AIDS prevalent environment without bias.
- (ii) Disciplinary procedures and penalties for violation of HIV and AIDS policies shall be clearly defined and conveyed to all parties.
- (iii) Incorporate and ensure meaningful involvement of those who might be excluded from employment due to their HIV status.

### 4.7 Confidentiality

#### Policy statement

Establishment of sustainable mechanisms to protect confidential medical information and service provision within the energy sector.

#### Rationale

Recognising the need to maintain integrity and trust in the energy sector through the control and flow of information on HIV and AIDS.

#### Strategies

- (i) Stakeholders shall train HIV and AIDS employer and employee representatives concerning rights in respect of the management of databases detailing information on HIV and AIDS within the industry or sector. Information held in such databases shall be held securely with due regard for confidentiality and in this regard the status of employees shall not be recorded by name or employee number.
- (ii) Encourage social partners to establish and enforce useable personnel procedure manuals in line with prevailing legislation with regard to confidentiality.
- (iii) Ensure that access to personal data relating to a worker's HIV status is bound by rules of confidentiality consistent with the ILO Code of Practice on the

Protection of Workers' Personal Data, 1997.

- (iv) Provide information, education, and voluntary testing and counselling services to all employees.
- (v) Ensure privacy and confidentiality to all employees during counselling, follow-up care and support service provision.
- (vi) Guarantee that employees are not obliged to reveal data concerning their own HIV status or that of their fellow workers.
- (vii) Encourage openness and voluntary disclosure of HIV status by those living with the disease.

## 4.8 Continuation of the employment relationship

### Policy statement

Ensure that employment relations continue, by setting guidelines that recognize HIV and AIDS as a workplace issue and a serious illness/health condition like any other, that as long as employees are certified medically fit for appropriate employment, they shall continue as an asset of the organization.

### Rationale

Recognition that discrimination on the basis of HIV status is an unfair labour practice and that being HIV positive is not a cause for termination of employment. Persons with HIV-related illnesses should be able to work for as long as they remain medically fit, in available, appropriate work.

### Strategies

- (i) Provide education and training to stakeholders on their rights and obligations in relation to HIV and AIDS.
- (ii) Transfer employees to appropriate positions to suit their changed medical status, without loss of benefits and with the agreement of the employee concerned, in a manner that rules out the possibility of discriminatory practices with regard to employment opportunities.
- (iii) Consult with the employees living with HIV and or representatives on whether the employee wants to continue work.

## 4.9 Prevention and control

### Policy statement

The aim of this policy is to prevent and control the spread of HIV infection in the Energy Sector.

### Rationale

Being aware of the high rate of infection within the working class, the Energy Sector seeks to be the leader in reducing HIV and AIDS prevalence in a manner that recognizes the different levels of vulnerability to the disease and its differential impacts upon women and men.

### Strategies

- (i) Provide female and male condoms.
- (ii) Ensure access to ARVs and related drugs to employees who need them, paid for by the employer.
- (iii) Raise awareness through the use of print, electronic, mass media and interpersonal communication e.g. posters, education pamphlets and T-shirts.
- (iv) Incorporate employees, families and selected communities in the prevention and management of sexually transmitted infections and HIV related illnesses.
- (v) Provide voluntary counseling and testing, and awareness programmes.
- (vi) Encourage behavior change by highlighting the principles of abstinence, faithfulness and the practice of safer sex and consistent and correct use of condoms.
- (vii) Establish, maintain and support HIV and AIDS committees.

## 4.10 Care and support

### Policy statement

Promote psychosocial support and care for employees living with HIV and their immediate families.



## Rationale

- (i) Care and support lessen the economic social and psychological burden of those infected.
- (ii) Serious suffering is imposed upon employees and their dependants by HIV and AIDS because it negatively affects family income.
- (iii) Furthermore, HIV and AIDS imposes huge costs on the employer through declining productivity, increasing labour costs, and loss of skills and experienced personnel.

