

MONTEREY COUNTY
PERSONNEL POLICY/PROCEDURE

SUBJECT: POLICY ON HIV INFECTION/HIV DISEASE/AIDS IN THE WORKPLACE		NO.
DATE: 10/17/88	REFERENCE: BOARD RESOLUTION 88-153	FROM:
PURPOSE: TO ESTABLISH POLICY OF NON-DISCRIMINATION FOR THOSE EMPLOYEES INFECTED WITH HIV OR HAVING AIDS OR AIDS RELATED SYMPTOMS		COUNTY ADMINISTRATIVE OFFICER

DEFINITION:

The term "HIV infection", unless otherwise specified, is used throughout this policy to refer to the presence of viable Human Immune Deficiency Virus (HIV) in the body causing asymptomatic infection or any stage of symptomatic illness up to and including Acquired Immune Deficiency Syndrome (AIDS).

PURPOSE:

This policy establishes a framework for the County of Monterey to deal with HIV infection in the workplace and with appropriate providers of services to the County. This policy will ensure that any individual known to have HIV infection is treated with compassion in a manner that conforms with all privacy, confidentiality, and employment rights and regulations and that an employee receives employee health benefits consistent with applicable laws and regulations.

PHILOSOPHY:

1. Monterey County must take reasonable steps to protect the health of workers by providing a safe and healthy working environment. At the same time, it is understood that ultimate responsibility for personal health rests with each employee. This policy is designed to provide the guidance to ensure a safe and healthy work environment.
2. Monterey County must maintain a discrimination free workplace. HIV-related personnel management issues are complex because of the many applicable laws and regulations. This policy is designed to ensure the adoption and maintenance of discrimination free work practices.
3. Education is the key to effectively managing a worksite response to HIV infection. Education enables both managers and workers to respond to HIV infection in a discrimination free manner, and provides them with the knowledge necessary to prevent HIV transmission. This policy is designed to ensure that Monterey County employees and managers alike are informed and educated about HIV infection within the workplace.

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POLICY:

It is the policy of the Board of Supervisors to:

1. Ensure that any employee with HIV infection is treated as a person with a legally protected disability, handicap, or life-threatening illness, and is guaranteed employment rights and health benefits consistent with applicable laws and regulations.
2. Ensure that each County employee with HIV infection is allowed to continue to work as long as he/she is physically and mentally able to work and to perform the job competently.
3. Ensure that job applicants with HIV infection are considered for employment so long as they physically and mentally meet the employment standards for the position.
4. Ensure that employees are provided complete confidentiality when seeking counseling and medical referral assistance for HIV infection. Confidentiality of employee medical records should be maintained consistent with accepted legal, medical and management practices.
5. Ensure that all employees, supervisors and managers are periodically informed and updated about HIV infection, in order to alleviate anxiety and to demonstrate Monterey County's commitment to open communication and education/prevention efforts.

EDUCATION OF COUNTY EMPLOYEES:

The CAO and County Department Heads and/or Appointing Authorities shall be responsible for ensuring that all employees are informed about HIV infection and the County's HIV policy. A County HIV Task Force, comprised of representatives from the Health Department, Natividad Medical Center, CAO, Sheriff, County Counsel, Social Services Department, and Union Representatives is hereby established to develop suitable programs for informing and educating all of the County's employees, in cooperation with the Health Officer who shall ensure appropriate program content. The County Department Heads and/or appointing authorities shall be responsible for the implementation within their respective departments of the programs developed.

Each department head and/or appointing authority shall:

1. Post a copy of this policy on employee bulletin boards and incorporate it into each department's personnel policy and procedures manuals.
2. Conduct an orientation program for department and division heads and require them to discuss this policy with subordinate staff.

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3. Develop a coordinated schedule for informing and educating each of their employees regarding HIV infection and the County's HIV policy, and thereafter obtain each employee's written acknowledgement of such training and policy.
4. Provide orientation for each new employee regarding HIV infection and the County's HIV policy, and obtain the employee's written acknowledgement of same.
5. Make available a standard operating procedure for all employees performing Category I and II tasks that involve inherent potential or routine exposure to blood, body fluids or body tissues.
6. Provide necessary training and safety equipment to all employees at risk of exposure to HIV infection in the line of duty, e.g. health care, criminal justice and EMS personnel.

IMPLEMENTATION GUIDELINES:

The County Administrative Officer in conjunction with department heads and/or appointing authorities, with technical support from the Director of Health, County Counsel, Personnel Director, Risk Manager, and recognized employee groups, will implement procedures and guidelines to ensure compliance with this policy.

FURTHER ASSISTANCE:

If questions arise concerning specific job classifications, the activities of specific employees or educational needs, the questions should be directed to the County Administrative Office-Personnel Director for clarification or coordination with other appropriate resources.