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	HIV/AIDS AND STD POLICY	Document Owner	OHS Manager
		Revision	01
		Approval Date	11 th June 2024


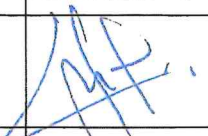
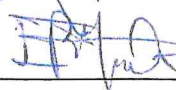



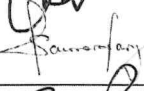

HIV/AIDS AND SEXUALLY TRANSMITTED DISEASES POLICY


TNCL-OHS-POL-0003



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POLICY STATEMENT

The HIV/AIDS pandemic is a work health problem that not only affects the health status of the workforce but also has a negative outcome on productivity and business continuity. To manage HIV/AIDS at work, Tembo Nickel Corporation Ltd is committed to doing the following:

1. HIV Aids STATUS should not be used as a criterion for selection during the recruitment process.
2. No employee will lose employment because of HIV status.
3. The TNCL Company will facilitate Access to HIV/AIDS care and services for all employees as far as reasonably practicable.
4. The TNCL Company is committed to financing HIV programs at the workplace.
5. TNCL will create a Safe and Healthy working environment for all employees at the workplace, including employees living with HIV/AIDS.
6. The TNCL Company will have a special program to prevent and control acute and chronic manifestations of Hepatitis B infection.
7. The Company will ensure privacy and confidentiality are maintained in all HIV-related programs, including voluntary HIV counselling and testing activities.



Benedict Busunzu

Chief Executive Officer

Tembo Nickel Corporation Ltd



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1. INTRODUCTION

TNCL is dedicated to safeguarding the well-being of its employees by implementing a zero-harm policy. This Policy aligns with TNCL's core values of safety, Respect, honesty, and integrity, which form an integral part of the company culture.

HIV and AIDS are the major threats in the world of work, as it is affecting the most productive segment of the labour force. It reduces earnings and imposes huge costs on intersperses in all sectors through declining productivity, increasing labour costs and loss of skills and experience.


HIV and AIDS are affecting fundamental rights at work, particularly with Respect to discrimination and stigmatisation aimed at workers and people living with and affected by HIV and AIDS.

This Policy aims to identify and manage HIV/AIDS as a biological hazard in the workplace. It provides technical guidance regarding the workplace management of HIV/AIDS while preserving employees' livelihood and socioeconomic status.

2. DEFINITION AND ACRONYMS

Table 1: Definition and Acronyms

Terms	Definition
AIDS	Acquired Immunodeficiency Syndrome, which results from advanced stages of HIV infection, is characterised by opportunistic infections, HIV-related cancers, or both;
ART	Antiretroviral Therapy
CEO	Chief Executive Officer
Confidentiality	The right of every person, worker, job applicant, jobseeker, intern, apprentice, volunteer, and laid-off and suspended workers to have their information, including medical records and HIV status, kept private;
Counselling	Confidential interactive session between a professional and a client aimed to explore and identify the risks of the client to HIV and AIDS;
HIV	Human Immunodeficiency Virus, a virus that weakens the human immune system;
HIRA	Hazard Identification and Risk Assessment
O.I.s	Opportunistic infections
OHS	Occupational Health and Safety
PLHIV	People Living with HIV

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Post Exposure Prophylaxis	Antiretroviral, including medicines that are taken after exposure or possible "Reasonable exposure to HIV. The exposure may be occupational, as in a needle stick injury, or non-occupational, as in unprotected sex with a person with HIV infection. The latter is sometimes referred to as Non-Occupational-Post Exposure Prophylaxis.
Reasonable Accommodation	means any modification or adjustment to a job or to the working environment that enables a person living with HIV and AIDS to have Access to or participate or advance in employment;
STI/STD	Sexually Transmitted Infections/Diseases are spread by the transfer of organisms from person to person during sexual contact, e.g., syphilis;
T.B.	Tuberculosis is an infectious disease characterised by the growth of nodules (tubercles) in the tissues, especially the lungs. Tuberculosis is more common in persons with immune system problems such as HIV and AIDS.
TNCL	Tembo Nickel Corporation Limited

3. RESPONSIBILITIES

3.1 Site General Manager


- Ensure that the required funding is available for the implementation of this program.