## Strategies

- (i) Encourage the formation of informal clubs and company based support groups for employees living with HIV and their families.
- (ii) Set up workplace programmes and provide material and financial support to employees living with HIV and their dependants.
- (iii) Ensure that there is gender equity and equality in the provision of care and support.
- (iv) Ensure that those living with HIV have access to nutritional support, and assistance and guidance in adhering to treatment.
- (v) Avail ARVs to employees living with HIV and their immediate families.

## 5. Policy objectives and strategies

**E**mployers and employees should implement the Policy on HIV and AIDS for the Energy Sector with the assistance of relevant stakeholders. A holistic, comprehensive and coordinated approach to fighting HIV and AIDS in the sector will be achieved through the following objectives and strategies:

### 5.1 Recognition of HIV and AIDS as a workplace issue

As a critical workplace issue, HIV and AIDS requires commitment from employers, employees and their representatives, therefore:

- (i) Management at the workplace must maintain an interest in the programme and mainstream the HIV and AIDS policy within other enterprise policies and programmes
- (ii) Enterprises should have HIV and AIDS policies and programmes in the workplace
- (iii) Enterprises should set up an HIV and AIDS committee with representation from all relevant stakeholders at the workplace
- (iv) Enterprises should ensure that adequate resources – human, time and financial – are allocated to workplace HIV and AIDS programmes
- (v) There should be collective bargaining on HIV and AIDS prevention, support and care at the sectoral level.

### 5.2 Non-discrimination

To eliminate denial of HIV and AIDS, as well as discrimination against, and stigmatization and rejection of those infected, enterprises should:

- (i) Put in place policies and procedures for protecting employees against discrimination at the workplace and ensure confidentiality of all information relating to employee's HIV status
- (ii) Provide training to supervisory and managerial personnel to identify and manage workplace behaviour, conduct and practices that discriminate

against or stigmatize employees on the basis of actual or perceived HIV status

- (iii) Educate all employees on the provisions of SI 202/98
- (iv) Provide all employees with a copy of SI 202/98
- (v) Provide continued counselling services to employees infected by HIV
- (vi) Define grievance and disciplinary procedures for handling cases of discrimination on the basis of actual or perceived HIV status.

### 5.3 Gender equality

To achieve gender equality and sensitivity in the workplace, enterprises should:

- (i) Provide education on the gender dimensions of HIV and AIDS
- (ii) Encourage the participation of both women and men in HIV and AIDS policy and programme development and implementation
- (iii) Create equal opportunities for women and men, while recognizing that women bear the greatest burden of HIV
- (iv) Strengthen enforcement of relevant legislation
- (v) Make available female and male condoms
- (vi) Educate employees on the correct and consistent use of condoms

### 5.4 Healthy work environment

To provide a healthy and safe working environment and protect employees against occupational hazards:

- (i) Enterprises and government agencies should set up systems that promote a healthy and safe working environment
- (ii) Enterprises should provide information and training on first aid and use of first-aid kits to employees, and should provide first aid equipment, placed at specifically designated places
- (iii) Enterprises should avoid creating situations in which employees are separated for long periods from their spouses
- (iv) If the working environment is likely to worsen the condition of an employee living with HIV, the

employer may, in consultation with and preferably initiated by the employee and her or his representatives, transfer an employee to a suitable job and location with no loss in status and benefits and precluding the use of this clause to transfer HIV positive employees to less favourable jobs or locations.

- (v) Enterprises should put in place human resource policies and practices that ensure that employees living with HIV continue to work for as long as they are fit for the job. Where the employee cannot continue working due to ill health, the normal cessation of the employment arrangement should apply.

### 5.5 Social dialogue

To promote transparency and open dialogue among social partners in order to create an enabling environment for combating HIV and AIDS in the workplace, enterprises should:

- (i) Set up a transparent system of accountability on all issues pertaining to HIV and AIDS policies and programmes
- (ii) Involve employees and other stakeholders in policy and programme design, implementation and monitoring and evaluation
- (iii) Involve people living with HIV (PLHIV) meaningfully in the design and implementation of policies and programmes.

