

Sample Company Policy on AIDS

Introduction

The following outlines [your company's name]'s policy and procedures for interacting with employees who have been medically diagnosed with or who are suspected of having the AIDS (Acquired Immune Deficiency Syndrome) virus.

Purpose

The purpose of the AIDS policy is to reassure employees that AIDS is not spread through casual contact during normal work practices and to reduce unrealistic fears about contracting an AIDS virus-related condition. This policy also protects the legal right to work of employees who are diagnosed with an AIDS virus-related condition and provides guidelines for situations where infection with the AIDS virus is suspected. Our policy is to encourage sensitivity to and understanding for employees affected with a condition of the AIDS virus.

General policy

We are committed to maintaining a healthy work environment by protecting the physical and emotional health and well-being of all employees in the workplace. We also have a continuing commitment to provide employment for people with physical disabilities who are able to work. This AIDS policy is a direct outgrowth of those commitments. It provides guidelines for situations when a question as to an AIDS virus-related condition arises. There are three major points:

- Employees who are diagnosed with an AIDS virus-related condition may continue to work if they are deemed medically able to work and can meet acceptable performance standards. We will provide reasonable performance standards and reasonable accommodation if necessary to enable these employees to continue working.
- We provide AIDS education for all employees to help them understand how the AIDS virus is spread and to reduce unrealistic fears of contracting an AIDS virus-related condition.
- The term "AIDS virus-related conditions" refers to the following four medically diagnosed conditions:
 1. presence of the AIDS antibody without symptoms of AIDS
 2. presence of an AIDS-Related Complex (ARC)
 3. AIDS
 4. central nervous system infection

Medical overview

Medical experts on AIDS virus-related conditions have informed us that there is *no* known risk of AIDS transmission between an affected employee and other employees through either casual or close contact that occurs during normal work activities.

An AIDS virus-related condition is not transmitted by breathing the same air, using the same lavatories, touching a common piece of paper, or using the same telephone. Transmission of the virus through oral secretions or tears is not a recognized risk according to medical authorities. Additionally, the virus is very fragile and has been found to be transmitted only through intimate exchange of bodily fluids (for example, blood or blood-contaminated tissue fluids such as semen or vaginal fluid).

The AIDS virus attacks the immune system, causing a breakdown in a person's normal protection against infection. This leaves the body vulnerable to life-threatening illnesses. In addition, the virus by itself can affect the nervous system.

Individuals of all sexual preferences are at risk of contracting an AIDS virus-related condition. According to medical experts, the AIDS virus is transmitted in the following ways: sexual contact through transmission of semen or vaginal fluids; intravenous drug administration with contaminated needles; administration of contaminated blood or blood products; and passage of the virus from infected mothers to their fetus or newborn. However, there is *no* evidence to suggest that pregnant women are particularly susceptible to any AIDS virus-related illness or condition. Recent medical evidence suggests that an AIDS virus-related condition can have an incubation period of several weeks, months or years before symptoms appear. Medical findings indicate that a person who has a positive antibody test will not necessarily develop an AIDS virus-related condition. The presence of the AIDS antibody is a sign of infection, not immunity, unfortunately.

As is true for any person with a life-threatening illness, a person diagnosed with an AIDS virus-related condition deserves and requires compassion and understanding. While that person is attempting to cope with his or her own vulnerability and fears, the support and understanding of friends and colleagues can be particularly valuable.

Some people have fears about contracting AIDS based on misinformation or lack of knowledge about how AIDS is spread. Education providing accurate medical information can best alleviate fears of contracting an AIDS condition.

Supervisor's responsibilities

The physical and emotional health and well-being of all employees must be protected, and reasonable accommodation for the medically impaired employee with an AIDS virus-related condition must be provided, as long as the employee is able to meet acceptable performance standards. To ensure these goals are met, the following guidelines are to be followed:

- Any employee diagnosed with an AIDS condition is entitled, as is any other employee, to confidentiality of their medical condition and medical records.
- If an employee with an AIDS condition requests job accommodation for his/her medical condition, the employee must obtain a written medical opinion that he/she (a) is medically able to work and (b) needs reasonable job accommodation in order to maintain employment.
- If it is deemed medically necessary, based upon current physical impairment, [Company name] and the employee's supervisor will work to bring about any reasonable job modification or job transfer of the employee with a diagnosed condition of AIDS.
- If a healthy employee refuses to work with an employee who is diagnosed with an AIDS condition and is medically approved as able to work, job transfer or other work

accommodation for the healthy employee will only occur when medically indicated by written order of his/her physician. The medical order must be a signed medical statement requesting this job change. In the absence of a medical order, normal transfer procedures will be followed.