



# HIV AND AIDS POLICY FOR THE TRANSPORT SECTOR IN ZAMBIA



Ministry of Communications and Transport, Lusaka, Zambia

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## I ACRONYMS

<b>AIDS</b>	Acquired Immune Deficiency Syndrome
<b>ART</b>	Antiretroviral therapy or antiretroviral treatment
<b>GDP</b>	Gross Domestic Product
<b>HIV</b>	Human Immuno-deficiency Virus
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>MCP</b>	Multiple Concurrent Partnership
<b>MCT</b>	Ministry of Communications and Transport
<b>MOT</b>	Modes of transmission
<b>NAC</b>	National AIDS Council
<b>NASF</b>	National AIDS Strategic Framework
<b>NGO</b>	Non-governmental Organization
<b>PEP</b>	Post exposure prophylaxis
<b>PLHIV</b>	People living with HIV
<b>SADC</b>	Southern African Development Community
<b>TB</b>	Tuberculosis
<b>TWG</b>	Technical Working Group

## 2 FOREWORD

The Ministry of Communications and Transport has been at the forefront of ensuring that Zambia's socio-economic prosperity is enhanced and sustained through maintaining a strong transport infrastructure. Transport infrastructure plays an important role in economic and social development, by enabling people and resources to move to achieve their full potential. Being a landlocked country, Zambia's economy relies on a strong transport system to move exports and imports internally and across borders. Better roads and railways and faster transit routes facilitate trade and investment as well as improved access to health facilities and faster, wider and safer distribution of drugs and medical equipment. However, there are inherent risks to expanding opportunities for human mobility, such as exposure to communicable diseases and linking otherwise disparate sexual networks.

HIV vulnerability is known to be high along transport routes, particularly around 'hot spots' such as truck stops and border posts. Some factors that may exacerbate HIV vulnerability of workers in transport industries include long periods of time spent away from home, lack of access to health services, especially when in different countries, and dangerous working conditions.

HIV and AIDS are limiting the realization of economic and social development in Zambia. They also impact the country's ability to reach the Millennium Development Goals in areas such as alleviating poverty and hunger, achieving universal primary education, promoting gender equality, and reducing child and maternal mortality.

The aim of this policy is to provide guidelines and strategic direction for the coordination, implementation, monitoring and evaluation of all workplace programmes in the transport and related sectors. Sub-sectors within the transport industry should use this policy as an instrument for the establishment of partnerships, networking and resource mobilization as well as proactive responses to HIV and AIDS.

This policy development process benefited from broad stakeholder engagement, including input from the International Organization for Migration (IOM), International Labour Organisation (ILO), the National AIDS Council (NAC), the Public Service Management Division (PSMD), and members of the Technical Working Group (TWG) on HIV and AIDS in the Transport sector. The policy was informed by a national consultative meeting that was supported by IOM, the World Bank under the ROADSIP II project and Kara Counselling and Training Centre.

The development of this policy is a model approach and a remarkable achievement. I would like to express my gratitude to the International Organization for Migration for providing the resources for the development of this policy and to the members of the Transport Sector HIV and AIDS Technical Working Group for working tirelessly to ensure that this transport sector HIV and AIDS policy was finalized.

Honourable Professor Geoffrey Lungwangwa

Minister of Communications and Transport

Government of the Republic of Zambia

### **3 PREAMBLE**

Zambia, like almost all countries in sub-Saharan Africa, is experiencing the health, economic and social impacts of the HIV epidemic. High HIV prevalence has affected families, social support systems and threatened long-term national development. Despite significant decreases in certain populations and geographic areas over the past two years, Zambia's HIV epidemic has stabilized at high levels. Overall adult prevalence is 14.3% and 1.6% of the adult population – approximately 82,681 people in 2009 – become newly infected each year.

