



“Prevention of HIV/AIDS in the World of Work: A Tripartite Response”

International
Labour
Organization

A Compendium of HIV/AIDS Workplace Policies of Partner Enterprises & other Social Partners in India

International Labour Organization
Subregional Office for South Asia, New Delhi

Contents:

	Introductory note on the compendium	
	Corporate Group Policies	
1.	Gujarat Ambuja Cements Ltd. (GACL)	
2.	PepsiCo India	
3.	SRF group	
4.	Transport Corporation of India Ltd. (TCIL)	
5.	BILT	
6.	Hindustan Lever Limited (HLL)	
7.	British Gas (BG)	
	Company level Policies:	
8.	Abdur Razaque Ansari Memorial Weavers Hospital, Ranchi, Jharkand	
9.	Ambica Jute Mills, Howrah, West Bengal	
10.	Anant Spinning Mills, Madhya Pradesh	
11.	Bharat Heavy Electrical Ltd. (BHEL), Bhopal, Madhya Pradesh	
12.	Bridgestone India Private Ltd., Indore, Madhya Pradesh	
13.	Brihan Mumbai Electric Supply & Transport Undertaking (BEST), Mumbai	
14.	Central Coalfields Ltd., Ranchi	
15.	Damodar Valley Corporation (DVC), Jharkand	
16.	MECON Ltd, Ranchi, Jharkand	
17.	Mother Dairy Calcutta, West Bengal	
18.	Salgaocar Group of Companies	
19.	Marmugoa Port Trust	
20.	Zuari Industries Ltd.	
21.	D-Link	
22.	Kingfisher	
23.	United Breweries Ltd & McDowell & Company Ltd, Goa	
	Uniformed Forces:	
24.	Mumbai Police, Mumbai	
	Central Trade Unions:	
25.	Hind Mazdoor Sabha (HMS)	
26.	Indian National Trade Union Congress (INTUC)	
	Tourism Sector	
27.	Travel & Tourism Association of Goa (TTAG)	

An introductory note to this compendium:

We are pleased to present this compendium, which contains policies of enterprises and some other social partners, including trade unions. The ILO Project has also facilitated development of a Statement of Commitment from seven key Employers' organizations in India, and efforts have been initiated to develop a similar statement from all five Central trade unions.

The ILO Project "Prevention of HIV/AIDS in the World of work: A Tripartite Response", started in India in June 2001. The Project has undertaken advocacy efforts for mobilizing constituents and provided technical support for development of workplace policies and programmes, based on the guidelines of the ILO Code of Practice on HIV/AIDS and the World of Work. The ILO Code was also translated into Hindi, disseminated extensively in India and presented in several meetings/ workshops since 2001. The ILO Code has received endorsement from key stakeholders in India as in other countries.

"NACO encourages the public and private sectors to adopt the ILO Code of Practice on HIV/AIDS and the world of Work"
Source: National AIDS Control Organization (NACO - A Shared Vision)

The National AIDS Policy has included the world of work dimensions of HIV/AIDS. The National AIDS Policy adopted by the National AIDS Control Organization (NACO) clearly states that:

"Organized and unorganized sector of industry needs to be mobilized for taking care of the health of the productive sections of their workforce"

The **purpose** of developing this compendium is to provide reference material to enterprises, employers'/workers' organizations, and also agencies engaged in providing support to HIV/AIDS workplace policy and programme.

While the policies included here will serve as a good reference but we like to present the following points/lessons for consideration:

The need for HIV/AIDS Workplace Policy:

- A written HIV Policy clearly defines the position of the organization/ enterprise in relation to HIV/AIDS.
- It gives direction to managers about managing HIV/AIDS at workplaces and to employees on seeking education and support services related to HIV/AIDS.
- A non-discriminatory policy at work place helps in creating an atmosphere of trust and confidence among employees.
- The policy helps in institutionalizing HIV/AIDS programmes within the organizations/enterprises

Experiences reveal that HIV prevention programmes become more effective in the presence of a policy assuring non-discrimination of workers.

The process of developing a Workplace Policy on HIV/AIDS:

As suggested by the ILO Code, it is necessary to develop the policy through a process of consultation. An internal Committee should be set up within the organizations having representatives from all key wings of organizations/enterprises like the human resources department, welfare department, trade unions, medical department, Occupational Safety and Health etc. If possible, experts, including people living with HIV/AIDS, can be called as special invites to guide the process. The committee can meet a few times to discuss and finalize the policy.

