

# HIV/AIDS POLICY

## **INTRODUCTION:**

**Anglo American has been involved in the fight against HIV/AIDS for 30 years and since 2000 has been working to reduce the impact of the HIV/AIDS epidemic on its employees, their families and the communities with which we are associated. We strive to reduce the stigma associated with HIV/AIDS, encourage people to know their status and prevent new infections and also to assist people in getting access to quality treatment and care for HIV/AIDS. Through our efforts over 620,000 employees and a similar number of contractors have undergone testing for HIV and those who are positive have been referred into disease management programmes.**

Over the years the treatment of infection with HIV has improved considerably and what was once a death sentence is now just another treatable chronic disease. This in itself has created challenges as there is considerable fatigue and complacency around HIV. However, we are continuing our efforts, particularly as tuberculosis (TB) is closely associated with the HIV infection and is a major problem in southern Africa. HIV has to be correctly managed if TB is to be beaten.

The magnitude of the health challenge posed by HIV/AIDS is such that individual companies cannot adequately address it alone and we reiterate that a comprehensive and effective response to HIV/AIDS requires a partnership between all stakeholders.

We believe that Anglo American's response to the AIDS epidemic is a significant contribution to the sustainability of our business.

Anglo American believes non-discrimination, as well as consultation, inclusivity and encouraging full participation of all stakeholders are key principles, which underpin its HIV/AIDS responses.

This Anglo American HIV/AIDS policy is based upon a human rights foundation, which we believe is fundamental to an effective HIV/AIDS response and supports the key responses to the epidemic, namely: elimination of stigma and discrimination on the basis of real or perceived HIV status; prevention of new infections; care, support and treatment for employees and their dependants who are infected and/or affected by HIV/AIDS; community social investments; and management and mitigation of the impact of HIV/AIDS.



## **ELIMINATION OF STIGMA AND DISCRIMINATION**

### **Confidentiality**

An employee who is, or becomes, HIV infected has the right to confidentiality and privacy, as is the case with any employee that has experienced or is experiencing any other medical or psychosocial related incident.

HIV infected employees are not obliged to inform management, or any other person in their organisation, of their HIV status. There is no justification for asking job applicants to disclose HIV-related personal information. Nor are employees obliged to reveal such personal information to fellow employees.



All reasonable precautions are taken to ensure that information regarding individual HIV status, voluntarily provided to anyone in the organisation, or ascertained through a medical consultation, via an HIV test or disclosure of known HIV positive status, is maintained in strict confidence. Such information is not disclosed to any other person in or outside the organisation without the individual's express written consent.

Organisation summary statistics, concerning group HIV infection rates and/or other HIV/AIDS outcomes and HIV/AIDS-related risk

behaviours, compiled from individual HIV testing, and/or knowledge, attitude and practice surveys, may be shared with employees while respecting and maintaining the confidentiality of individual responses and results. These statistics are scientifically and ethically derived and only provided to external stakeholders once appropriate attempts have been made to share these with employees and their representatives.

### **Non-discrimination**

Anglo American does not tolerate any form of unfair discrimination against those infected with HIV and takes all reasonable steps to respect their dignity and their individual human rights. All employees, supervisors, managers, and medical staff who know (or think they know) an individual's HIV status are made aware of the requirements and responsibilities of disclosing this information to a third party, and the consequences that could arise if this responsibility were disregarded.

Anglo American recognises that it takes courage for individuals to disclose their HIV positive status, and that such disclosure challenges the stigma associated with the epidemic. The Group encourages employees to be open about their HIV or AIDS status if they so wish and takes all reasonable steps to ensure that such employees are not unfairly discriminated against or stigmatised and that they have access to appropriate counselling and support.

### **Gender equality**

Anglo American recognises that women are more likely to become infected and are more often adversely affected by the HIV/AIDS epidemic than men due to biological, socio-cultural and economic reasons. Anglo American strives to equalise gender relations, recognising that the empowerment of women is vital to successfully prevent the spread of HIV infection and enable women to cope with HIV/AIDS.



## **Social dialogue**

The successful implementation of an HIV/AIDS policy and programme requires cooperation and trust between employers, employees and their representatives, and government with the active involvement of employees infected and affected by HIV/AIDS.

Anglo American strives to form alliances and build partnerships in order to develop a common vision and shared strategy with all stakeholders.

## **Employment**

Applicants for employment, for any occupation or position, are required to pass a standard pre-placement medical examination. This does not include an HIV test, nor indirect screening methods, such as questions in verbal or written form about previous HIV tests and/or questions related to the assessment of HIV risk behaviour. The only health-related criterion for employing an individual is the person's fitness to perform the work offered.

If a person makes his/her HIV/AIDS status known voluntarily, it shall not be a basis for refusing to conclude, continue or renew an employment contract. Employees with HIV/AIDS are governed by the same contractual obligations as all other employees.

Employees who become HIV positive will continue to be employed unless or until they become medically unfit to work. Medical incapacitation caused by AIDS is handled in the same way as all other ill-health conditions in terms of Anglo American's incapacitation policy and procedure.

An employee's HIV status is not considered grounds for any other employee refusing to work with him/her. Working with an HIV positive person does not put an employee at risk of becoming infected in the course of normal working contact.

Anglo American's policy includes all ill-health retirements irrespective of the cause, and no special conditions exist for persons with HIV/AIDS which might place them at a disadvantage relative to others.

HIV infected employees and those suffering from AIDS are entitled to the same sick leave, disability, pension, medical and death benefits as all other employees.

