

CLARK ATLANTA UNIVERSITY

Policy 9.1.9: HIV/AIDS Policy



CLARK ATLANTA UNIVERSITY		
POLICY and PROCEDURE	Subject: Policy on HIV/AIDS	
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Signature of Approver	Date	

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1.0 Policy Statement

Clark Atlanta University (the University/CAU) does not discriminate against individuals on the basis of diagnoses of HIV infection or Acquired Immune Deficiency Syndrome (AIDS). Knowledge of a person's HIV status is treated in a confidential manner by all members of the University community.

2.0 Procedure Narrative

CAU recognizes that employees with a life-threatening illness such as HIV/AIDS may wish to continue their employment and, in fact, continued employment may be therapeutically important. As long as employees who have HIV/AIDS are able to maintain acceptable performance standards in accordance with established University policies and procedures, and the weight of the medical evidence continues to indicate that HIV/AIDS cannot be transmitted by casual workplace contact, employees with HIV/AIDS will be permitted to continue to work.

The University ensures that employees with HIV/AIDS are entitled to the same rights, nondiscriminatory practices, equitable treatment and opportunities as people with any other life threatening illness. Depending upon the medical circumstances of each condition, the University may regularly monitor or require the monitoring of a person's medical condition by requesting statements from their doctor. CAU has a duty and a responsibility to protect the confidentiality of medical information on all employees

As with other diseases and conditions which may affect people associated with the University, the University is unable to guaranty that a member of the University community will not be exposed to HIV/AIDS. The University urges everyone in their community to learn about HIV/AIDS so they may take precautions as she/he determines appropriate.

Reporting Process

2.1 Regulations

- a. Any complaints relating to discrimination and/or harassment should be reported to the Director of Human Resources immediately. Complaints will be treated confidentially and promptly, and will be carefully investigated.
- b. It is a violation of University policy for any member of the University community to retaliate against an individual who brings forth a complaint of harassment and/or discrimination.

2.2 Responsibilities

- a. The Human Resources Department is responsible for the implementation of the University's HIV/AIDS policy and the coordination of the grievance process related to this policy.
- b. Each Dean, Department Chair, and Administrative Head of a unit is responsible for creating an atmosphere free of discrimination and harassment and for dissemination and implementation of this policy within his/her area of responsibility. These individuals are also responsible for

referring reported incidents of discrimination and/or harassment to Human Resources.

c. It is the responsibility of all members of the University community to discourage harassment and discrimination, report such incidents, and cooperate in any investigation that might result.

2.3 Procedure for Complaint

- a. Any employee who feels that he or she has been the victim of harassment and/or discrimination should contact the Director of Human Resources within fifteen (15) working days of the incident. This report can be oral or written, but a written and signed statement of the complaint must be submitted by the complaining employee within three (3) working days of the initial report before an investigation can proceed.
- b. Upon receipt of the written complaint, the Director of Human Resources will contact the person who allegedly initiated the harassment and/or discrimination, and inform that person of the basis of the complaint and the opportunity to respond to the complaint in writing within seven (7) working days.
- c. Upon receipt of the written response, the Director of Human Resources, after conducting a thorough investigation, will submit in writing a confidential summary of the complaint, the response, and the facts of the investigation to the Provost. The Provost, after conducting a review of the facts of the investigation, including possible interviews with all parties involved, will determine whether harassment and/or discrimination has occurred. All parties will be notified in writing of the Provost's decision.
- d. If it is determined that harassment and/or discrimination has occurred, disciplinary action up to and including discharge will be taken. The severity of the discipline will be determined by the severity and frequency of the offense, or other conditions surrounding the incident
- e. Please note that this policy establishes specific timeframes for initiating and responding to complaints of harassment and/or discrimination. While CAU believes that adherence to these timeframes affords CAU and the affected parties the best opportunity to promptly, effectively, and fairly resolve the complaint, CAU's practice has been and will continue to be to investigate any and every complaint of harassment and/or discrimination that it receives within a reasonable timeframe.

Employees may not be represented by a lawyer in the complaint resolution process.

3.0 Entities Affected By This Policy

All Faculty and Staff of the University

4.0 Definitions

HIV/AIDS – Acquired immune deficiency syndrome or acquired immunodeficiency syndrome (AIDS) is a disease of the human immune system caused by the human immunodeficiency virus (HIV).

HIV – The human immunodeficiency virus is a retrovirus that causes AIDS.

5.0 Desktop Procedures

Step	Action
1	Employee who feels that he or she has been the victim of harassment and/or discrimination contacts the Director of Human Resources within fifteen (15) working days of the incident.
2	A written and signed statement of the complaint is submitted by the complaining employee within three (3) working days of the initial report
3	Upon receipt of the written complaint, the Director of Human Resources contacts the person who allegedly initiated the harassment and/or discrimination and informs that person of the basis of the complaint and the opportunity to respond to the complaint in writing within seven (7) working days.
4	The person who allegedly initiated the harassment and/or discrimination responds to the complaint in writing within seven (7) working days.
5	Upon receipt of the written response, the Director of Human Resources conducts a thorough investigation
6	After conducting the investigation the Director of Human Resources submits in writing a confidential summary of the complaint, the response and the facts of the investigation to the Provost.
7	The Provost conducts a review of the facts of the investigation including possible interviews with the parties involved
8	The Provost determines whether harassment and/or discrimination has occurred.
9	All of the parties are notified in writing of the Provost's decision.
10	If it is determined that harassment and/or discrimination has occurred, disciplinary action up to and including discharge will be taken.