



PSUFASA NEWSLETTER

PUBLIC SECTOR UNIONS FIGHTING HIV & AIDS IN SOUTHERN AFRICA

STOP AIDS. KEEP THE PROMISE.

SEPTEMBER 2011

Highlights

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LAUNCHES VCT
CAMPAIGN.....

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Call for proposals open: GFATM Round 11

On the 15th of August 2011 the secretariat of the Global Fund to fight AIDS, Tuberculosis and Malaria (GFATM) made a call for Round 11 proposals. The deadline for submission of national proposals for Round 11 is the 15th of December 2011.

The GFATM is the largest public-private partnership organisation established to finance the global response to AIDS, TB and malaria programmes. At country level, the Fund works through Country Coordinating Mechanisms

(CCMs) which are committees consisting of country stakeholder organisations including; government departments, faith based organisations, representatives of most at risk populations and in some cases trade union organisations. CCMs have the responsibility to prepare and submit national proposals for funding to the Global Fund.

It is important for trade union organisations to get involved in the GFATM funding process in order to get support for workplace interventions on TB, HIV and AIDS.

Participation of trade unions in the GFATM process

Step 1: Locate and contact representatives of labour in the Country Coordinating Mechanism and arrange a preparatory meeting to register the position of labour to have a workplace programme included in the national proposal to be submitted to the GFATM.

NB: If there are no representatives of labour in the current structure of the CCM, contact the chairperson of the CCM, usually through the National Aids Authority to discuss the position of labour to have a workplace programme included in the national proposal.

Important point on process: Instead of arranging the preparatory meeting as individual unions you can also explore the possibility of organising a joint trade union preparatory meeting with the chairperson of the CCM to discuss the possibility of submitting a joint proposal for funds to strengthen workplace interventions on TB, HIV and AIDS. Also check with your national federation if work is being done around Round 11 of the Global Fund and get feedback. It is also good idea to explore the possibility of partnering with the employers in your submission to the CCM.

Step 2: Follow-up this initial meeting with an official communication indicating labour's intention to include a workplace programme in the national proposal raising the key challenges posed by TB and HIV and AIDS in the workplace.

Step 3: Find out more on members of the CCM. Lobby for enough support among CCM members to support the idea of including a workplace related programme into the national proposal.

Step 4: Prepare a concept note with input from your constituency of 3-5 pages of a workplace proposal for GFATM funding. The concept note should identify an area of need for support from the GFATM based on the needs of your membership. For example, the need could be related to vulnerability of certain groups, such as workers living with and affected by HIV and or health workers exposed to TB and HIV in the course and scope of their work.

Step 5: Once your concept note has been accepted start to work on a detailed workplace proposal along the lines of the concept note. You can also ask for technical assistance to prepare the concept note and the detailed proposal from PSI and other organisations such as the ILO or UNAIDS.

Step 6: Trade unions have a responsibility to monitor and evaluate use of funds from the GFATM. In addition, trade unions need to seek publicity for their workplace interventions and other actions in response to HIV, AIDS and TB.

**CIRCULATE
WIDELY!**

Editorial comment



Dear Readers,

In this issue of the PSUFASA Newsletter we report on the important developments at global level in relation to HIV and AIDS and various activities of our affiliates in different countries.

The adoption of the 2011 United Nations General Assembly Political Declaration on HIV & AIDS in general, and the commitment by world leaders in paragraph 85 in particular, to

mitigate the impact of HIV and AIDS among workers, their families, dependants and workplaces is a victory for workers.

Furthermore, the ILO adopted a Global Action Plan (GAP) to promote the implementation of Recommendation No. 200 concerning HIV and AIDS at work. It is important for union activists to familiarise with the GAP to ensure meaningful par-

ticipation, monitoring and reporting on outcomes, outputs and indicators of the GAP.

On the 15th of August 2011 the Global Fund secretariat made a call for Round 11 proposals for funding. It is important for trade unions to be part of this process. We look forward to sharing your work in the next issue!

Thank You!

Collaboration between WETUM & employer yields results

Malawi: The Water Employees Trade Union of Malawi (WETUM) and its employer partner have intensified efforts to reduce the impact of HIV and AIDS among workers in water boards in Malawi.

The joint efforts, which build on the just ended PSI/UNISON project on strengthening the public sector trade unions' response to HIV and AIDS are yielding results.

Joint proposal for funding

The union in cooperation with the employer submitted a proposal for funding of the core business activities of the Water Boards - that of delivering clean water to the citizens. However, the two parties ensured that the proposal to the funding institution included a component on addressing the challenges of HIV and AIDS at work. As a result the Water Boards and WETUM secured a sum of one hundred thousand Euros (Euros 100, 000) from the European Investment Bank to mitigate the impact of HIV and AIDS among workers in water boards.

