



## HIV/AIDS POLICY

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## 1 INTRODUCTION

The Da Vinci Institute is an accredited private higher distance education provider offering qualifications on NQF levels five to ten, which are registered on the Higher Education Qualifications Sub-Framework (HEQSF). This policy forms part of the institutional Integrated Quality Management System and details the principles for ensuring that programme offerings adhere to academic standards and empower students to contribute to the transformation of their communities, society, and the economy of the future. This approach is underpinned by the Business- and Community-based Action Learning discourse on the co-creation and distribution of relevant knowledge.

AIDS (acquired immunodeficiency syndrome) is a serious progressive illness caused by the Human Immunodeficiency Virus (HIV) in which the immune system is disabled. Infection with HIV (the virus that causes AIDS) may make a person highly vulnerable to serious and life-threatening conditions. Presently, there is no known cure for AIDS. The Institute acknowledges the seriousness of the HIV/AIDS pandemic and the importance of managing its impact.

## 2 DEFINITIONS

Term	Definition
HIV	Human Immunodeficiency Virus, a virus causing the disease AIDS
AIDS	Acquired Immune Deficiency Syndrome, a disease affecting the body's ability to fight infections that attacks the immune system of the body
Constitution	A body of fundamental principles or established precedents according to which a state or other Institution is acknowledged to be governed

## 3 REGULATORY FRAMEWORK

This policy is benchmarked against, and should be read in the context of the relevant legislation underpinning the principles against which institutional policies and

operational procedures are developed, implemented and maintained. These include:

A. Relevant Legislation

- I. Constitution of the Republic of South Africa (No. 108 of 1996)
- II. Criteria for Programme Accreditation (CHE, 2004)
- III. Distance Higher Education Programmes in a Digital Era: Good Practice Guide (CHE, 2014)
- IV. Higher Education Act 101 of 1997 as amended Act No. 39 of 2008
- V. Labour Relations Act (Act 66 of 1995)

Applicable Da Vinci documents

- I. B17 - Human Resources Policy

## **4 SCOPE**

This policies applies to all students, staff and stakeholders.

## **5 PURPOSE**

The purpose of this policy is to provide guidelines as to The Institute's position on HIV, AIDS and AIDS-related conditions.

The Institute is committed to not discriminate against any student or member of staff or faculty or other stakeholders who has, or is suspected to have, AIDS, AIDS-related conditions, or a positive HIV antibody test.

### **5.1 Admissions**

Consideration of AIDS-related conditions or HIV infection is not a part of the admissions process

### **5.2 Job Status/Promotions**

5.2.1 Previous testing, regardless of outcome, or HIV/AIDS-related condition, is not a criterion for consideration for job status and/or promotions.

5.2.2 Employees or applicants for employment who have HIV infection or AIDS will not be discriminated against in recruitment, hiring, training, promotion, transfer, or any other terms and conditions of employment based on their disability.

5.2.3 Faculty members, instructors, or other stakeholders with HIV infection or AIDS will not be discriminated against in terms and conditions affecting their employment with The Institute based on their disability.

5.2.4 Employees with HIV infection or AIDS will be allowed to continue working as long as they are able to perform the essential functions of the job, with or without a reasonable accommodation.

5.2.5 Students or applicants for study with HIV infection or AIDS will not be discriminated against in admissions or financial aid decisions based on their disability.

5.2.6 Students with HIV infection or AIDS will not be discriminated against based on their disabilities in education, extracurricular, or other opportunities made available by The Institute.

5.2.7 Students with HIV infection or AIDS will be allowed to continue studying as long as they are in compliance with all The Institute rules and regulations.

## **6 TESTING**

It is the policy of this institution not to conduct HIV tests, nor to require that such tests be taken. The Institute does, however, encourage individuals who may have engaged in high-risk behaviour to seriously consider being tested for their welfare.

## **7 CONFIDENTIALITY**

The Institute will adhere to the legal requirements and obligations concerning confidentiality of medical records and will maintain the personal privacy of any student or employee or other stakeholder who is antibody positive or is diagnosed as having AIDS or ARC (AIDS-related complex).

### **7.1 When Results Are Positive**

Employees or other stakeholders receiving HIV positive results are not under any obligation to inform the Company. However, HIV positive employees who work in the kitchens or whose work performance is affected, are urged to inform either the CEO or their immediate Manager, so that the problem can be dealt with and employee assisted.

The results of tests are to be kept strictly confidential. Only management who need to know should be informed confidentially. Disclosure or a breach of confidence could be regarded as an unfair labour practice or a violation of the rights of the employee.

## **8 FIRST AID**

Every First Aid Box must contain disposable gloves for use by the First Aider when dealing with cuts and abrasions so that they cannot be infected. Employees providing assistance should wash their hands thoroughly with disinfectant, soap and water afterwards and destroy the gloves.

## **9 CONTINUED EMPLOYMENT**

AIDS will be treated like any other life threatening disease and employees or other stakeholders may continue to work for as long as their condition allows, provided that they meet required performance standards and are not a threat to their own safety or that of others.

## **10 REVIEW OF THIS POLICY**

Regular review and amendment of this policy will be done in line with the approved institutional policies and regulatory requirements. This will take place in consultation with the relevant quality assurance structures at departmental and institutional level, under the auspices of the official custodian of this policy, namely the Human Resources Manager.