

Section: Business and Support Operations

Section Number: 3.23.8

Subject: Safety and Health: AIDS Guidelines

Date of Present Issue: 01/20/98

Date of Previous Issues:
10/90, 10/94

POLICY:

Lake Superior State University does not unlawfully discriminate against employees or applicants living with or affected by HIV (Human Immunodeficiency Virus) or AIDS (Acquired Immune Deficiency Syndrome). LSSU recognizes that HIV infection and AIDS, the most serious stage of disease progression resulting from HIV infection, pose significant and delicate issues for the workplace. Accordingly, we have established the following guidelines and principles to serve as the basis for handling employee situations and concerns related to HIV infection and AIDS.

LSSU is committed to maintaining a safe and healthy work environment for all employees. This commitment stands on the recognition that HIV, and therefore AIDS, is not transmitted through any casual contact.

HIV is a bloodborne virus, and is spread only through intimate contact with blood, semen, vaginal secretions, and breast milk. For over ten years, scientists have made new discoveries about HIV infection and AIDS. But one piece of information has never changed - how the disease spreads. Scientists have recognized this fact since 1982. The basic facts about HIV transmission and prevention are sound.

LSSU will treat HIV infection and AIDS the same as other illnesses in terms of all employee policies and benefits, including health and life insurance, disability benefits and leaves of absence. Employees living with or affected by HIV infection and AIDS will be treated with compassion and understanding, as would employees with other disabling conditions.

In accordance with the law, LSSU will provide reasonable accommodations for employees and applicants with disabilities who are qualified to perform the essential functions of their positions. This applies to employees and applicants living with HIV infection and AIDS.

Generally, disabled employees have the responsibility to request an accommodation. It is the policy of LSSU to respond to the changing health status of employees by making reasonable accommodations. Employees may continue to work as long as they are able to perform their duties safely and in accordance with performance standards. Supervisors and managers are encouraged to contact the Employee Relations Office for assistance in making reasonable accommodations.

Coworker concerns will be handled in an educational fashion. The Employee Relations Office can provide information and educational materials. In addition, the names of community-based organizations in our operating areas will be appended. Consult one of these groups for support and information. Supervisors and managers are encouraged to contact the Employee Relations Office for assistance in providing employees with information and assistance.

Recognizing the need for all employees to be accurately informed about HIV infection and AIDS, LSSU will make information and educational materials available upon request. Employees who want to obtain information and materials should contact the Employee Relations Office.

Coworkers are expected to continue working relationships with any employee who has HIV infection or AIDS. Coworkers who refuse to work with, withhold services from, harass or otherwise discriminate against an employee with HIV infection or AIDS will be subject to the same disciplinary procedures that apply to other policy violations.

Information about an employee's medical condition is private and must be treated in a confidential manner. In most cases, only managers directly involved in providing a reasonable accommodation or arranging benefits may need to know an employee's diagnosis. Others who may acquire such information, even if obtained personally from the individual, should respect the confidentiality of the medical information.

LSSU maintains an "open-door" policy. Employees living with or affected by HIV infection and AIDS, and those who have any related concerns, are encouraged to contact their supervisor, the Director of Employee Relations, or the appropriate Cabinet-level officer to discuss their concerns and obtain information.

A blood test for antibodies to the HIV is available. This test does not determine which infected persons will become ill with AIDS or ARC and confirmation of true positive is expensive and slow. Because of the potential for false positive results, and because of concern for individual liberties, the test should not be used for routine screening of either students or employees, unless required by law. Individual testing is available at the LSSU Health CARE Center and other community agencies. Confidentiality is guaranteed, and pre- or post-testing may be a requirement.

If you have questions about this policy, its interpretations, or the information upon which it is based, please contact any of the individuals listed above.