Current activities and programmes

Several activities have been lined up for the next two years and these include;

- ◆ HIV awareness campaigns in all the local water boards;
- ◆ Refresher training for peer educators, workers and their spouses.
- ◆ Local exchange visits and coordinated HIV/AIDS open days at work.

Knowledge, Attitude and Practice Survey

In order to intensify union and employer's work on HIV and AIDS, the parties started the programme by conducting a Knowledge, Attitude and Practice Survey at the workplace. The survey is helping in designing various activities to address challenges in relation to knowledge, attitudes, beliefs and practices among workers in water boards.

For example, the survey has revealed that the HIV prevalence rate for one of the Local Boards (Lilongwe Water Board) is at 11.1%. This revelation has led the union and management to review the existing workplace policy to include partner notification which was not included in the current workplace policy.

Strengthening partnerships

The PSI/UNISON project helped the union to develop partnerships with other national stakeholders involved in the HIV and AIDS response.

Through the new project funded by the European Investment Bank these partnerships have been further strengthened. The HIV and AIDS focal person continues to work and share experiences with other stakeholders such as the Malawi Business Coalition against HIV and AIDS and the National Aids Commission on various issues affecting workers rights in relation to HIV and AIDS

Lessons: Mainstreaming HIV and AIDS

The experience of WETUM is one of the many strategies that can be adopted by trade unions to secure the much needed resources to support work on HIV and AIDS. This is an example of HIV and AIDS mainstreaming in the workplace.

NEHAWU launches VCT campaign in partnership with GEMS

South Africa - National Education, Health and Allied Workers Union (NEHAWU) has partnered with the Government Employees Medical Scheme (GEMS) to embark on a workplace Voluntary Counselling & Testing Campaign. The campaign was launched on the 10th of September, 2011 in Gauteng and will be replicated in other provinces and workplaces organised by the union.

The Voluntary Counselling & Testing Campaign is targeting union and non-union members in all workplaces where NEHAWU has membership. The testing sessions will be conducted at every branch executive and general meetings with membership. According to Busisiwe Tshabalala, the union's National HIV and AIDS Coordinator, **'The plan is to compliment the national health testing campaign by encouraging our members to know their status.'** She further stated that **'As soon as workers know their status, mechanisms have been put in place to refer comrades**

to the relevant institutions for further management of different health conditions.' The union's campaign will encourage more workers to know their status and also work as a recruitment drive as members and non-members will benefit from this process.



HOSPERSA ON 2011 UNGASS POLITICAL DECLARATION ON HIV & AIDS

By Edna Bokapa - South Africa, HOSPERSA as an affiliate of PSI in southern Africa was very excited about paragraph 85 of the UN Political Declaration on HIV and AIDS adopted on the 10th of July 2011, especially taking into account our active participation in civil society meetings in the build up to UNGASS 2011.

HOSPERSA together with PSI HIV and AIDS project coordinator attended two meetings in 2010 and 2011 organised by civil society in Africa to develop a joint African civil society position paper ahead of UNGASS 2011. We believe **paragraph 85** of the Declaration was a culmination of the lobbying and advocacy from all corners of the world by workers' representatives including our efforts in southern Africa.

The commitment by world leaders in **paragraph 85** to mitigate the impact of the epidemic on workers, their families, their dependants, workplaces and economies is an express recognition of the critical and indispensable role of workplace structures, policies and programmes mainly implemented through the work of trade unions and employers in the HIV and AIDS global response.

However, we are cautious of the fact that commitments are made at the international level but real implementation remains a sticking point at national level. It is crucial for government and private sector employers not to view trade unions as enemies within the workplace



Cde. Edna Bokapa - HIV/AIDS and Nurses Forum Coordinator, HOSPERSA

but as part of the problem solvers on the challenges of the epidemic, because it is our members that are affected and fear stigma and discrimination resulting in delayed access to treatment, care & support.

However, more needs to be done to accelerate the HIV Testing Campaign in the workplace. Our next step will be to popularize the Political Declaration, create and strengthen strategic partnerships with the government, civil society and other stakeholders to make sure that the commitments are implemented, monitored and followed up accordingly.

Affiliates launch anti-stigma & discrimination programmes

Zimbabwe - The Zimbabwe Rural District Councils Worker's Union (ZRDCWU) has just launched a workplace programme to fight against stigma and discrimination. The programme started with a training of trainers' workshop for provincial wellness focal persons. The training workshop organised under the theme of: **'Developing union leadership to combat stigma and discrimination in the workplace,'** was held in Harare from 30-31 August 2011. The objective of the programme is to reduce stigma and discrimination which is rife in rural district council workplaces. Activities under the programme will include;

- ◆ Training of district wellness focal persons and members of the women's committees;
- ◆ Establishment of wellness committees at the workplace;
- ◆ Negotiation of collective agreements at the workplace level; and
- ◆ Setting up of information kiosks and sensitizing members on their OHS rights including HIV and AIDS.