### 5.6 Screening

To eliminate screening for purposes of discrimination against employees living in HIV in decisions on recruitment, promotion, development and retrenchment, on the basis of actual or perceived HIV status:

- (i) Enterprises should provide information and education to management and employees on worker rights and existing labour laws
- (ii) Enterprises should educate all employees on the provisions of SI 202/98 and ensure full compliance with the Statutory Instrument
- (iii) Enterprises should provide all employees with a copy

of SI 202/98

- (iv) Enterprises should clearly define disciplinary procedures and penalties for violation
- (v) Enterprises should ensure that there is no compulsory testing for HIV status
- (vi) Government agencies, as members of the tripartite partnership, should strengthen enforcement of all relevant legislation
- (vii) Government agencies, in consultation with bipartite partners at the workplace, should provide guidelines to employers and health personnel on the conduct of medical fitness examinations.

### 5.7 Confidentiality

To maintain confidentiality where HIV and AIDS issues concern specific individuals, enterprises should:

- (i) Provide adequate and secure facilities for storage of personal data
- (ii) Formulate clear disciplinary procedures for breach of confidentiality
- (iii) Provide training and guidance to health and human resource personnel to ensure maximum confidentiality of staff medical information
- (iv) Provide suitable counselling facilities for those infected and affected by HIV.

### 5.8 Continuation of the employment relationship

In order to protect employees from having their employment contracts terminated on the basis of actual or perceived HIV status:

- (i) Government agencies should provide continuous education and training on HIV and AIDS to employees and employers
- (ii) Enterprises and government agencies should ensure adherence to the provisions of SI 202/98
- (iii) Enterprises should transfer employees to appropriate positions to suit their changed medical status when necessary, where such jobs are available
- (iv) Enterprises should mainstream HIV and AIDS into

human resource policies and practices.

## 5.9 Prevention

To prevent the spread of HIV and Sexually Transmitted Infections (STIs) and reduce AIDS related deaths by promoting sustained behavior change through holistic and comprehensive programmes, enterprises should:

- (i) Provide female and male condoms in the workplace
- (ii) Educate employees on the correct and consistent use of condoms
- (iii) Facilitate the training of workplace peer educators
- (iv) Create awareness on HIV epidemiology and provide information, education and communication (IEC) materials
- (v) Promote Voluntary Counselling and Testing (VCT)
- (vi) Promote programmes that encourage prevention of parent-to-child transmission (PMTCT)
- (vii) Design and implement programmes to provide information and education on HIV and AIDS to employees and their families
- (viii) Encourage shared confidentiality on HIV status with spouses and workmates
- (ix) Encourage early detection and treatment of opportunistic infections (OIs) and STIs
- (x) Encourage behaviour change and involve other stakeholders, such as church leaders, traditional leaders, civic organizations and community based organizations in discouraging practices that promote the spread of HIV, such as inheritance of spouses and forced marriages
- (xi) Promote abstinence
- (xii) Ensure the availability of post exposure prophylaxis (PEP) should an employee be exposed to risk of HIV transmission as a result of the job
- (xiii) Adopt the standard of practice to be used to minimize the risk of blood-borne pathogens known as “universal precautions”.

## 5.10 Treatment, care and support

To provide a caring and supportive environment and reduce economic pressure on infected persons and

ensure adequate resources for medical care, drugs for both prophylaxis and treatment, and nutrition, enterprises should:

- (i) Establish innovative health insurance schemes
- (ii) Promote home-based care and visits
- (iii) Provide comprehensive treatment of Ois
- (iv) Promote joint voluntary counselling and testing of employees and spouses
- (v) Encourage voluntary shared confidentiality of status with spouses and employers to enable care to be given early
- (vi) Facilitate the establishment of support groups
- (vii) Establish drop-in centres at sectoral level
- (viii) Where food is provided at the workplace, ensure that it is nutritious
- (ix) Assist employees who have undergone VCT and need antiretroviral (ARV) drugs to be enrolled on antiretroviral therapy (ART).

