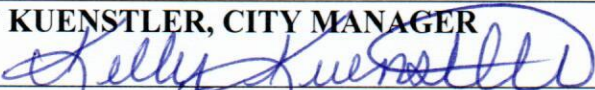




SECTION: HUMAN RESOURCES	REFERENCE NUMBER: A16
SUBJECT: POLICY HIV/AIDS	EFFECTIVE DATE: 09/01/2018
FROM: KELLY KUENSTLER, CITY MANAGER 	LAST REVISION DATE: 11/18/1992

A. **PURPOSE**

To define the City of Leon Valley’s policies and procedures concerning employees infected with HIV.

To be in compliance with Texas Local Government Code Chapter 85 Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus Infection Section 85.012 Model Workplace Guidelines.

In addition, the City of Leon Valley recognizes the sensitive, difficult issues and concerns faced by employees with HIV and its related conditions, including AIDS or seropositive test results. The City also recognizes the issues and concerns pertaining to employees who work directly with colleagues or clients with HIV-AIDS and related conditions.

B. **POLICY**

1. The Americans with Disabilities Act, Federal Privacy Act, Texas Commission on Human Rights, the Texas Communicable Disease Prevention and Control Act require the City to treat confidentially all medical information concerning a diagnosis of HIV-AIDS. Information about a person’s health is private; therefore, every reasonable precaution must be taken to protect this information. Unauthorized disclosure that an employee or client has HIV-AIDS is a criminal offense under the Texas Communicable Disease Prevention and Control Act.
2. The Americans with Disabilities Act recognizes HIV-AIDS as a medical disability and prohibits HIV-AIDS based discrimination. Under the law, persons with HIV infection are entitled to the same rights and opportunities as persons with other diseases.

3. Department Heads must ensure employees with HIV-AIDS are treated as any other employee. Moreover, according to the Americans with Disabilities Act and City policy, the City grants requests for reasonable accommodations for employees with HIV-AIDS unless granting the request poses an undue hardship on the City.
4. The City ensures that development of HIV-related policies is consistent with current information from public health authorities, such as the Center for Disease Control of the United States Public Health Services, and with state and federal regulations. It is the City's position, based on current scientific information, that there is no risk of HIV-AIDS transmission in the normal work setting. Routine daily encounters with coworkers and clients pose no risk of transmitting the fragile, blood-borne virus.
5. On request, the City's EAP provider will refer employees to agencies, organizations, and community support groups that offer counseling and support services.

In addition, the City provides its employees with the following:

- a. Information about how to access the City's Employee Assistance Program (EAP) for confidential counseling and assistance with concerns pertaining to HIV-AIDS and related conditions.
- b. Information about health insurance and other benefits to employees with HIV-AIDS.
- c. Information about testing concerning HIV infection and counseling through the City's EAP. At an employee's request, the City pays for the cost of testing if the employee documents to the City's satisfaction that the employee may have been exposed to HIV while performing duties with the City.
- d. Complaint procedures are available to employees who believe they have been discriminated against on the basis of HIV-AIDS or a related condition.