The high poverty levels in the country have fuelled HIV and AIDS, which has in turn led to loss of household income as other members of the household divert time from income-generating activities to care for patients, cover costs for medical care and other expenses as families take over care of children from deceased relatives. In addition, the HIV and AIDS epidemic has contributed to reduced productivity and revenue in some sectors as a result of increased absenteeism (due to illness), high attendance of funerals, rapid turnover of labour, and loss of a key skills and experience in the labour force.

According to the HIV Prevention Response and Modes of Transmission Analysis report there is some evidence of a link between mobility and HIV prevalence, and high-risk behaviours have been documented in long distance truck drivers and other mobile population groups who spend many nights away from home. The Government of Zambia has highlighted mobility as one of the six key drivers of the HIV epidemic in Zambia<sup>1</sup>, and in response set itself the national goal: *to initiate, revitalise and scale-up innovative HIV prevention programmes for mobile populations*. This Policy is designed to help to meet this goal, as well as to assist the Government in reaching its MDG target of *halting and continuing to reverse the spread of HIV by 2015*.

### **4 TARGETS OF THE POLICY**

The four main target groups of this policy are:

- people employed in building and maintaining transport and related infrastructure;
- those who work in the railways, roads, airlines and maritime services;
- professionals engaged in the management of the sector; and
- passengers

### **5 AIM OF THE POLICY**

The aim of this policy is to provide guidelines for the coordination, implementation, monitoring and evaluation of workplace programmes in the transport sector. The policy provides the framework through which employers, workers and their organisations will design, implement, and monitor HIV policies and programmes at sub-sector, institution and company level.

The purpose of the policy is to provide a comprehensive framework for both formal and informal workplaces in the transport industry. The policy can be used as an instrument for the establishment of partnerships, networking and resource mobilization for HIV and AIDS responses in the sector.

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<sup>1</sup> HIV Prevention Response and Modes of Transmission Analysis (“Episynthesis”) report (GRZ, WB, UNAIDS 2009)

## 6 POLICY FRAMEWORK

The policy is a result of broad-based consultations among key stakeholders: relevant Government Departments and Ministries, private sector workers, employers and their organisations in the transport sectors (*tripartite partners*) and civil society organizations. It draws from the:

- National HIV and AIDS Strategic Framework (2006-2010)
- The Public Service Management Division's Strategy for Prevention and Mitigation of HIV and AIDS in the Public Service (2010)
- The Employment Act (1965)
- ILO Zambia Decent Work Country Programme (2007)
- The SADC Protocols on HIV and AIDS
- The ILO Code of Practice on HIV and AIDS and the World of Work, and the SADC Code of Conduct on HIV and AIDS and Employment

This policy has been developed in the context of the country's multi-sectoral approach to prevention, care, support and mitigation. This transport sector HIV and AIDS policy takes into account the key drivers of the epidemic, all of which affect workers in the transport sector. These drivers include multiple and concurrent sexual partners, low and inconsistent condom use, and mobility and labour migration.

The transport sector HIV and AIDS policy is built around three main pillars, namely *prevention of new infections* - management strategies that aim to prevent new infections; *a workplace prevention, treatment, care and support programme* that provides holistic support for employees who are infected and affected and mitigation of the impact of the epidemic; *and outreach programmes* that aim to contribute to the broader national response to HIV and AIDS.

The policy includes stakeholders and partners in the transport industry to ensure that all relevant sub-sectors and companies develop workplace policies and programmes. A comprehensive response to HIV and AIDS means addressing both the *internal* response which deals mainly with the development of workplace policies and programmes for workers in the public sector and the *external* HIV and AIDS response focusing on aligning HIV and AIDS mainstreaming to the whole transport sector.

