
REGULATION 4214

AIDS IN THE WORKPLACE

Human Immunodeficiency Virus (HIV) is the virus that causes AIDS. It is also called "the AIDS virus".

Seropositive (or "HIV Positive") refers to a positive blood test for antibodies to the AIDS virus. All persons with a positive test (seropositive) can potentially transmit the infection. This includes asymptomatic carriers as well as those diagnosed with AIDS.

Asymptomatic Carrier (or "HIV Carrier") refers to someone who is infected with the AIDS virus (as evidenced by a positive blood test for HIV antibodies) but has no symptoms, signs or illnesses related to the infection. This asymptomatic carrier state is also called the "incubation period" and may last six months to ten years or more. The carrier is nonetheless infectious to others via the usual routes of transmission.

These routes are:

- i) Through sexual intercourse with someone infected with the AIDS virus.
- ii) Through sharing IV drug needles or syringes with an infected person.
- iii) Through transfusion of contaminated blood or blood products (in North America all donated blood is now routinely screened to prevent transmission of the AIDS virus through transfusions but transfusions may still pose a risk for those travelling abroad).
- iv) From an infected mother to her baby during pregnancy or when breast-feeding.

2. Job Applicants

Job applicants will not be questioned as to whether they are infected by or have been exposed to the Human Immunodeficiency Virus (HIV), the virus responsible for Acquired Immune Deficiency Syndrome (AIDS). Should that information be voluntarily imparted to the district it will not, by itself, serve to deny the opportunity for employment.

A job applicant known to be infected may be accepted for employment conditional on a medical assessment of the candidate's ability to perform the job without endangering the health of herself/himself or others. This assessment may be carried out by a private physician but the final judgement will be made by the Assistant Superintendent of Instructional Personnel or the Supervisor of Non-Instructional Personnel.

A preexisting illness, however, may under certain circumstances, make the employee ineligible for the District's Group Life Insurance and Long Term Disability Plans.

3. Disclosure, Privacy and Confidentiality

The District will not require a treating physician or employee infected with the AIDS virus to report the diagnosis to the employer.

Should an employee or job applicant choose to share this information it will be reported to the Assistant Superintendent of Instructional Personnel or the Supervisor of Non-Instructional Personnel and treated in the strictest confidence. Communication of this information to other staff will be done only with the written agreement of the affected person who will be afforded the opportunity to participate during the exchange of information.

Communication between the Assistant Superintendent or Supervisor and the treating physician will occur only with the employee's written consent.

4. Restrictions on Employees with AIDS

Any policy measures concerning the employee who has AIDS (or who is infected with the AIDS virus) shall be consistent with the district's overall policy on employee medical records and on employee illness and disability. No work restriction will be based solely upon the diagnosis (if that is known). Work restrictions may be ordered when medical opinion deems that the employee does not have the capacity to perform the duties of his/her position efficiently, safely or reliably. Work restrictions may also be ordered when appropriate alternative work or working conditions are not available,

5. **Environmental Safety Issues**

All reputable medical authorities state that the AIDS virus cannot be transmitted through casual contact in the home or the workplace. Sharing of office and other school equipment, eating facilities, toilets, water fountains and similar common use items poses no risk. No precautionary procedures beyond hygienic practices are required.

Policies and procedures for the protection of all employees in jobs where exposure to blood may occur will be regularly reviewed and updated as required in light of current public health and safety recommendations.

In particular, those administering first aid will be provided information re precautions to be taken as new procedures are developed and adopted. It should be noted that the risk of becoming infected with the AIDS virus while administering first aid using accepted hygienic first aid practices is negligible. First aid kits will include mouthpieces, resuscitation bags or other ventilation devices as standard first aid equipment, in order to minimize the need for emergency mouth-to-mouth resuscitation, although the risk of AIDS virus transmission resulting from use of cardio-pulmonary resuscitation (CPR) is so remote that no one administering first aid should hesitate to use it.

A work environment offering exposure to infectious diseases may pose an increased risk to a person with HIV infection and a defective immune system. Work reassignments, if available, or appropriate counselling and extra precautions will be provided as required.

6. **Education**

The District, as a responsible employer, is committed to providing AIDS awareness/education in the workplace. Through a District AIDS Education Program the employer will:

- Disseminate factual information about the nature of the disease (causes, consequences, transmission, prevention)
- inform employees as to the specific provisions of district policy for dealing with employees who are infected with the AIDS virus.
- identify the AIDS-related risks (if any) associated with specific jobs or work situations, emphasizing that there is no risk associated with casual contact.

- explain and demonstrate the special protective procedures (if any) that employees should take when performing duties involving a risk of infection (if any).
- address specific concerns or questions that employees might have with respect to AIDS.

Any employee with specific questions about AIDS may direct these to the Capital Regional District's Medical Officer (388-4421) or their school's employee assistance contact person.

Greater Victoria School District

Approved: February 27, 1989