### 5.11 Budgeting and sustainability

To draw up annual budgets for HIV and AIDS issues, it is necessary that:

- (i) Enterprises are encouraged to budget for HIV and AIDS programmes
- (ii) The National Employment Council (NEC) mobilizes resources for HIV and AIDS programmes
- (iii) Enterprises ensure that all workplace HIV and AIDS programmes are well resourced and sustainable
- (iv) Enterprises mainstream HIV and AIDS in all activities, policies and programmes to ensure sustainability.

### 5.12 Technical cooperation

To create an environment for technical cooperation with organizations involved in the fight against HIV and AIDS:

- (i) The NEC should mobilize support for capacity building for the energy sector to handle HIV and AIDS issues, including through training

- (ii) The NEC needs to establish structures, systems and programmes to allow cooperation and collaboration with organizations involved in the fight against HIV and AIDS.

### 5.13 Monitoring and evaluation

To monitor, evaluate and review HIV and AIDS policies and programmes:

- (i) The NEC should set up an HIV and AIDS committee at sectoral level to spearhead the monitoring and evaluation of policies and programmes at enterprise level
- (ii) The NEC should ensure there is a system and tools for continuous monitoring, evaluation and review of policy and programmes both at the sectoral level and in the workplace
- (iii) It is necessary to assess the impact of HIV on company profitability by maintaining information and records relating to HIV and AIDS costs at the workplace
- (iv) Enterprises should periodically conduct joint policy and programme reviews and reformulation with stakeholders.



## 6. Implementation of policy

The stakeholders in the sector include government, employers, employees and their representatives, health care providers, community organizations, non-governmental organizations, religious groups, and suppliers of goods and services both formal and informal.

### 6.1 The role of Government

Government, in consultation with other stakeholders, should facilitate and participate in periodic, national policy review processes. Further to this, it should:

- (i) Provide guidelines and technical support to assist in the care and management of HIV and AIDS in the workplace
- (ii) Provide primary infrastructure, including treatment referral facilities
- (iii) Promote research on the impact of HIV and AIDS in the world of work
- (iv) Enact and revise the necessary legislation to enhance the effectiveness of HIV programming in the world of work
- (v) Strengthen structures and procedures for the enforcement of laws protecting the workplace and other rights of people living with HIV
- (vi) Provide guidelines to employers and health personnel on medical examinations for fitness for work.

### 6.2 The role of the NEC

The parties in the Energy Sector shall set up an HIV and AIDS Committee at NEC level. The membership of the committee shall include the tripartite partners. It should be gender sensitive and should involve PLHIV meaningfully. The Committee structure should be replicated at enterprise level. The Committee will be responsible for:

- (i) Formulating, coordinating and implementing sector-wide programmes and providing back up services to individual establishments
- (ii) Appointing a coordinator through NEC structures who will liaise with establishments, technical parties,

- development partners and donors or cooperating partners and fund raising committees
- (iii) Periodically monitoring and evaluating and enhancing the sector-wide policy and programmes
  - (iv) Linking the sector with other national and sub regional initiatives.

### 6.3 The role of employers and their representative organizations

Employers, in consultation with employees and their representatives, should:

- (i) Formulate HIV and AIDS policies at enterprise level
- (ii) Comply with national laws and policies in relation to negotiating conditions of service and include provisions on HIV and AIDS prevention, support and care in NEC and workplace collective bargaining agreements
- (iii) Develop and implement HIV and AIDS programmes at the workplace
- (iv) Commit resources for the implementation of HIV and AIDS workplace programmes
- (v) Develop and implement human resource policies that are in line with this Policy and the national law
- (vi) Support access to VCT and encourage its use
- (vii) Support the National Employment Council's HIV and AIDS initiatives.