3.2 Occupational Health and Safety Manager

- The Occupational Health and Safety Manager will oversee the program.
- Negotiate the contract for services with the healthcare provider.
- To support the TNCL HIV/AIDS and STD program technically and administratively.

3.3 Occupational Health Lead

- To ensure the program is operational and sustainable.
- Conduct HIRA onsite.
- Develop and implement the TNCL HIV/AIDS and STD Program.
- Maintain a computer database that includes information about the employees enrolled in the HIV/AIDS and STD Program.
- Be the intermediary between TNCL and the healthcare provider.
- Be available to answer questions or concerns about the program from the employer.
- Be responsible for reviewing this program.
- To ensure the clinic is equipped with equipment and consumables, i.e. condoms needed for the HIV/AIDS and STD program.
- Annually update this program.

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3.4 Human Resources Team

- Ensure communication and training of the HIV/AIDS and STD programs to the employees.
- Ensure that HIV testing and HIV status are not one of the criteria of employment.
- Ensure that there is an annual budget for the HIV/AIDS and STD campaign that is commemorated each year on 1st December 2024.

3.5 Employees shall

- Ensuring that they are aware of their HIV/AIDS status by appearing for Voluntary Counselling and Testing for HIV.
- Ensuring that they participate in HIV/AIDS-related programs.

4. PROCEDURE

4.1 Scope

- All employees, contractors and temporary employees will be covered by the HIV/AIDS and STD control program.

4.2 Program cost


- The program cost will be covered by the TNCL. For contractors, they are encouraged to allocate the budget for HIV/AIDS and STD programs.

4.3 List of Legislations governing HIV/AIDS

- The Constitution of The United Republic of Tanzania (Cap. 2) of 1977.
- The HIV and AIDs (Prevention and Control) Act, 2008
- Employment and Labour Relations Act (CAP. 366 R.E.2019)
- The Occupational Health and Safety Act, 2003
- The Workers' Compensation Act, CAP. 263 R.E. 2015
- National Multi-Sectoral Strategic Framework on HIV And AIDS 2021/22 - 2025/26
- National Policy on HIV/AIDS, 2001.
- National Guidelines for Management of HIV AND AIDS 7th Edition 20th April.

4.4 Etiology of HIV

In Tanzania, HIV infection is caused by HIV-1 sub-types. The common HIV-1 sub-types (clades) in Tanzania are A, C, D, and their recombinants. There is no HIV-2 sub-type infection has been reported up to date.

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4.5 HIV Transmission

HIV infection is acquired through unprotected sexual intercourse with an infected partner, exposure to infected blood and blood products, or transmission from an infected mother to the unborn child in the uterus during delivery or from breast milk.

More than 90% of adults in sub-Saharan Africa acquire HIV infection through unprotected sexual intercourse with infected partners. Transmission of HIV through body fluids other than blood and genital secretions, such as cerebrospinal fluid, pleural fluid and amniotic fluids, is also possible. However, unless blood is visibly present, saliva, sputum, sweat, tears, faeces, nasal secretions, urine, and vomits are at very low risk of transmission of HIV2.

4.6 Clinical Progression of HIV Infection

In the absence of ART, disease progression goes from the asymptomatic stage to the clinically symptomatic stage. The symptomatic stage is characterised by opportunistic infections that can range from stage 2 to stage 4 as per WHO classification.

4.7 Management of HIV at the workplace

The guiding principles in this Policy are based on International Labour Conventions and Recommendations, as well as the Constitution of the Republic of Tanzania.

4.7.1 Respect for human rights, fundamental freedoms and equality

The response to HIV and AIDS will be recognised as a contributing factor to the realisation of human rights, dignity, fundamental freedoms, responsibility and equality for all, including workers.

4.7.2 HIV and AIDS is a workplace issue


HIV and AIDS are workplace issues and will be treated like any other serious illness or condition in the workplace.