## 7 GENERAL PRINCIPLES

The policy is guided by general principles and takes cognizance of the need of institutions, organizations and companies linked to the transport sector and sub sectors to design, implement and monitor workplace HIV and AIDS policies and programmes. Mobility and migration are key livelihood strategies; however the movement process can expose people to heightened HIV vulnerability. The key sub-sectors include rail, road, air, and waterways. The "hot spots" in the transport industry include cross border areas, bus stops and taxi ranks, major petrol filling stations (most of which are also parking places for trucks and buses), truck parking lots along the transport corridors, harbours and ports, railway stations, hotels and lodges (particularly those used by airline crews, truck drivers, railway and maritime employees in the course of their duties). Hot spots along transport corridors, including truck stops and border areas, are associated with HIV vulnerability among people who move through the corridors (e.g. truck drivers and informal traders) and among sedentary populations (i.e. people who live and work on the corridor including customs and immigration officials).

## **7.1 Recognition of HIV and AIDS as a Workplace Issue**

The recognition of HIV and AIDS as a critical workplace issue calls for commitment by all institutions linked to the transport sector and industry, especially the government, employers and employees in the various workplaces. As a matter of routine, all institutions and companies should design and implement gender sensitive workplace policies and programmes. These policies and programmes should have the input of people living with HIV, and should also include external factors.<sup>2</sup>

## **7.2 Prevention**

Prevention is central to all efforts to combat the HIV and AIDS epidemic. A holistic, comprehensive, proactive, and practical approach to HIV prevention should be adopted. This involves the design, implementation and co-ordination of various interventions to change attitudes, beliefs and sexual behaviour of employees, spouses and communities. Employees should be provided with information and adequate education to ensure behaviour change. Such information should support shared confidentiality, especially with partners, to reduce the risk of re-infection and infection.

## **7.3 Non-Discrimination**

Human rights and dignity should be observed irrespective of HIV status. People living with HIV (PLHIV) should be protected against stigmatization, victimization and discrimination at the workplace. Stigma and discriminations should be a punishable offence at the workplace and appropriate disciplinary and grievance procedures should be put in place.

## **7.4 No Screening for Purpose of Exclusion from Employment or Work Places**

Employees should not be tested for their HIV status for purposes of recruitment, termination of employment and access to training and promotion. Medical examinations should screen for physical fitness of the employee or prospective employee to perform the job in question and should not include the test for HIV status for purposes of exclusion.

Indirect screening methods such as questions in verbal or written form about previous HIV tests or questions related to the assessment of risky behaviour should not be permitted. While it is recognized that not all employers are responsible for providing insurance services to employees, they should not enforce any testing for insurance purposes and all information that they already have on the employees' HIV status remain confidential.

## **7.5 Confidentiality**

All health information should be handled by medical personnel in accordance with the law. Confidentiality is premised on no compulsory disclosure of HIV and AIDS status. Disclosure of status should be on a voluntary basis, with written consent by the concerned employee and after counselling on the potential consequences. Employers and health care personnel should be provided with training and guidance to ensure that confidential medical information is handled in accordance with the law.

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<sup>2</sup> External factors refer to issues that fall outside the confines of a (internal) workplace policy but which have a bearing on the knowledge, attitudes, behaviour and practices of the workers such as the risks associated with the proximate community in which the workplace is located and or operates in or the places or sites in which the workers spend considerable amounts of time or the types of health and HIV services available in the community or satellite companies or that are made available through the internal workplace policy. External factors ensure that a workplace policy is aligned to the whole sector and to the policy, social and economic environment in which the workplace is located and or operates.

## **7.6 Continuation of Employment Relationship**

Employment should be based to on a commitment to enhancing productivity amongst PLHIV in institutions and companies in the transport industry and this will mitigate the challenges of increasing absenteeism, ill health, loss of skills, attrition, mortality and the reduced ability to provide services. Some of the options are to ensure that conditions of service allow for *reasonable accommodation*<sup>3</sup> of staff living with HIV and other life threatening diseases; to research issues related to stigma in order to deal with those factors that hinder access to and or utilization of services; to identify obstacles and remedies that hinder productivity; to provide psychosocial support for infected and affected staff; and to promote a commitment to the greater involvement of PLHIV.

