

## HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND OTHER BLOOD-BORNE VIRUSES

### Background

This procedure explains the approach of the District to dealing with HIV and related issues. The definitions and procedures are subject to current medical knowledge and will be updated as required.

### Definitions

- AIDS*                    Acquired Immune Deficiency Syndrome  
This is the most severe manifestation of the HIV infection. When an individual is diagnosed with AIDS, they are infected with HIV, and the immune system is so damaged that other diseases (called “opportunistic infections or OIs”) develop.
- HIV*                     Human Immunodeficiency Virus  
This is the virus that causes AIDS.
- HBV*                    (Hepatitis B) and HCV (Hepatitis C) Pathogens  
These are the viruses responsible for Hepatitis B and C, inflammations of the liver spread by blood and serum driven fluids, and by direct contact with blood fluids.
- Sero*                    Converted or Tested Positive for HIV  
A blood test has indicated that the individual is infected with HIV. There may be no signs of illness.

Any reference in the procedures to the term HIV refers to any or all of the above definitions, except HBV and HCV.

### Procedures

1. Employees who test HIV positive or have other blood-borne pathogens (e.g. Hepatitis B or C) shall be entitled to continue their work if they:
  - 1.1 Can carry out essential duties of their jobs in a satisfactory manner; and
  - 1.2 Do not pose a health or safety hazard to themselves or others

2. There is no medical reason for an employee infected with HIV or any other blood-borne pathogens not to work. Therefore, the identity of school employees infected with blood-borne pathogens shall be confidential. Dissemination of information shall be restricted to those who need to be informed, the Superintendent and those who the Superintendent deems should be informed. In deciding who should be informed, the Superintendent shall seek the cooperation and assistance of the District Medical Health Officer.

3. Medical Procedures

Infection with HIV or other blood-borne pathogens will be treated as any other medical condition for the purpose of absence and disability benefits. An employee diagnosed with HIV or other blood-borne pathogens will be entitled (if eligible) to complete sick leave benefits, long-term disability and medical benefits, and any other provisions in their respective collective agreements/contracts. It should be noted that persons who are HIV positive might be more susceptible to common infections from students and/or co-workers (e.g. cold, flu, etc.) because of his/her weakened immune system.

4. Right to Work

An employee known to be infected with HIV or other blood-borne pathogens will not be restricted from work based solely on the diagnosis, nor will they be restricted from using any facilities or equipment within the work environment such as telephones, office equipment, toilets, showers, eating facilities, water fountains, etc.

5. Employees exposed to HIV or other blood-borne pathogens via students or co-workers.

- 5.1 Information will be available regarding universal precautions for the protection of employees in those positions where exposure to blood or other body fluids of persons infected with HIV or other blood-borne pathogens might occur in the course of duties.
- 5.2 Since there is no known risk of transmission of HIV or other blood-borne pathogens by casual contact, no precautionary procedures beyond normal hygienic practices are required in the office or classroom setting.
- 5.3 An employee's refusal to work with a co-worker or student who is infected with HIV or other blood-borne pathogens may be accommodated only if the refusal is based on the employee's own state of health (rendering him/her more susceptible to acquiring other illnesses). For example, individuals undertaking chemotherapy treatment have weakened immune systems and therefore are at increased risk of contracting an ancillary illness which an HIV positive person might carry. The District may request medical confirmation of the employee's state of health. Upon confirmation, the Superintendent will attempt to reassign duties so as to eliminate contact with the infected person.

## 6. Employee Awareness

The District will attempt to utilize the Ministry of Health and other available sources to increase employee awareness and knowledge of HIV infection and other blood-borne pathogens.

## 7. Counselling

Employees diagnosed with HIV or other blood-borne pathogens will be encouraged to seek counselling to assist them in dealing with any personal, medical or financial problems.

Counselling through the Employee Assistance Plan will be available.

## 8. Responsibilities

### 8.1 Significant Risk

If the Superintendent in consultation with the employee's supervisor decides that there may be a significant risk to the individual or others, the Superintendent shall refer the matter to the District Medical Health Officer in accordance with the School Act

### 8.2 Obligation to Report

The Health Act requires that a person who knows or suspects that another person is suffering from a communicable disease will report this to the District Medical Health Officer

Legal Reference:     *Sections 22, 65, 85 School Act*  
                          *Health Act*  
                          *Communicable Diseases Regulation*