4.7.3 Reduce HIV-related stigma and unfair discrimination and promote equality, opportunity, and fair Treatment

Elimination of unfair discrimination remains a key principle for the protection of the rights of individuals. There will be no unfair discrimination against or stigmatisation of workers on the grounds of real or perceived HIV status. It is the responsibility of every worker and employer to eliminate unfair discrimination in the workplace.

4.7.4 Gender Equality

Women and girls are at greater risk and more vulnerable to HIV infection and are disproportionately affected by HIV compared to men as a result of gender inequality. Women's

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empowerment is a key factor in responding to HIV and AIDS and the world of work. Measures would be taken in the work to ensure gender equality, prevent violence and harassment, and protect sexual and reproductive health.

4.7.5 The right to access and continuation of employment

Real or perceived HIV status is not a valid cause for termination of employment. Workers with HIV-related illnesses will not be denied the possibility of continuing to carry out their work unless proven medically unfit to do so. As with many other conditions, workers with HIV and AIDS will be reasonably accommodated and be able to work for as long as they are medically fit. Medical examination should be limited to the capacity of a worker to perform the task(s) of a particular job.

4.7.6 Prevention

Prevention of all modes of HIV transmission is a fundamental priority at TNCL. In keeping with this principle, the workplace will facilitate Access to comprehensive information and education to reduce the risk of HIV transmission infection and STIs.

4.7.7 Treatment, Care and Support


Treatment, care and support services for HIV and AIDS will be accessible to all workers. Programmes of care and support will include measures of reasonable accommodation in the workplace for persons living with HIV or HIV-related illnesses.

4.7.8 Occupational Health and Safety

The workplace will be safe and healthy for all workers, and they will benefit from programmes to prevent specific risks of occupational transmission of HIV and related transmissible diseases, such as T.B., especially in jobs most at risk, including the health care sector and underground miners.

4.7.9 Testing, Confidentiality and Disclosure

Workers will enjoy the protection of their privacy, including confidentiality relating to their own HIV status or that of their co-workers. Workers will not be required to undergo HIV testing or other forms of screening for HIV unless found to be justified by the Court. The results of HIV testing will be confidential and will not endanger Access to jobs, tenure, job security or opportunities for advancement.

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4.8 Elimination of unfair discrimination and promotion of equal opportunity and Treatment

4.8.1 Counseling and Informed Consent

4.8.2 HIV testing of workers will be provided with informed consent and proper counselling.

4.8.3 Pre-test counselling should take place prior to a worker being tested to determine his or her HIV status.

4.8.4 Post-test counselling should take place to determine whether a worker has tested negative or positive. Proper procedures should be followed to advise the worker on the next steps, depending on the HIV test results.

4.8.5 TNCL will not require an employee or an applicant for employment to undertake an HIV test in order to ascertain that worker's HIV status. Testing will be with consent and voluntary.


4.9 HIV Testing

4.9.1 Mandatory HIV testing will be done under the following conditions

- a) Under an order of the Court.
- b) On the donor of human organs and tissues; and
- c) to sexual offenders.

4.9.2 Mandatory Testing for HIV is not a requirement at TNCL, including the following circumstances

- a) During an application for employment.
- b) As a condition of employment.
- c) During procedures related to the termination of employment and
- d) As an eligibility requirement for training or staff development programmes.

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4.9.3 Anonymous, unlinked surveillance or epidemiological HIV testing in the workplace will be undertaken in accordance with ethical and legal principles. The information obtained will not be used to unfairly discriminate against workers.

4.10 Confidentiality and Disclosure

4.10.1 All persons, including those with HIV and AIDS, have the legal right to privacy. A worker is, therefore, not legally required to disclose his or her HIV status or related medical information to his or her employer or to other workers.

4.10.2 The results of HIV testing will be confidential and will not endanger Access to jobs, tenure, job security, or opportunities for advancement.

4.10.3 Where a worker chooses to voluntarily disclose his or her HIV status to the employer or to other workers, this information will not be disclosed to others without the worker's express written consent. Where written consent is not possible, steps will be taken to confirm that the worker wishes to disclose his or her HIV status.

