

# Are **YOU** affected by **HIV?**

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## What is HIV?

Human Immunodeficiency Virus (HIV) is a blood-borne virus that attacks the immune system, making it harder for the body to fight infection.

The immune system is the body's defence against illnesses. If it is weak, it is harder to fight infection. This means the person affected may get ill more quickly and more seriously than a person who has a strong immune system.

HIV is life threatening when left untreated because the immune system cannot protect the body against illness and infection.

Although there is not currently a cure, HIV can now be well controlled and managed with medication.

Thanks to advances in medicine, people with HIV positive status are now living full and active lives.

HIV is not AIDS. In the UK we tend to say Advanced HIV instead of AIDS, as it is a more accurate term for the later stages of HIV infection.

HIV can affect people from all walks of life and backgrounds.

## HIV and the Equality Act 2010

HIV is recognised as a 'progressive condition' and is one of the three conditions automatically covered by the Equality Act 2010, along with cancer and multiple sclerosis.

From the day of diagnosis, a person living with HIV is automatically protected under the Equality Act 2010, meaning that it is not necessary to demonstrate whether or not that person meets the qualifying criteria for protection. A person does not need to be experiencing any symptoms in order to be covered by the Act.

HIV may not affect a person's ability to keep working and stay in a job. However, the Equality Act 2010 does offer the added support of reasonable adjustments should they be needed.



These can include:

- Adjustments to working hours such as starting later in the morning if side effects are worse then.
- Amended duties if for example someone is suffering from fatigue due to the treatment.
- Time off for hospital and clinic visits for treatment and check-ups.
- Transferring to a more suitable vacant position within the company.
- Counting disability-related sickness absence separately from other sickness absence.
- Increasing the person's absence levels.
- Offering a phased return to work when a person has been absent with sickness.

The Act does not specify what reasonable adjustments can be offered and therefore reps should sit down with members to discuss what other support or adjustments they would like their employer to consider.

## How does this affect work?

HIV is a life-long illness, and anyone undergoing treatment will be doing so for the rest of their lives. People experience different levels of side effects from the treatment, ranging from severe to none at all.

The first few weeks of starting a treatment can be quite difficult as the drugs are very strong, and this is when the side effects are most severe. During this time, people may need to take time off work to allow their bodies to adjust to the new regime.

The treatment also needs to be taken at very specific times of the day to make sure it works properly and keeps the person's viral load (the amount of HIV in their blood) down and their CD4 count (how strong their immune system is) up.

People may need to take a break to take their medicine, or may need to start on a later shift if the side effects are worse in the mornings. These can be deemed reasonable adjustments under the Equality Act 2010.

In terms of mental health and wellbeing, 44% of people who have had an HIV diagnosis are likely to experience depression. Some medicines prescribed to treat HIV can cause depression as a side effect. People may need to undergo counselling or other treatment that may require time off work.

## Disclosure and confidentiality

People do not have to disclose their HIV status at work, unless they are a healthcare worker. Otherwise, whether or not they choose to tell their employer or anyone else at work is a personal decision.

Due to the stigma around HIV, some people would prefer not to say anything to anyone or only tell selected people. If a person does disclose that they are HIV positive, this should be treated sensitively and confidentially by their employer and/or rep. Any paperwork or records of discussions must be securely locked away.

As with any disability, if a person chooses not to tell their employer about their HIV status they won't be able to access the protections that the Equality Act 2010 offers, such as reasonable adjustments.

## Stigma

Unfortunately, there is still a stigma around people living with HIV.

A lot of this comes from misunderstandings and myths around the virus, how it is transmitted and the people who are most at risk from infection.

HIV cannot be passed on through shaking hands, sharing cutlery, using the same till or through any other ordinary workplace contact.

It is illegal to discriminate against anyone with HIV, either directly or indirectly. This includes treating people with HIV differently, ie refusing to work alongside them.

## Help and support

Here are the details of national charities that deal with all aspects of HIV, from prevention, diagnosis and treatment of HIV to benefits and campaigning work.

### Terrence Higgins Trust

[www.tht.org.uk](http://www.tht.org.uk)  
0808 802 1221

### HIV Aware

[www.hivaware.org.uk](http://www.hivaware.org.uk)

## Further information

For further information or to join Usdaw please contact your Union rep or local Union office. You can contact your local office by telephoning

**0845 60 60 640\***

or visit our website

**[www.usdaw.org.uk](http://www.usdaw.org.uk)**

Scan here 

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\*\*to scan the code, download a QR reader app from your app store. A charge may be applied by your network provider.

January 2015  
Leaflet No. 410

Published by Usdaw, 188 Wilmslow Road  
Manchester M14 6LJ

\*calls charged at local rate