Employment should not be terminated on the basis of HIV status. Every employee should be treated the same irrespective of HIV status. As long as the employee is fit, he or she should be allowed to continue working. However, if the working environment is likely to worsen the condition of the employee, the employer may, in consultation with the employee and representatives, arrange for transfer to a more suitable job and location but with no loss in status and benefits. Where the employee with an HIV and AIDS related condition is too ill to continue to work and where alternative working arrangements, including extended sick leave, have been exhausted, the employment relationship may cease in accordance with anti-discrimination and labour laws and respect for general procedures and full benefits.

## **7.7 Healthy Working Environment**

Occupational health and safety should be assured in the workplace. A healthy working environment ensures security to all employees including those living with HIV. Practices and procedures should address vulnerability of employees and protect them from potential HIV infection through education and awareness including first aid training and management of blood products. Workplaces should ensure that training takes place for selected employees in post exposure prophylaxis (PEP) and that the necessary treatment and counselling is available. Procedures and facilities for disposal of medical waste should also be put in place.<sup>4</sup>

## **7.8 Gender Equality**

Gender equality should be promoted in all workplace prevention and care programmes and the different needs of both men and women should be addressed in all programmes. Gender sensitivity and awareness, especially the need for women to know their rights, should be ensured. Men and women should respect each other's sexuality. Policies and programmes should take cognizance of the fact that women are more vulnerable to HIV and AIDS due to their biological make-up, socio-economic and cultural factors.

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<sup>3</sup> Reasonable accommodation" is a legal term in the field of HIV and AIDS mitigation which means "Any modification or adjustment to a job or to the workplace that is reasonably practicable and will enable a person living with HIV or AIDS to have access to or participate in or advance in employment." It does not mean provision of accommodation on the sense of "housing".

<sup>4</sup> This is particularly important for workplaces that run their own clinics and or provide on-site medical services.

## **7.9 Continuous Social Dialogue to Include People Living with HIV and AIDS, Tripartite Partners and the Larger Community**

Open dialogue among social partners<sup>5</sup> enhances the response to HIV and AIDS by institutions and companies, individuals, families and communities. The involvement of tripartite partners and other stakeholders in the community such as local authorities, self-help organizations and non-governmental organizations and civil society organizations provides a supportive environment to respond to HIV and AIDS. This encourages openness and voluntary disclosures of status by PLHIV thus helping to provide timely care and support to employees and their families by employers, co-employees and the community. The inclusion of the larger community is critical in ensuring strong networking and referral systems and going beyond the workplace to facilitate community systems strengthening and partnerships with the public sector.

### **7.10 Care and Support**

A compassionate and caring social and workplace environment is necessary for positive support to people living with HIV and AIDS. Care and support of all families of PLHIV is essential in mitigating the economic burden and social and psychological stress. The Ministry of Communications and Transport and transport sector companies should put in place appropriate strategies for the provision of healthy food and treatment to employees living with HIV. This should include wherever possible material and psychosocial support for affected family members, especially spouses and children. It is critical that the provision of anti-retroviral treatment and the treatment for opportunistic infections is supported by the Ministry of Communications and Transport and transport companies through appropriate linkages with the Ministry of Health and other non-governmental health facilities including private clinics and hospitals, church based health facilities and home based care providers.

### **7.11 The TWG<sup>6</sup> and Tripartite Partners Should Be Involved in Policy Formulation and Implementation of HIV and AIDS Programmes**

The success of this policy depends on the full involvement of all the TWG members and transport sector tripartite partners in the formulation and implementation of policies and programmes at sector, sub-sector and company levels. There is need for effective communication of HIV and AIDS policies at all levels. The HIV and AIDS policies should be signed off by all the tripartite partners.

