



**Section Three: Staff**

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**340R – HUMAN IMMUNODEFICIENCY VIRUS (HIV)  
AND OTHER BLOOD-BORNE VIRUSES – EMPLOYEES  
(REGULATIONS)**

**1. Employees infected with HIV or other blood-borne pathogens.**

**1.1 Medical Procedures**

Infection with HIV or other blood-borne pathogens will be treated as any other medical condition with its related absence and disability. 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.

**1.2 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.

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

2.1 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.

2.2 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.

2.3 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



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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 Board of Education may request medical confirmation of the employee's state of health. Upon confirmation, the Board will attempt to reassign duties so as to eliminate contact with the infected person.

#### **3. 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.

#### **4. 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.

#### **5. Responsibilities**

##### **5.1 Significant Risk**

If the employee's supervisor or the Superintendent 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.

##### **5.2 Obligation to Report**

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