

(Second draft Nov 03)

Guinness Nigeria PLC
HIV/AIDS POLICY

Contents

- Introduction
- Policy objectives
- Applicability
- Roles and Responsibilities
- Education, Awareness and Prevention
- Confidentiality and Non Discrimination
- Managing HIV/AIDS within Guinness Nigeria
- Monitoring and Evaluation
- GGL and the fight against HIV/AIDS in Nigeria

INTRODUCTION

Over 40 million people in the world are living with HIV/AIDS. One in every twelve of these lives in Nigeria. In 2001 deaths from AIDS in Nigeria accounted for over 28% of the 3 million victims throughout the world. (Data source: Nigerian National Action Committee on AIDS, "NACA")

The potential social and economic consequences of HIV/AIDS in Nigeria and in Sub Saharan Africa are enormous. HIV/AIDS will rob us of skilled and unskilled labour, destroy households, orphan children, reduce life expectancy and make our people poorer. Projections of current rates of infection in Nigeria show that by 2007 nearly 19% of the total population in Nigeria could be living with HIV/AIDS. (Data source NACA)

However there is hope for our people if Government and Civil Society are mobilised together to fight the spread of this disease.

Guinness Nigeria is determined to play its part. This policy is a statement of our commitment to prevent the spread of HIV/AIDS in our workplaces and communities and to care for those of our employees and their dependants who suffer from its effects.

Our policy follows guidelines from the Nigerian National Action Committee on AIDS (NACA) and forms part of the overall plan for the protection and enhancement of health of all our employees.

Ralph Alabi, Chairman

Keith Richards, Managing Director

OBJECTIVES

The objective of this policy:

1. To ensure that this company is equipped with the methodology to implement high quality HIV /AIDS workplace programmes.
2. Introducing measures to prevent the spread of HIV /AIDS.
3. Developing strategies to reduce the impact of the epidemic in the workplace.
4. To establish the best possible plans which will protect employees of Guinness Nigeria and their families from HIV/AIDS and its effects
5. Promoting appropriate and effective ways of managing HIV/AIDS in the workplace.
6. Through actively promoting Education and Awareness campaigns, creating a non-discriminatory working environment in which employees living with HIV/AIDS status are able to speak about their HIV/AIDS status without fear of stigmatisation or rejection
7. Eliminating unfair discrimination in the work place on HIV/AIDS status.
8. Supporting employees who are infected or affected by HIV/AIDS so that they may continue to work productively for as long as possible and creating a safe working environment for all.

APPLICABILITY

This policy shall apply to all employees of Guinness Nigeria and their dependents as defined within the terms of the existing employee health and well being policies and regulations.

Treatment, therapies and support provided to employees and their dependants under the terms of this policy shall be provided for their lifetime and shall not be terminated when their employment ceases.

The policy shall not apply to employees or their dependents who test positive for HIV after they have left the company's employment.

ROLES AND RESPONSIBILITIES

Guinness Nigeria will convene an HIV/AIDS Task Force comprising representatives of all stakeholders in the organisation: Board, Management, Labour Unions and Employees. This body will assume responsibility for HIV/AIDS policy development and review and oversee the monitoring and implementation of workplace programmes. The Task Force will also seek to liaise with the National Action Committee on AIDS (NACA) and other parastatal groups to ensure that the programmes align with National policy and guidelines. The Special Projects Manager of Diageo Africa with responsibility for HIV/AIDS policy coordination will serve as an advisor to the task force to ensure that it is regularly briefed on the latest developments in managing the disease as well as best practice from partner organisations and working groups of which Diageo is a member.

The Guinness Nigeria HR Function will undertake that all aspects of the Guinness Nigeria HIV/AIDS workplace programme are consistent employment legislation and coordinate specialist input from medical, social, legal and other community groups as appropriate. The Corporate Affairs Director will chair an Executive Committee on HIV/AIDS policy and implementation.

EDUCATION AWARENESS and PREVENTION

-

Education is the most effective means of preventing HIV infection and reducing discrimination against persons with HIV both within and outside the workplace. Factors such as the migration of labour, low literacy levels and inadequate health services contribute to the spread of HIV. The company must take measures to support actively educator projects and external organisations involved in HIV/AIDS education and counselling services.

Guinness Nigeria will undertake the following steps to create HIV/AIDS awareness:

- Attempt to dispel myths regarding the contraction of HIV/AIDS by providing employees (through a range of communication methods which will include printed materials, presentations and discussion groups) with knowledge regarding the transmission, and control of HIV.
- Promoting the use of condoms; including the free provision, without condition, of condoms at specified locations within the workplace.