### 6.4 The role of employees and their representative organizations

The employees, in consultation with their representative committees and trade unions, should:

- (i) Participate actively and make an input into sector and workplace policy formulation, programme planning, implementation, and monitoring and evaluation
- (ii) Facilitate programmes in liaison with employers and government
- (iii) Comply with national policies and laws when negotiating terms and conditions of employment relating to HIV and AIDS for collective bargaining agreements
- (iv) Use existing unions and other enterprise structures to develop IEC materials and provide employees with

information on HIV and AIDS, workers' rights and benefits in the workplace

- (v) Work together with employers to develop strategies to effect behaviour change at the workplace, and assess and respond to the economic impact of HIV on the enterprise
- (vi) Support and encourage employers to create and implement human resource policies that are in line with national, sectoral and workplace policies on HIV and AIDS.
- (vii) Champion the employees' cause by taking up issues at the workplace through grievance and disciplinary procedures or reporting any discrimination to the appropriate legal authorities
- (viii) Develop and carry out training programmes for their members to enable them to better understand and articulate the needs of all employees, whatever their HIV status
- (ix) Advocate for and cooperate with employers to maintain a safe and healthy working environment
- (x) Observe rules of confidentiality when carrying out trade union duties
- (xi) Ensure that factors that increase the risk of infection for certain groups of employees are addressed in consultation with employers
- (xii) Encourage and support access to confidential voluntary counselling and testing
- (xiii) Network with national, regional and international organizations in championing the fight against HIV in the workplace.

## 6.5 The role of health care providers

Public and private health care providers complement the efforts of the tripartite partners in combating the HIV epidemic and should:

- (i) Participate in the wider social dialogue on HIV and AIDS
- (ii) Make an input into sector HIV and AIDS policies and programmes
- (iii) Provide health insurance and benefits on a non-discriminatory basis
- (iv) Provide prophylactic, ART and palliative health care services.

## 6.6 The role of communities and NGOs

Communities and other stakeholders, such as NGOs, self-help organizations, religious organizations and civic organizations reinforce the work of tripartite partners. They should:

- (i) Participate in the wider social dialogue on HIV and AIDS in the workplace and the community
- (ii) Carry out advocacy work on HIV prevention and care for the affected population
- (iii) Provide support and care for those affected
- (iv) Provide technical assistance and expertise.

## 6.7 The role of suppliers of goods and services to the sector

Suppliers of goods and services (including those trading informally) to the energy sector are equally affected by the HIV epidemic and could contribute to the efforts of the tripartite partners by:

- (i) Becoming familiar with the sector policy on HIV and AIDS
- (ii) Incorporating HIV issues into their policies and strategies
- (iii) Supplying goods and services in a manner that will promote the sector to achieve the objectives of this Policy on HIV and AIDS in the workplace.

The implementation of policy shall be carried out according to the objectives outlined below.

- (i) Implementation and responsibility
  - The ultimate responsibility for management of HIV-related risks lies with the National Employment Council (NEC), which shall appoint a committee responsible for ensuring implementation, monitoring, adherence and evaluation of the policy.
- (ii) Education Awareness
  - The Sector shall identify competent personnel to carry out educational and awareness campaigns from within the sector. In instances where this is

not possible, the sector shall acquire competence and skills to carry out educational and awareness campaigns on the risks of exposure to HIV infection at the workplace. Awareness and educational procedures shall take into account differing levels of responsibility, ability, literacy and risk of HIV infection among the target groups.

(iii) Communication

HIV and AIDS issues shall be communicated within the sector through company representatives and existing structures. External communication will be done by the Zimbabwe Energy Workers Union (ZEWU), the NEC, the Zimbabwe Congress of Trade Unions (ZCTU) and the Employers' Confederation of Zimbabwe (EMCOZ).

(iv) Documentation

The sector shall establish and maintain information in a suitable medium, such as print or electronic format.