4.10.4 Mechanisms will be created to encourage openness, acceptance and support for those employers and workers who wish to voluntarily disclose their HIV status within the workplace.

4.10.5 access to personal data relating to a worker's HIV status and related medical data will be bound by the rules of confidentiality consistent with the relevant national laws.


4.11 Reasonable Accommodation

The principle of reasonable accommodation is stipulated in TNCL-OHS-SOP-0038, Management of Medical Incapacity procedure.

4.12 Grievance and Disciplinary Procedures

4.12.1 Grievance and disciplinary procedures will be available and easily accessible to ensure effective redress in cases of violation.

4.12.2 TNCL will make employees aware of Grievance and disciplinary procedures, particularly the one to address unfair discrimination relating to HIV in the workplace.

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4.13 Termination of Employment

4.13.1 Real or perceived HIV status will not be a valid cause for termination of employment.

4.13.2 Workers with HIV-related illnesses SHALL not be denied the opportunity to continue to carry out their work.

4.13.3 Where an employee has become too ill to perform his or her current work, a TNCL will be obliged to explore alternatives, including reasonable accommodation and redeployment as per TNCL-OHS-SOP-0038, Management of Medical Incapacity procedure.

4.14. Promoting A Healthy and Safe Working Environment

4.14.1 Prevention Programmes

Workplace prevention programmes SHALL ensure the following:

4.14.1.1 Accurate, up-to-date, relevant, and timely information will be made available and accessible to all in a culturally sensitive format and language through the different channels of communication available.

4.14.1.2 Comprehensive education programmes to help women and men understand and reduce the risk of all modes of HIV transmission. This will include mother-to-child transmission and understanding the importance of changing risk behaviours related to infection.

4.14.1.3 Effective occupational safety and health measures, including harm-reduction strategies, will be available.

4.14.1.4 Measures to encourage workers to know their own HIV status through voluntary counselling and testing.


4.14.1.5 Access to all means of prevention, including male and female condoms, male medical circumcision, elimination of mother-to-child transmission and, where appropriate, information about the correct use and the availability of post-exposure prophylaxis.

4.14.1.6 Effective measures to reduce high-risk behaviours, including for the most at-risk groups, with a view to decreasing the incidence of HIV and AIDS.

4.14.2 Treatment, Care and Support

4.14.3 TNCL will facilitate Access to care for employees living with HIV

- Employees living with HIV/AIDS will be supported financially to attend the Care and Treatment Clinic as far as reasonably practicable.

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- The employee living with HIV/AIDS will be provided with nutritional support as far as reasonably practicable.

4.14.4 All persons covered by this HIV/AIDS Policy will be entitled to health services, including Access to free or affordable:

4.14.5 Voluntary counselling and testing.

4.14.6 Antiretroviral Treatment and adherence education, information, and Support.

4.14.7 Treatment for opportunistic infections and STIs, and any HIV-related illnesses tuberculosis.

4.14.8 Support and prevention programmes, including psychosocial support.

4.14.9 Programmes of care and support will include measures of reasonable accommodation in the workplace for workers living with HIV or HIV-related illnesses.


4.14.10 Workplaces will endeavour to provide counselling and other forms of social support to workers infected and affected by HIV and AIDS.

4.14.11 Workers with HIV and AIDS will be treated no less favourably than workers with other serious illnesses in terms of benefits, workers' compensation, and reasonable accommodation.

4.14.12 Workers with HIV and AIDS will be encouraged to use expertise and assistance from within the organisation for counselling. Where this is not available, employers may then acquire the necessary assistance and expertise from the outside.

4.14.13 Employees who are living with HIV/AIDS will be given time off, which is not part of sick leave, to attend the ART clinic, and they will be assisted with financial support and nutritional support.

4.14.14 The Company will commemorate World's AIDS Day every year, and during this period, there will be wide site-based HIV/AIDS programs, including VCT, sports and arts, with the aim of promoting safe behaviours and culture change towards HIV/AIDS, this is subject to budget allocation.

