

SPEECH BY DEPUTY DIRECTOR GENERAL FOR THE NORTH WEST
DEPARTMENT OF PUBLIC WORKS, MR OBAKENG MONGALE ON THE
OCCASION OF THE DEPARTMENT'S CANDLE LIGHT MEMORIAL HELD
ON 19 MAY 2006

Programme Director

Moruti Matsie

Senior Managers

Colleagues

International candle light memorial is commemorated annually on the 21 May worldwide. For over 22 years people have been coming together in different settings on the second Sunday of May to observe this day. In South Africa the second week of May is nationally declared Candlelight Memorial Week and culminates into National Candlelight Memorial on the 21 May 2006.

The Department is observing the day on 19 May 2006 as a build up programme to:

- Honour memories of employees and their immediate families lost to HIV and AIDS
- Show support to employees living with HIV & AIDS
- Raise awareness about HIV and AIDS and mobilize support to the fight against HIV and AIDS

The South African Government launched the HIV/AIDS Technical Assistance Guidelines proposed by the Commission for Employment Equity and Department of Labour. The Department of Labour's Code of Good Practice guided the Guidelines

The guidelines warn against discrimination and stigmatization of HIV positive employees. They help employers and union teams in creating a conducive environment in the workplace and seek to ensure sustainability of Provident Funds.

Government has to date embarked on a lot of Public Awareness Campaigns and Programmes to educate the community about HIV and AIDS. These educational campaigns impart information ranging from modes of transmission of the virus, stages of HIV and AIDS, the impact of the HIV on the immune system, treatment, prevention, the rights of those living with the disease and the impact of HIV and AIDS on the society, the government and the economy. The Public Service on the same breath has Programmes aimed at educating its employees about the same topics.

HIV and AIDS presents all South Africans with choices. On the individual level, we can choose to protect ourselves from these diseases or to pretend that it cannot happen to us. We also have the choice to support people with HIV and AIDS or to reject them. As a nation we can choose to collapse into squabbles or to unite in fighting the epidemic. As communities we can choose to reject and stigmatize people with the HIV and AIDS or we can

develop interpersonal fabric, which will provide a caring and supportive environment. Organizations can choose to make the investment to protect the organization and our nation from the ravages of the disease... government has shown political will and commitment to fight the epidemic.

Regardless of how any citizen of the Republic choose to react to people living with HIV and AIDS, the Government has put laws in place. These laws protect the right of those living with the disease.

The Constitution and the Bill of Rights overrides all other acts of law, and gives everyone the right to freedom from unfair discrimination and provides the right to right to privacy.

The Labour Relations Act Guides the relationship between the employer and the employee and Protects employees from unfair dismissal.

The Employment Equity Act makes it illegal to unfairly discriminate against employees living with HIV and Indicates that the testing of an employee or prospective employee for HIV is prohibited unless such testing is determined to be justifiable by the Labour Court.

The Occupational Health and Safety Act requires the employer to, as far as possible, create a safe environment and include HIV on the OHS Committee's Agenda.

The Promotion of Equality and Prevention of Discrimination Act does not include HIV/AIDS as a specifically named ground regarding discrimination.

It is therefore upon all employers to promote a culture of non-discrimination in the work environment. Employers should:

- Develop and implement HIV and AIDS Policies and programmes
- Educate and train all its employees on the rights of persons with regards to HIV and AIDS
- Promote acceptance and openness around HIV and AIDS in the workplace
- Provide support for all employees infected or affected by HIV and AIDS
- Protect employees living with HIV and AIDS from victimization and discrimination
- May not require an employee or an applicant for employment to undertake an HIV Test. Application should be made to the Labour Court for permission for such testing

Employees have the right to privacy and are not obliged to disclose their HIV Status to employer or employees. Where there is voluntary disclosure to the employer, it may not be disclosed

to other employees without permission of the employee. Employees that are infected are encouraged to regularly take their Anti-retroviral drugs to turn the disease from a fatal to disease into a manageable disease. The immune system can be strengthened through:

- A healthy, balanced diet
- Engaging in appropriate exercise
- Not smoking and taking recreational drugs
- Minimizing alcohol
- Learning to manage and avoiding stress
- Maintaining a positive mental attitude

Government however encourages openness and support for those employers and employees that voluntarily disclose their status within the workplace.

As a department we have reviewed our policy on HIV and AIDS and will be launching the policy on the 2 June 2006. Employee Assistance Programme (EAP) and Human Resources Development sub directorates under Human Resources Management Directorate have a programme that ensures that all our employees are educated about HIV and AIDS.

We have appointed Regional HIV and AIDS coordinators. These Coordinators are responsible for assisting employees with referrals for medication, issuing of vitamin supplements, coordination of voluntary counseling and testing (VCT) in the workplace, coordination of support groups, ensuring safety with

the assistance of Departmental Occupational Health and Safety Committee.

We are part of Inter Departmental Committee on HIV and AIDS (IDC). The Committee is responsible providing care, support and counseling, and coordinating community outreach programmes.

Departmental EAP officials refers the affected to home based

The Departmental EAP encourages more disclosure with an emphasis on confidentiality on the status of the employee. The unit also encourages affected employees to spread awareness about care, support and de-stigmatization towards those that are infected.

All of us have a role to play to arrest the spread of the disease. We need to have ourselves tested so that if we are negative, we act to stay that way, and so that if positive, we begin to live positively, we begin to live positively and choose healthy lifestyles.

As a department, we recommit ourselves to support those of our employees living with the virus. At an individual level, we call on all of us to offer our understanding, love and encouragement to those affected and infected .Let us not judge each other, but support each other.

As per mandate of the Honourable MEC, MEC Yawa, I commit the Management of the department to work to create a working environment that cares and supports employees who are infected and affected, especially those who are ill.

All of us should share the responsibility of ensuring that we do not forget those who have lost their lives to Aids, and that we should spread love, tolerance and understanding today and every other day.

Ke a leboga.