At the end of the two day training programme, provincial wellness focal persons developed action plans for implementation at district level.

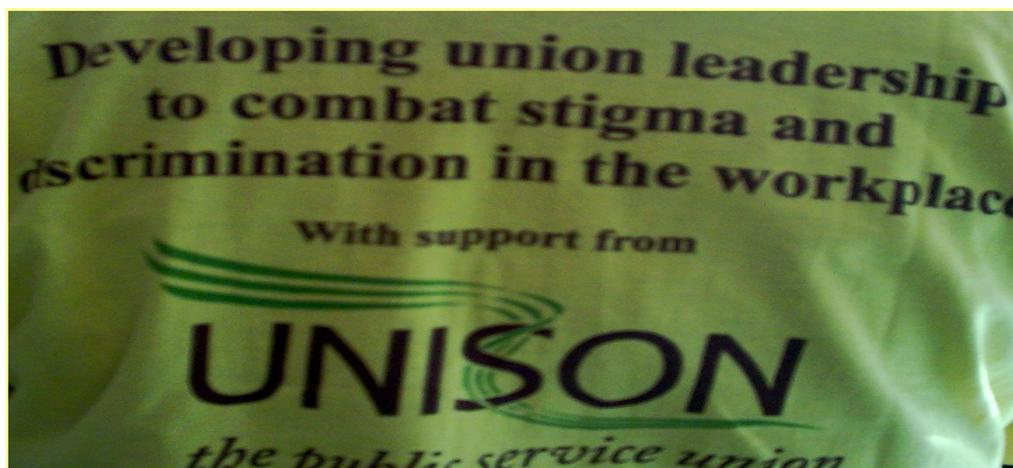
The President and vice President of

the union also participated in the two day training programme.

The programme will not only reduce stigma and discrimination but also encourage voluntary counselling and testing in rural district council workplaces.

The two year programme is being supported by UNISON, the largest public sector trade union in the United Kingdom.

It is hoped that at the end of the two years ZRDCWU would have built the capacity of rank and file members to effectively respond to stigma and discrimination in particular, and other OHS issues at the workplace.



Zambia - The Civil Servants and Allied Workers Union of Zambia (CSAWUZ) launched its two year campaign against stigma and discrimination in public sector workplaces also with financial support from UNISON. The campaign started with union leaders and other stakeholder's adopting a stakeholder's position to fight stigma and discrimination at work on the 6th of September 2011 in Lusaka.

In order to have a successful campaign the union has partnered with the Zambia Federation of Employers, the National Aids Council, organisation of people living with HIV (NZP+) and the ILO to impart information and skills to

shop-stewards at the provincial level.

The campaign was necessitated by the need to reduce incidences of violation of the rights of public sector workers living with HIV, AIDS and TB in the public sector. The union noted that many workers were being denied promotion, forced to resign or apply for early retirement and forced to go on sick leave because of perceived real HIV status.

Through this programme union activists at the shop-floor level will be capacitated with the necessary information and skills to identify and bring out such violations, engage the employer and challenge them where

necessary.

At the end of the two years the union activists will have:

- ◆ Identified and engaged the employer on discriminatory laws, policies and practices in public sector workplaces.
- ◆ Established workplace rights committees to address OHS issues including HIV, AIDS and TB.
- ◆ Sensitised members on their OHS rights including HIV, AIDS and TB.
- ◆ Encouraged more members to seek voluntary counseling and testing services and to access treatment, care and support.

PSI affiliates strategise on Round 11 of the Global Fund



Zimbabwe - On the 1st of September 2011 PSI affiliates in Zimbabwe held a meeting to explore the possibility of submitting a joint workplace intervention proposal to the Country Coordinating Mechanism (CCM) for consideration under Round 11 of the Global Fund. At the end of the meeting union activists resolved to;

- ◆ Write a letter to the CCM to include a workplace component on HIV, AIDS and TB;
- ◆ Request representation of public sector trade unions on the CCM going forward;
- ◆ Submit a joint public sector trade unions' proposal to the CCM for a workplace component to fight HIV, AIDS and TB;
- ◆ Set up a task team to follow - up on the GFATM process until December 2011; and
- ◆ Report back to their respective constituencies.

The meeting of the affiliates was held a month after the

government of Zimbabwe confirmed that it would cater for the 5% of the Global Fund Round 11 total budget applications. Under the new Global Fund requirements on counterpart financing low income countries are required to contribute 5% of the total amount applied for under the fund.