- Strive to counter discrimination against people with HIV/AIDS.
- Encourage health-seeking behaviour for cases of other Sexually Transmitted Diseases (STDs)
- Providing information and access to counselling and other forms of social support for people affected by HIV /AIDS.
- The appointment of trained "Peer Group Educators" whose role will be to allow employees collectively or individually to seek information in simple language and in a supportive environment from a workplace colleague.

CONFIDENTIALITY and NON DISCRIMINATION

CONFIDENTIALITY AND DISCLOSURE

1. All persons with HIV/AIDS have the legal right to privacy. An employee is not legally required or under any obligation to inform the company or his/her employees of his HIV/AIDS status.
2. Disclosure of an employee's HIV status to Line Manager or any other person within Guinness Nigeria shall only take place with the written consent of the employee concerned
3. Where an employee voluntarily informs a manager that he/she is infected or believes he/she is infected with HIV or has HIV-related disease, frank and honest discussion should be conducted between the parties.

The manager may address the following:

- Confidentiality
 - Encouraging the employee to confirm their HIV status
 - Psychological counselling by professional HIV/AIDS skilled counsellor
 - Reassurance regarding the company's support in the light of concerns about the cost of treatment
4. Should the company become aware that an employee is HIV positive, this information shall be regarded as confidential. The information should not be discussed without the employee's written consent.

It is considered a gross misconduct for a manager or any other employee who becomes aware of a fellow employee's HIV/AIDS status to disclose this information without the informed written consent of the employee in question. Any person suspected of such misconduct may accordingly be subject to disciplinary procedure.

PROMOTING A NON-DICRIMINATORY WORKING ENVIRONMENT

1. No person may unfairly discriminate against an employee, or an applicant for employment, on basis of his/her HIV status
2. No employee with HIV/AIDS is treated unfairly within the employment relationship within any employment policies or practices. e.g.:
 - Job Classification or grading.
 - Job Assignments
 - Training and development
 - Performance Management systems. Etc
3. No employee may refuse to work with a colleague who is or is suspected of being HIV positive solely on the basis of the latter's HIV status. In an attempt to prevent such situations from arising, the company shall conduct pre-emptive educational programmes amongst its employees in an attempt to remove the stigma, fears and prejudice surrounding HIV/AIDS.

For the purposes of the above discriminatory behaviour is taken to include any form of harassment or other verbal or non verbal behaviour directed at an individual suspected of living with HIV/AIDS which results in the individual feeling threatened, insecure or distressed.

Examples of harassment would include:

- Offensive gestures and facial expressions
- Derogatory remarks, jokes and ridicule
- Invasive personal questions
- Exclusion of an individual from formal & informal groups
- Offensive letters or written communications of any kind

Arbitration in cases of suspected harassment or discrimination will be carried out by the Guinness Nigeria Human Resources.

HIV TESTING

No current or prospective employee shall be required to take an HIV test against his /her will.

Testing with the necessary pre and post testing counselling for any person who may feel at risk of infection is however dealt with in the section of this policy entitled "Managing HIV/AIDS within Guinness Nigeria"

APPLICATION FOR EMPLOYMENT

1. The pre employment medical testing specifically excludes HIV testing.
2. No person shall be refused employment on the basis of their HIV status, provided that he/she is deemed medically fit at the pre-employment examination for the job in question.
3. It is specifically noted that prospective employees are under no obligation to disclose to the company that they are HIV positive or have AIDS.

MANAGING HIV/AIDS within GUINNESS NIGERIA

VOLUNTARY COUNSELLING AND TESTING

It is not the policy of Guinness Nigeria routinely to require HIV screening or testing of its employees. However in line with its commitment to education awareness and prevention of HIV/AIDS together with its social responsibility to mitigate the spread of the disease, Guinness Nigeria may encourage its employees to know their HIV status.

In circumstances where employees wish to know their own status the following principles will apply:

Guinness Nigeria will undertake that the employee concerned has access to both pre and post-test counselling from specialist external services.

The results of tests must remain confidential as between doctor and patient.

The employee is under no obligation to reveal the results of the test to Guinness Nigeria.

If BOTH employee and employer judge that circumstances render it appropriate for Guinness Nigeria to be aware of the employee's status (for example in order to secure company support for treatment) then disclosure should only take place with the formal written consent of the employee and the Director of Human Resources.

Disclosure of status should be made only to those to whom the information is relevant in a working context (e.g. Company Doctor, Nurse, HR & or Line Manager).

SUPPORT and TREATMENT of HIV INFECTED EMPLOYEES

Where Guinness Nigeria becomes aware that one of its employees or their dependants is HIV positive or suffering from an HIV/AIDS related illness, medical support and treatment (including, where appropriate, access to Anti Retroviral Therapy) will be provided in accordance with the company's Medical / Health policy.