## **HIV counselling and testing**

Anglo American encourages all employees, particularly those living in countries with a high burden of HIV infection, to undergo counselling and voluntary HIV testing. We believe that counselling and testing for HIV is a critical intervention that helps to link care and support for those with HIV infection to our broader prevention programmes aimed at turning the tide of the HIV/AIDS epidemic. No employee is forced or coerced to undergo HIV testing. Anglo American supports the principle of provider initiated HIV testing as an important way to scale up testing in countries with a high burden of HIV disease.

Access to appropriate support and counselling services, at no cost to employees, and adapted to the different needs and circumstances of men and women, is available to HIV infected and affected employees and their dependants. Where these services are not offered on site, employers will seek to arrange for counselling and testing to be provided by approved HIV/AIDS counselling and testing centres/agencies, including self-help groups and services within the local community. Counselling is provided before and after HIV testing.

Anglo American extends HIV counselling and testing services to long term contractors on the same basis as provided to employees.

HIV testing requires informed consent. This implies that the individual knows and understands what the test is, why it is necessary, the benefits, risks, alternatives and any possible social or economic implications of the outcome.

Counselling provides information, education, and psychological and emotional support in order to maintain optimal health and well-being and the capacity to be effective employees and members of society for as long as possible.

Counselling services inform employees of their rights and benefits in relation to statutory social security programmes and medical and other employee benefits as well as any life skills programmes, which may help employees cope with HIV/AIDS.

Counselling services are also linked to programmes of direct care and support for employees and their dependants with HIV/AIDS.

Employees are encouraged to motivate sexual partners and their dependants to avail themselves of counselling and testing services offered by the organisation as well as those in the community.

## PREVENTION

Information and education programmes on HIV/AIDS should be made available to all employees and must be appropriately sustained, coordinated and focused. The programmes must be conducted in a manner that takes into account levels of education and literacy and the need to be situated in an appropriate cultural context.

Educational strategies are based on consultation between employers and employees and their representatives and the methods used should be as interactive and participatory as possible.



We strive to ensure that our information and education programmes are sensitive, accurate and current. The programmes will aim to:

- communicate basic knowledge about the disease and its prevention;
- build community acceptance of persons living with HIV/AIDS to avoid feelings of rejection and isolation;
- provide information to employees about voluntary counselling and testing within the organisation, about wellness programmes



and medication available, about coping with work performance and what happens when employees are too sick to work, and about employee benefits on medical incapacity termination of services;

- inform employees about protection measures for anyone potentially exposed to HIV in the course of their duties. These prevention programmes are available to all levels of employees. Anglo American companies are encouraged to extend prevention programmes to families of employees and to communities associated with their operations, in partnership with governments, trade unions, NGOs and donor agencies.

## CARE, SUPPORT AND TREATMENT

There is clear evidence that early care, support and treatment improves the quality and length of life of people living with HIV/AIDS.

Medical assistance is provided by the company for HIV positive employees and their dependants, including through existing medical benefit arrangements pertaining from time to time.

### Group companies will endeavour to:

- keep HIV positive employees and their families healthy and productive for as long as possible, through early participation in HIV Disease Management Programmes;
- prevent opportunistic infections that account for most of the morbidity and mortality associated with AIDS, particularly TB;
- eliminate mother to child transmission (MTCT) of HIV with appropriate antiretroviral therapy (ART);
- offer appropriate and effective ART on an affordable and sustainable basis for all employees and their dependants;

- arrange for alternative treatment support for employees receiving ART who leave the company for any reason, as well as for their dependants;
- arrange access to appropriate care, support and treatment for any long-term contractor diagnosed with HIV infection through company testing programmes;
- provide antiretroviral post exposure prophylaxis to any employee or dependant as soon as possible after any actual or potential HIV exposure incident;



- ensure that HIV care and support programmes are extended into the community through existing public and private health service providers and through NGOs;
- provide management advice to community-based HIV/AIDS programmes and facilitate their access to donor funding;
- facilitate the establishment of self-help groups within the enterprise or the referral of employees and their dependants affected by HIV/AIDS to self-help groups and support organisations in the local community.

### DEFINITION OF DEPENDANT

A dependant for the purposes of determining eligibility for access to HIV and AIDS prevention, care, support and treatment services is defined as any of the following:

1. An employee's spouse.
2. An employee's partner, being a person with whom the employee has a committed and serious relationship, akin to a marriage, based on objective criteria of mutual dependency and a shared household, irrespective of the gender of either party.
3. An employee's dependent natural child, stepchild or legally adopted child, who is below the age of 21 years on the 1st January of the year in which services are to be provided.
4. A deceased employee's widow/er or orphan child who is a beneficiary of the company's pension or provident fund.

### MONITORING AND EVALUATION

Anglo American companies will monitor and evaluate the evolving AIDS epidemic, taking into account national and international trends, and will develop appropriate strategies to respond to the impact of HIV/AIDS on their operations and associated communities.

Impact assessment depends on accurate information on the prevalence and incidence of HIV infection in the workplace and in associated communities. Particular care is taken to ensure that no individual or group of individuals is prejudiced in any way by HIV prevalence or incidence surveys and that Anglo American's policy applying to the elimination of stigma and discrimination is observed and maintained at all times.

The information derived from HIV management will be used to communicate the nature and extent of the HIV/AIDS epidemic to employees and other stakeholders and to plan appropriate mitigation responses in terms of prevention, care, support and treatment.

### POLICY REVIEW: JUNE 2015

This policy will be reviewed on a regular basis to take account of the progression of the epidemic; developments in medical care; experience in preventing new infections and managing HIV/AIDS in the workplace; its impact on employee benefit schemes; and changes to relevant legislation.