The PSI HIV and AIDS Coordinator emphasized the importance of trade unions, especially public sector trade unions to participate in the GFATM process. She stated that public sector workers are not only infected and affected as individuals but are on the frontline of responding to and managing the impact of the epidemic through the delivery of health and other services in their respective countries. Therefore, sustainable workplace programmes to address HIV, AIDS and TB will empower workers to cope with the double burden.

More consultations are taking place among PSI affiliates in Southern Africa within countries that are eligible for funding under Round 11 of the Global Fund.

“The fight against HIV and AIDS is a multi-front war that must be waged in the arenas of policy and law in addition to science.... Science has made tremendous advances in the fight against HIV and AIDS, but only public policy and law are capable of making the interventions necessary for HIV-positive persons to live free of stigma and prejudice, and to have access to the life - saving drugs that allow them to lead normal lives”. South Africa’s Former Chief Justice Sandile Ngcobo - 5th SA AIDS Conference, June 2011.

Legal rights: SA Courts continue to uphold rights of PLWHA



On the 8th of June 2011 the KwaZulu Natal High Court handed down a judgement in the case of *Lan-galakhe Ncengokwakhe Njoko vs. Minister of Safety and Security* and Another (1565/09) [2011] ZAKZPHC 25.

The case concerned an assessment of damages that had to be awarded to the plaintiff, one Mr. Njoko. The facts of the matter are that Mr. Njoko was

unlawfully shot in the right upper arm and right upper chest by a police officer acting in the course and scope of his employment, in April 2005.

As a result of being shot, Mr. Njoko sustained severe injuries and claimed for future medical expenses, general damages and damages for past and future loss of income.

In quantifying the compensation that could be awarded to Mr. Njoko for loss of future earnings, the court had to consider his life expectancy in light of his HIV positive status.

The court accepted the evidence of Professor Venter (the President of the Southern African HIV Clinicians

Society) in relation to the life expectancy of people living with HIV.

The court concluded that: **“...the effect of [Mr. Njoko’s] HIV positive status would not have a negative effect on the plaintiff’s life expectancy and future loss of earnings. The plaintiff is presently 30 years old, and if one accepts the evidence of Professor Venter one would expect him to live for a period of 30 or 40 more years.....”**

The court awarded Mr. Njoko;

1. **R250 000** - general damages;
2. **R110 359** - future medical expenses;
3. **R163 534** - past loss of earnings; and
4. **R536 009** - future loss of earnings.

ILO Global Action Plan (GAP) to promote Implementation of Recommendation 200

The ILO Governing Body adopted a Global Action Plan (GAP) which sets out key actions to be taken by the ILO by 2015 to promote implementation of the Recommendation concerning HIV and AIDS and the World of Work, 2010 (No.200).

The GAP seeks to achieve three main outcomes namely;

- (a) reducing stigma and discrimination on the basis of real or perceived HIV status against women and men workers, their families and dependants;
- (b) Increasing access for workers, their families and dependants to prevention, treatment, care and support services through the world of work; and
- (c) Scaling-up action by the world of work actors to the HIV response and increased access to funding for this purpose.

Key activities envisaged under the GAP

- ◆ National tripartite plus workshops to advocate for the inclusion of the principles of the Recommendation into national strategic plans on HIV, AIDS and TB.
- ◆ Establishment of a network of focal persons among the ILO constituents and national HIV, AIDS and TB structures.
- ◆ Annual global training courses.
- ◆ Development and dissemination of fact sheets on principles of Recommendation 200.
- ◆ Development of an assessment tool to assist countries to identify gaps in legislation and policy.
- ◆ Support tripartite partners to conclude collective agreements, sectoral policies and effective mechanisms for monitoring and implementing workplace policies.
- ◆ Collect & disseminate good practices of workplace interventions.

Role of public sector trade unions

- ◆ *Be prepared for this implementation process - familiarize yourselves with the contents of the Global Action Plan and Recommendation 200.*
- ◆ *Identify your strategic roles in the implementation process that will ensure benefits for your members.*
- ◆ *Effectively participate in the proposed activities that are envisaged under the GAP.*
- ◆ *Popularize and promote knowledge among members of the key outputs, indicators and outcomes outlined in the GAP in order to measure successes and gaps and where possible share examples of good practices.*
- ◆ *Request for technical support and resources from Global Fund financing system at country level, government, employers and other agencies to roll-out implementation at the workplace.*
- ◆ *Input into the reporting and evaluation mechanisms on outputs, indicators and outcomes to be done at the end of each biennium.*
- ◆ *Consult ILO office covering your country regarding implementation of the GAP. Request practical activities such as workshops or training, and seek technical assistance when necessary.*
- ◆ *Organise more joint union action around outcomes of the GAP.*



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Contributions regarding HIV and the workplace are welcome and encouraged. Correspondence should be directed to the PSI Sub-regional office at the address provided. Acceptance and publication of material in this newsletter does not constitute endorsement by PSI or UNISON.

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