Notwithstanding the terms of the General Health Policy regarding the termination of medical support for dependants of employees once they reach the age of 25, in the case of treatment relating to HIV/AIDS Guinness Nigeria will continue to support the cost of treatment for the lifetime of the dependant.

RESPONDING TO AN HIV-INFECTED EMPLOYEE

1. While HIV/AIDS is a life threatening disease, it is recognised that an infected employee often have many years of productive service after being newly diagnosed.
2. HIV infected employees shall be kept in their current employment for as long as practically possible, with due regards to safety of the employee, other colleagues and the company at large.
3. Consideration shall be given to the re-allocation of the infected employee to another place or form of employment by virtue of his/her HIV/AIDS Status, should the infected employee request such a move.
4. Managers in consultation with the employee concerned may consider a wide range of options once the infected employee begins to exhibit advanced signs of illness including:
 - Retaining the employee in his/her present position.
 - Transferring the employee to a less demanding position or one with less personal interaction..
 - Arranging work so as to allow for a leave of absence if necessary

EMPLOYEE BENEFITS

1. Employees with HIV/AIDS shall not be unfairly discriminated against in the allocation of any employee benefits.
2. Employees who become ill with AIDS shall be treated like any other employee with a comparable life threatening disease with regard to access to benefits.
3. All information on retirement benefit regarding the medical status of an Employee shall be kept confidential and shall not be utilised by the company or disclosed to any other party. Employees on retirement may sign a confidentiality agreement providing for the company to retain confidential medical records and specifying that this information not be disclosed without their consent.

DISCIPLINARY PROCEDURE

1. Employees with HIV/AIDS should be treated in the same manner as employees with life threatening diseases.
2. Victimisation of /or discrimination against employees with HIV /AIDS are serious forms of misconduct, which may be subject to disciplinary procedure.
3. Employees with HIV/AIDS who are suspected of misconduct shall be subjected to the company's disciplinary code and procedure.

GRIEVANCE PROCEDURE

1. Employers with HIV/AIDS should utilise the company's grievance procedure to remedy a breach of their rights in terms of this policy.
2. Guinness Nigeria shall adopt all reasonable measures to ensure that the complainant's right to confidentiality regarding his/her HIV Status is mentioned during the grievance proceeding including ensuring that such proceeding are held in private.

PROMOTING A SAFE WORKING ENVIRONMENT

1. Guinness Nigeria shall take all reasonable steps to provide a working environment that is safe and without risk to health of it's employees.
2. There is minimal risk of the occupational transmission of HIV/AIDS at the company's workplace.
3. Guinness Nigeria shall ensure that all its employees are aware and also receive appropriate education and training on the use of infection control procedures so as to enable them to identify and reduce the risk of HIV transmission at work.
4. The company shall provide appropriate equipment and materials to protect employees from risk of exposure to HIV. In any situation requiring 1st Aid in the workplace, precautions should be taken reduce

the risk of transmitting the blood -borne infections including HIV, Hepatitis A, B & C.

MONITORING and EVALUATION

Guinness Nigeria will establish a Monitoring and Evaluation process to ensure that the analysis of impact and risks of HIV/AIDS are built into its Strategic Planning

Monitoring and Evaluation will cover the following areas:

- Levels of Employee awareness of HIV/AIDS compared to baseline evaluation
- Impact on the workplace:
 - Absenteeism
 - Long-term illness
 - Deaths in Service
 - Changes in medical and other benefits
- Financial impact:
 - Productivity levels
 - Service/Support provision
 - Recruitment / Training costs

Data that is evaluated in this way remains confidential and is collected only for the purposes of evaluating the overall impact of HIV/AIDS on the company.

GUINNESS NIGERIA and THE FIGHT AGAINST HIV/AIDS in NIGERIA

Guinness Nigeria will be an active participant in business coalitions and other forums leading the national response to HIV/AIDS in Nigeria.

Diageo - Guinness Nigeria: HIV/AIDS Workplace Policy (November 2003)

Guinness Nigeria will through its HIV/AIDS education and awareness programmes encourage employees to adopt personal behaviour which minimises the risk of their contracting HIV/AIDS.

Through these and the development of its own workplace programmes the company will sustain its advocacy role in promoting awareness and understanding of the disease of HIV/AIDS and its impact at global, national, community and workplace levels.

Guinness Nigeria will share with its coalition partners and others information on its own programmes and data collected from them. This data will be made available to coordinate responses at community, national and through Diageo Africa and the parent group, Global level.