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4.15. Occupational Health and Safety

4.15.1 TNCL is obligated to provide and maintain a workplace that is safe and without risk to the health of its workers.

4.15.2 HIV and AIDS will form an integral part of any workplace Occupational Health and Safety strategy.

4.15.3 TNCL will ensure the working environment will be safe and healthy in order to prevent transmission of HIV and TB in the workplace.

4.16 Monitoring and Evaluation (M&E)

TNCL should ensure that all HIV/AIDS programs at the workplace will be monitored and evaluated. The key elements that will be used are:

4.16.1 Total Number of employees who were screened for HIV.

4.16.2 The Prevalence of HIV in the Workplace

4.16.3 Celebration of the HIV/AIDS Day annually, 1st December

4.16.4 Number of employees who are living with HIV/AIDS that received assistance and support from the employer.


4.17 Sexually Transmitted Infection including Hepatitis B

HIV/AIDS is not the only STD that will be covered by this program. Other STDs will also be covered. Particular attention is given to the Hepatitis B infection. Since Hepatitis B infection is more than a hundred times more infectious than HIV and has both acute and late chronic manifestations, i.e. Liver cirrhosis and cancer of the Liver, TNCL management has come up with a special program for Hepatitis B.

4.17.1 Voluntary counselling and testing for Hepatitis B services will be provided at the onsite TNCL Clinic

4.17.2 All employees who will test Negative for Hepatitis B will be offered an opportunity to receive the Hepatitis B vaccine

4.17.3 The Hepatitis B vaccines are three doses of injection given at the start, one month and then six months. Once one receives all three doses, the vaccine has proved to be effective for the majority of patients.

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4.17.4 All employees who suffer from STDs are treated, the clinic will stock the medications onsite for Treatment, and the Treatment will be free.

4.17.5 All other principles of HIV/AIDS measures will also apply to the management of STDs other than HIV.

5. SYSTEM EVALUATION

This policy shall be reviewed at least two years by members of the OHS department, HR department and presented to the Standard Committee for approval or when organisational changes take place or are required as part of internal and external audits. The TNCL Document Controller will monitor compliance with the document control system on an ongoing basis.

6. DISTRIBUTION


List physical locations which require a controlled copy of this document.

Table 2: Distribution

Copy	Controlled Document Folder Location
Master	Controlled Documents Central Filing System

7. CONTRAVENTION

Any breach of this policy shall be regarded as refusal/failure to carry out a lawful instruction and will be dealt with as per the disciplinary procedure.

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8. DOCUMENT CHANGE PROCESS

The process of document change starts when the document custodian identifies there is a need to make changes within the document. The document custodian/ owner shall complete the document change request form, sign it off and submit it to the Document Controller.

The Document controller shall issue the controlled word copy of the document to the respective document custodian/owner so that changes may be made. The document custodian/owner shall resubmit the updated document to the document controller so that the document can be controlled and updated within the filing system and ready for use by the end users.

8.1 Reason for Change

Table 3: Reason for Change

A	As a result of incidents	F	Change in training requirements
B	As a result of the audit findings	G	Results of risk assessments
C	New / changes in governance documents	H	Change due to spelling or grammatical error
D	Changes in legislation	I	New document format
E	Changes in technology	J	To integrate special instruction into the document control system

8.2 History of Change


Table 4: History of Change

Date of Change	Revision No	Revised Item (paragraph Number reference if required)	Reason Code	Name of Reviewer
11 th June 2024	01	Whole document	D	Dr Weinand

9. RECORD CONTROL

Table 5: Record Control

Document Title:	Document ID:	Responsible for Maintenance:	Responsible for Filing:	Location of Storage:	Retention Period:	Method of Disposal:
HIV/AIDS and STD Policy	TNCL-OHS-POL-0003	Document Controller	Document Controller	OHS Department	Hard Copy two Years	Hard copy shared file electronic

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10. DECLARATION

I hereby declare that I have taken part in the discussion of this policy, and I understand its contents and do commit that I shall ensure compliance hereto:

	Name and Surname	Company Number	Designation / Role	Signature	Date Signed
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