### **7.12 Continuous Review of Policy**

The TWG should set a timeframe for the continuous monitoring, evaluation and review of policies and programmes at institution, company, sub-sector and sector levels. Ideally the policy should be subjected

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<sup>5</sup> Social partners refers to all the different entities within the community and these include community based organizations, traditional authorities, non-governmental organizations, community and volunteer workers, informal traders, marketers, private businesses and government ministries and departments, people living with HIV, youth groups and cultural organizations.

<sup>6</sup> **TWG:** For the purposes of this policy, the TWG refers to the Technical Working Group (TWG) on HIV and AIDS in the Transport and Communications Sectors who comprise the government, non-governmental organizations, civil society organizations, the private sector, employers' federation, the employees' representative in the form of trade unions, the parastatals, the PLHIV and international agencies. The TWG is responsible for the coordination, formulation, implementation and monitoring of the transport sector HIV and AIDS policy. The TWG will also provide technical support to workplace programmes in the transport industry.

to review every two and half years in line with the mid-term review of the National HIV and AIDS Strategic Framework.

## **8 POLICY OBJECTIVES AND STRATEGIES**

The Policy should be implemented by all partners including the bi-partite partners of business and labour, the Government, and civil society in the transport industry. The role of Government is to provide the legal and coordinating framework for effective implementation of the policy. A holistic, comprehensive and coordinated approach to respond to HIV and AIDS in the transport sector of Zambia will be achieved through the following objectives and strategies.

### **8.1.1 Objective 1: To Ensure Recognition of HIV and AIDS as a Workplace Issue**

1. Each employer or workplace should establish an HIV and AIDS policy and programme in the workplace
2. Each employer or workplace should set up an HIV and AIDS committee made up of representatives of all stakeholders at the workplace (ideally this should constitute the employer, the employees and their representative(s))
3. Each employer and workplace should ensure that adequate resources are available for implementing HIV and AIDS programmes at the workplace
4. Each workplace or employer should ensure that top management introduces the policy to all staff and maintains an interest in workplace HIV and AIDS programme
5. The Ministry of Communications and Transport including the TWG members and the tripartite partners in the transport sector should establish structures and mechanisms at national, sectoral, sub-sectoral, and institution and company levels to effectively implement, monitor and evaluate programmes in a participatory and consultative manner
6. Employers and employees' representatives, through their negotiation teams, should include HIV and AIDS issues in collective bargaining agreements in the context of Zambian national laws

### **8.1.2 Objective 2: To Prevent HIV and Sexually Transmitted Infections by Promoting Sustained Social and Behaviour Change through Implementing Comprehensive Workplace Programmes**

Each institution and company should:

1. Provide education and training on HIV and AIDS prevention, starting with new employees at induction
2. Promote 'having one partner' as a prevention strategy
3. Provide male and female condoms in the workplace and educate on and encourage their correct use
4. Promote voluntary counselling and testing
5. Encourage shared confidentiality of HIV status with spouses
6. Involve stakeholders such as church leaders, civic organizations and community-based organizations, as appropriate, in the design and delivery of information, educational and social change communications on different preventive interventions

**8.1.3 Objective 3: To Eliminate Discrimination, Stigmatization, Rejection and Denial of HIV-Positive Employees. Protect Employees from being Retrenched or having Employment Terminated on the Basis of HIV and AIDS Status**

Each institution and company should:

1. Put in place policies and procedures for protecting against discrimination at the workplace
2. Educate employees on the provisions of the Employment Act
3. Provide training to supervisory and managerial personnel to identify and manage workplace conduct or practice which discriminates against or alienates employees living with HIV and AIDS
4. Design and implement programmes at the institution and company level to provide information and educate on HIV and AIDS to employees and their families.
5. Encourage shared confidentiality, especially partner notification
6. Align HIV and AIDS workplace policies with human resources procedures

**8.1.4 Objective 4: To Ensure no Screening for HIV Status for Purposes of Discrimination against Employees in Decisions on Termination, Retrenchments, Promotion and Training**