The **Terms of Reference** of the AIDS Committee, can be developed along the following lines, as suggested by the ILO Code:

1. Review of the national laws/policies (the AIDS policy of the government, constitutional provisions/labour laws/guidelines related to the rights of people living with HIV/AIDS) and their implications for the enterprise/organization.
2. Assess the likely impact of HIV/AIDS epidemic on the workforce and the needs of workers infected and affected by HIV/AIDS. *The collection of information should be done with the informed consent of the workers and accompanied by an indication on how the data will be used. Access to personal data related to a worker's HIV status should be bound by the rules of confidentiality consistent with the ILO's code of practice on the protection of workers' personal data 1997.*
3. Review of health and information services already available within the enterprise/organization and in the local community. *Key considerations of this review should be: gender sensitivity of the services, coverage of workers' families and nearby communities.*
4. Formulate a draft policy on HIV/AIDS and have it approved following consultations as per the procedures of the enterprise/organization.
5. Identify and propose resource allocation for HIV/AIDS programme.
6. Identify and mobilize technical resources for the programme.
7. Develop yearly Plan of Action within the enterprise/organization with clear activities, time line, the person responsible and the available budget.
8. Disseminate the policy on HIV/AIDS as widely as possible through the existing channels such as notice boards, mailings, pay slip inserts, special meetings, induction courses, training sessions.
9. Monitor the implementation of policy and plan of action.
10. Develop mechanisms for evaluation of HIV/AIDS interventions to understand the impact/effectiveness.
11. Regularly review the policy in the light of internal monitoring and external information about the virus, its workplace implications and national policy/programme approaches.

The HIV/AIDS committee should regularly report to the highest body within the enterprise/organization such as the Executive Board.

The **ILO Code Of practice suggests ten key principles**, around which workplace policies can be developed:

- **Recognition of HIV/AIDS as a workplace issue**
HIV/AIDS is a workplace issue, not only because it affects the workforce, but also because the workplace can play a vital role in limiting the spread and effects of the epidemic.
- **Non-discrimination**
There should be no discrimination or stigmatization of employees on the basis of real or perceived HIV status.
- **Gender equality**
More equal gender relations and the empowerment of women are vital to successfully preventing the spread of HIV infection and enabling women to cope with HIV/AIDS.
- **Healthy work environment**
The work environment should be healthy and safe, and adapted to the state of health and capabilities of employees.
- **Social dialogue**
A successful HIV/AIDS policy and programme requires cooperation and trust between employers, employees, and governments.
- **Screening for purposes of employment**
HIV/AIDS screening should not be required of job applicants or persons in employment and testing for HIV should not be carried out at the work place except as specified in this code.
- **Confidentiality**
Access to personal data relating to a worker's HIV status should be bound by the rules of confidentiality consistent with existing ILO codes of practice.
- **Continuing the employment relationship**
HIV infection is not a cause for termination of employment. Persons with HIV-related illnesses should be able to work for as long as medically fit in appropriate conditions.
- **Prevention**
The social partners are in a unique position to promote prevention efforts through information and education, and support changes in attitudes and behaviour.
- **Care and support**
Solidarity, care and support should guide the response to AIDS at the workplace. All employees are entitled to affordable health services and to benefits from statutory and occupational schemes.

The **key lessons** about the HIV/AIDS workplace policy:

- The process of setting up internal committees and developing policy through a process of consultation is extremely important. It helps in sensitizing key people within the organizations/enterprises. And therefore, implementation of policies becomes easier.
- It may take time to follow the process of developing the policy through a process of sensitization of key people in the organization and a committee but it is extremely useful and helps in long run. Short cuts like seeing a couple of already developed policies and signing own policies should be avoided.
- The involvement of People living with HIV/AIDS is very helpful in sensitizing stakeholders and development of non-discriminatory policies.
- Workplace policies need to be translated into local languages and widely disseminated in the organization/enterprise.
- In order to upscale the enterprise based HIV/AIDS interventions in India, it is important to develop **Corporate Group Policy on HIV/AIDS**. In the absence of a group policy, the programme does not reach all units or locations of an organization/enterprise. This can also enhance the coverage of programme to contractual workers as well as workers in the supply chains. This is clear from the following table which shows the coverage of group policies included in this compendium:

Name	Approx. Workforce		Total coverage	Total No. (trainer)	Status of policy/ KABP
	No. of Emp.	Truckers/ Contract			
GACL / 13	7750	20000	27750	50	Policy in place KABP done
PepsiCo / 39	4066	1398	5464	55	Policy in place KABP done
SRF Group / 7	2517	1700	4217	25	Policy in place KABP being done
BILT / 6	11389	1210	12599	30	Policy in place KABP done
Apollo Tyres / 5	5000	5000	10000	30	Draft Policy / KABP done
C&G / 22	4771	3368	8139	32	KABP being done
HLL (Northern Region) / 7	2983	930	3913	30	Policy in place KABP done
Jubilant Organosys Ltd/4	4900	450 cos.	4900	30	Policy in place, KABP to be initiated
TCI/ 21	4600	25000	29600	To be trained	Policy in place, KABP initiated
SAB Miller/14	2959	2500	5459	22	Policy in place, KABP initiated
TOTAL 124	50935	61106	112041	304	

We hope stakeholders will find this compendium useful.

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