(v) Operational control and management of HIV and AIDS

The sector shall identify those operations and activities that could influence the status of HIV and AIDS management systems and exposure to the risk of HIV and Tuberculosis transmission. Where intervention is needed, the sector shall plan these activities in order to ensure that they are carried out under specified conditions.

(vi) Emergency planning and response

The sector shall establish and maintain plans and procedures to identify the potential for and response to occupational emergency situations, and for preventing and mitigating the likely HIV exposure that may be associated with them. The sector shall review its HIV related emergency preparedness and response plans and procedures from time to time.

## 7. Monitoring and Evaluation Indicators

A number of indicators can be used to monitor the implementation of this Policy. These indicators can be adopted, together with indicators to be developed with the action plans designed to complement the Policy

### 7.1. Process Indicators

Some indicators of process are:

- (I) The number of establishments with workplace policies and programmes on HIV and AIDS
- (ii) The number of establishments that include HIV in their strategic plans
- (iii) The proportion of establishment budgets allocated to and used for HIV and AIDS programmes
- (iv) The number of establishments with employee assistance programmes to meet the needs of affected employees
- (v) The number of employees trained in various HIV and AIDS programmes
- (vi) The number of enterprises offering voluntary counselling and testing
- (vii) The number of employees taking voluntary counselling and testing
- (viii) The number of drop in centres and the number of employees visiting them
- (ix) The number of community outreach programmes implemented
- (x) The number of workplace support groups for PLHIV
- (xi) Resources mobilized for HIV and AIDS programmes at NEC level
- (xii) The number of hours spent on HIV and AIDS programmes at the workplace.

### Impact indicators

Some indicators of impact are:

- (i) Reduction in the incidence of sexually transmitted infections
- (ii) Increased levels of knowledge of HIV issues
- (iii) Reduced number of deaths from HIV related causes

- (iv) Reduced number of person hours lost through HIV related absenteeism
- (v) Reduced impact of HIV on productivity and profitability.

## Glossary of terms

The definitions below are derived from existing publications by the International Labour Organization (ILO), the World Health Organization (WHO), The United Nations Joint Programme on HIV/AIDS (UNAIDS) and national policy documents.

*Affected person:* One whose life is changed in any way by HIV or AIDS.

*Confidentiality:* Keeping private, patient or client information obtained in the course of employment or duty.

*Counselling:* An interpersonal interaction between a counsellor and a client with a problem that enables the client to talk about and deal with the problem presented in an atmosphere of trust, acceptance and confidentiality.

*Discrimination:* Distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion or social origin, or perceived or real HIV status.

*Employee:* A person who works for and receives wages from an employer.

*Employer:* A person or body employing people under a written contract of employment in accordance with the laws of the land.

*Epidemic:* Outbreak of a particular disease on a large scale within a geographical area.

*Gender sensitivity:* Having sympathetic awareness of the social and cultural construction of female and male identity roles.

*Gender:* Refers to the difference in social roles and relations between women and men. Gender roles are learned through socialization and vary widely within and between cultures. They are affected by age, class, race, ethnicity and religion, and by geographical, economic, cultural and political environments.

*Human Immunodeficiency Virus (HIV):* A virus that kills or damages cells of the body's immune system, and which can ultimately cause AIDS.

*Informal worker:* A person employed on a casual or temporary basis

*Principle:* A general law or doctrine that is used as a guide to behavior or practice.

*Screening:* Measures to assess the HIV status of individuals, whether direct (HIV testing) or indirect (such as assessment of risk taking behaviour or asking questions about medication).

*Sex:* The biological factors that differentiate females and males.

*Support group:* A group of people with a shared problem or issue which comes together to provide each other with psychological, social, emotional, spiritual, material or other support.

*Stakeholder:* Any player within the industry, being Government, employers and trade unions.

*Social partners:* Employer and employees.

*Social dialogue:* Interaction between and among Government, employers and trade unions.

*Termination of employment:* Defined in accordance with the ILO Termination of Employment Convention (No. 158 of 1982) as the dismissal of an employee, "at the initiative of the employer".