1. Institutions and companies should provide health and awareness campaigns to employees and their families
2. Government agencies, in consultation with bi-partite partners at the workplace, should provide guidelines to employers and health personnel on conduct of medical fitness examinations
3. Government agencies, as members of the tripartite partnership, should strengthen enforcement of all relevant legislation

**8.1.5 Objective 5: To Ensure Confidentiality and Compliance with Policy and Legislation**

1. The TWG should ensure that institutions and companies design and provide training on management of health care information to health and non-health personnel at institution and company level and inspectorate staff from Government agencies
2. Institutions and companies should provide information and training to managerial and supervisory staff and employees on their rights and obligations with respect to management of health information
3. Government agencies, in consultation with bi-partite partners at the workplace, should provide guidelines on workplace procedures to facilitate compliance with policies and the law by employers and employees
4. Government agencies, as members of the tripartite partnership, should strengthen enforcement of all relevant legislation

**8.1.6 Objective 6: To Ensure Continued Employment Relations and that Infected Employees Continue to Work as long as they are Certified Fit for Appropriate Employment**

Institutions and companies should:

1. Ensure that the option of reasonable accommodation is exercised in all cases for certifying infected employees' fitness for work
2. Put in place human resources policies and practices that ensure that HIV-positive employees continue to work as long as they are fit to do so

3. Where necessary, and after consultation with employees and employees' representatives, transfer HIV-positive employees to a more suitable job and location without loss in status and benefits
4. Provide education and information to company management and supervisory staff and employees on their rights and obligations.

**8.1.7 Objective 7: To Provide a Healthy and Safe Working Environment to Protect Employees against Occupational Hazards**

Institutions and companies should:

1. Design, develop and implement proactive systems that promote a healthy and safe working environment
2. Provide information and training on use of protective devices equipment such as first aid kits to employees and place these in transport vehicles and the workplace
3. Have requisite health and safety personnel or have access to services
4. Shorten periods of absence from home
5. Provide adequate accommodation to staff when working away from home base
6. Collaborate with the relevant Government authorities and service providers to minimize exposure of employees, for example at border posts for long distance drivers

**8.1.8 Objective 8: To Mainstream Gender into Workplace Policies and Programmes**

Institutions and companies should:

1. Put in place gender-sensitive policies and procedures for protecting employees against gender-based discrimination at the workplace
2. Provide training on gender dimensions of HIV and AIDS and gender awareness to management, employees and their families
3. Implement programmes that target men and women explicitly or separately, taking into account cultural factors
4. Implement programmes that help women enforce their rights
5. Implement programmes that target spouses and other family-members
6. Provide counselling services to employees and spouses
7. Provide clear avenues to redress sexual harassment and sexual abuse at workplaces

**8.1.9 Objective 9: To Promote Openness and Dialogue among Social Partners in Order to Create an Enabling Environment for Combating HIV and AIDS in the Workplace**

Institutions and companies should involve more stakeholders, as appropriate, in programme formulation, implementation, monitoring and evaluation. Examples of stakeholders include:

1. Church and religious leaders
2. Employees living with HIV, their spouses and children
3. Civic organizations
4. Local authorities
5. Community- based organizations
6. Non-governmental organizations
7. Suppliers and service providers

**8.1.10 Objective 10: To Provide Care and Support in Order to Reduce Economic Pressure on Infected and Affected Persons due to Illness and to Ensure Adequate Resources for Medical Care, Drugs for Treatment and Food**

Institutions and companies and other social partners, such as civil society organizations, should:

1. Provide education and awareness on care and support for PLHIV to company management and employees
2. Promote joint voluntary counselling and testing of employees and spouses and encourage voluntary shared confidentiality of status with spouses to enable care to be given early
3. Assist employees living with HIV and their families with healthy food information and training, treatment and psychosocial support
4. Provide comprehensive treatment of opportunistic infections, including provision of anti-retroviral drugs
5. Promote home-based care and visits for employees living with HIV
6. Promote income generating projects for employees living with HIV and their families
7. Establish employment assistance funds
8. Establish medical aid schemes and medical insurance benefits

**8.1.11 Objective 11: The TWG and its Partners to be Involved in Policy Formulation and Implementation, and Ensure Coordination and Impact Assessment of HIV and AIDS Programmes**

1. Institutions and companies should ensure effective communication of HIV and AIDS policies and programmes at all levels in the institution and company
2. The TWG and its partners should design and implement an advocacy and communication strategy to be used at sectoral, institutional and company levels
3. The TWG and its partners should provide guidelines on fitness for duty medical examinations to employees and health personnel to ensure compliance with policy and law
4. Institutions and companies should collect and synthesise information to determine the impact of HIV and AIDS on the workplace by assessing vulnerability of various categories of employees and the effect on institution and company profitability. The information should be used in strategic and business plans

**8.1.12 Objective 12: TWG to Monitor, Evaluate and Periodically Review the HIV and AIDS Policy and Programmes**

1. The TWG should design a system and tools for monitoring, evaluating and reviewing the HIV and AIDS policies and programmes at sector, sub-sector and institution and company levels
2. The Directorate of Planning and the HIV and AIDS Committee at the Ministry of Communications and Transport should work in collaboration with the National AIDS Council to assist the TWG to develop and implement the monitoring and evaluation system
3. The TWG should commission periodic research to provide information on the status and progress of implementation of HIV and AIDS interventions for use in policy and programme reviews
4. The TWG in liaison with the various tripartite partners should design and implement a system to co-ordinate the interventions and efforts of the various stakeholders at sector level
5. The TWG should commission research on the numbers as well as the knowledge, attitudes and practices of key affected populations in the transport industry such as truck drivers, long

## **9 IMPLEMENTATION AND COORDINATION OF POLICY AND PROGRAMMES**

The TWG was set up to coordinate the HIV and AIDS response in the transport sector. It is responsible for coordinating efforts of different agencies responsible for planning, implementing, monitoring and evaluating sector-wide programmes and projects of each the sub-sectors.

As a coordinating mechanism, the TWG should consult the various stakeholders and come up with indicators for monitoring and evaluating sector programmes and conducting periodic surveys to determine the state of progress on the various objectives through its research function.

The TWG will provide a link with other national and sub-regional initiatives. Indicators for the sector policy and programmes will vary depending on developments in the sector but will include input indicators, output indicators, process indicators, output indicators and impact indicators. These should be aligned to the indicators in the National AIDS Strategic Framework.

## **10 INSTITUTIONAL FRAMEWORK AND RESPONSIBILITIES OF VARIOUS STAKEHOLDERS**

The key stakeholders in the transport sector include but are not limited to the TWG members, tripartite partners, (Government, employers and employees and their representatives), health care service providers, community organizations, intergovernmental and non-governmental organisations, religious groups and suppliers of goods and services to the transport sector.

### **10.1 The Role of Government and its Agencies**

The Government and its agencies, in consultation with employers, employees through their representatives and other social partners should:

- Facilitate and participate in the periodic national policy review process
- Provide guidelines to assist employers in the care and management of HIV and AIDS in the workplace
- Promote research on the impact of HIV and AIDS in the workplace and economy by providing an institutional and legal framework
- Mobilize and provide funding to support sectoral strategic plans on HIV and AIDS
- Enact and revise the necessary legislation in order to eliminate workplace discrimination and ensure prevention support and care.
- Supply technical information and advice to employers and employees on how to comply with regulations and laws relating to HIV and AIDS
- Strengthen law enforcement structures and procedures
- Provide guidelines to employers and health personnel on medical examinations for fitness to work
- Ensure that all employees are covered under the national pension scheme or similar mechanism
- Ensure that the employers, the employees and their representatives sign off on all HIV and AIDS workplace policies to signify agreement and harmony with the process of developing and implementing the policy.
- Monitor and evaluate the implementation of the workplace policy

### **10.2 The Role of Employers**

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

- Formulate HIV and AIDS policies at institutions and companies
- Comply with national laws and policies in relation to negotiating terms and conditions of service and include provisions on HIV and AIDS prevention, support and care in workplace collective bargaining agreements
- Design, commit resources and implement programmes at the workplace to inform, educate and train employees about prevention, care and support, policies on HIV and AIDS, and staff benefits and entitlements

- Develop strategies to assess and respond to the economic impact of HIV and AIDS on their organizations
- Design and implement personnel policies that are in line with this policy and the law
- Ensure that HIV related key performance indicators are included in the job descriptions of all relevant employees and middle level managers
- Develop grievances and disciplinary procedures specifying the circumstances in which and how such procedures can be commenced against any employee who discriminates on the ground of real or perceived HIV status or violates the workplace policy on HIV and AIDS
- Support and encourage access to voluntary HIV counselling and testing of employees by qualified health services
- Implement their workplace programmes, monitor and evaluate to ensure compliance with sector policy and legislation
- Establish comprehensive insurance schemes for their employees

### **10.3 The Role of Employees through their Representative and Trade Unions**

Employees and their representatives should:

- Actively participate and make an input into sector and workplace policy formulation, programme planning, implementation monitoring and evaluation
- Be supportive to co-workers living with and affected by HIV
- Facilitate liaison with employers and government
- Comply with national and laws when negotiating terms and conditions of employment relating to HIV and AIDS for collective bargaining agreements
- Use existing unions and other institution and company structures to develop information, education and communication materials and provide employees with information on HIV and AIDS, workers rights and benefits in the workplace
- Work together with employers to develop strategies to assess and respond to the economic impact of HIV and AIDS on the institution and company
- Work together with employers, government agencies and other social partners to raise awareness of HIV and AIDS prevention and management
- Support and encourage employers to create and implement personnel policies that are in line with national, sector and workplace policies on HIV and AIDS
- Champion the employees' cause by taking up issues at the workplace through grievance and disciplinary procedures or reporting all discrimination to the appropriate legal authorities
- Develop and carry out training programmes for their members to better understand and articulate the needs of infected and uninfected employees
- Advocate for and co-operate with employers to maintain a safe and healthy working environment
- Observe rules of confidentiality when carrying out trade unions duties

- Ensure that factors that increase the risk of infection for certain groups of employees are addressed in consultation with employers
- Encourage and support access to confidential voluntary counselling and testing
- Network with regional and international organizations in championing the response against HIV and AIDS

#### **10.4 The Role of Health Care Service Providers**

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

- Participate in wider social dialogue on HIV and AIDS
- Make an input into sector HIV and AIDS policies and programmes
- Provide health insurance and benefit on a non-discriminatory basis
- Provide prophylactic and palliative health care services

#### **10.5 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 the TWG and tripartite partners. They should:

- Enhance the participation of PLHIV in the design, implementation and monitoring of workplace and other proximate policies and programmes
- Participate in the wider social dialogue and social change communications on HIV and AIDS in the workplace and the community
- Carry out advocacy work on HIV and AIDS prevention and care for PLHIV and affected populations
- Provide support and care for PLHIV and those affected by HIV

#### **10.6 The Role of Suppliers of Goods and Services to the Transport Sector**

Suppliers of goods and services to the transport sector are equally affected by the HIV and AIDS epidemic and contribute to the efforts of the HIV and AIDS epidemic and contribute to the efforts of the tripartite partners. They should:

- Be familiar with the sector's policy on HIV and AIDS
- Incorporate HIV and AIDS into their policies and strategies
- Supply goods and services in a manner that will promote the sector to achieve the objectives of the policy and laws on HIV and AIDS

