

CITY OF CAMBRIDGE

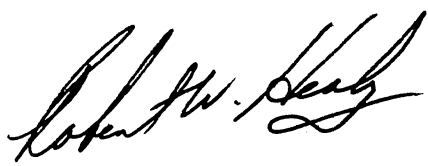
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
DEPUTY CITY MANAGER

November 3, 1986

TO: ALL DEPARTMENT HEADS

FROM: ROBERT W. HEALY, CITY MANAGER 

SUBJECT: CITY OF CAMBRIDGE EMPLOYMENT AND PROCEDURES POLICY ON
HIV INFECTION (A.I.D.S.) IN THE WORKPLACE

1.0 Statement of Purpose and Scope

This memorandum establishes the policy of the City of Cambridge for dealing with employees who have AIDS or who are infected with HIV (Human Immunodeficiency Virus) (formerly HTLV-III) the virus which causes AIDS and AIDS Related Complex (ARC). This policy essentially adopts the provisions of the Commonwealth of Massachusetts Employment and Procedures Policy on HTLV-III Infection (A.I.D.S.) in the Workplace, OER Memorandum 86-1. Its purposes are the protection of the right of City employees who have AIDS to continued employment and the protection of rights of citizens of the City who have AIDS to continued receipt of services. The City of Cambridge also recognizes its obligation as an employer to provide not only an objectively safe work environment for all employees and the public at large but also an environment where employees and their clients do not have fears for their health and safety.

This memorandum also establishes procedures to effectuate the above policy.

2.0 Policy

The City of Cambridge recognizes that employees with life-threatening illnesses, including, but not limited to, cancer, heart disease, and AIDS may wish to continue to work. As long as employees are able to meet acceptable performance standards, and medical evidence indicates that their condition is not a threat to themselves or others, employees shall be assured of continued employment. Federal and State and local laws also mandate, pursuant to the laws protecting disabled individuals, that those individuals not be discriminated against on the basis of their handicaps, and that if it becomes necessary, some reasonable accommodations be made to enable qualified individuals to continue to work.

3.0 Training and Education

Medical studies show that Acquired Immune Deficiency Syndrome (hereinafter AIDS) is transmitted via sexual contact or blood to blood

contact. To date, there is no record of transmission of the AIDS associated virus (HIV) to co-workers, clients or consumers in offices, schools, factories, construction sites or other workplaces. Nor is there evidence of casual transmission by sitting near, working in the same office, sharing the same water fountain, telephones, toilets, eating facilities or office equipment with a person infected with HIV.

Many of the problems which arise in the workplace when employees are confronted with a fellow employee who suffers a life-threatening illness like AIDS are caused by ignorance about the disease and misunderstanding of the ways in which it is transmitted. The only means of combatting this fear is education. Managers should make a concerted effort to educate themselves as to the facts regarding the HIV virus and how it is and is not transmitted and, further, should make the same effort to educate their employees.

Managers should be sensitive and responsive to co-workers' concerns, and emphasize employee education, but no special consideration should be given beyond normal transfer request for employees who feel threatened by a co-worker's having HIV infection.

Employees with HIV infection and other life threatening illnesses should seek assistance through the Cambridge Commission on Handicapped Persons, established community support groups such as the AIDS Action Committee, or the Massachusetts Department of Public Health (DPH), or the Cambridge Department of Health and Hospitals referral for medical treatment, counselling services, legal assistance, or social services.

Consistent with this concern for employees with life-threatening illnesses, the City offers the following range of resources for AIDS-related illnesses available through the Benefits Section of the Personnel Department and the Commission on Handicapped Persons:

- Management and employee education and information on terminal illness and specific life-threatening illnesses.
- Referral to agencies and organizations which offer supportive services for life-threatening illnesses.
- Resources regarding benefit consultation to assist employees in effectively managing health, leave and other benefits.

4.0 Confidentiality

Employers should always remember that an employee's health condition is personal and confidential. Personnel and medical files or information about employees are exempt from public disclosures by M.G.L.c.4, section 7(26). In addition, information relating to a specifically named individual, the disclosure of which would constitute an unwarranted invasion of personal privacy, is exempt. Thus, special precautions should be taken to protect such information regarding an employee's health condition to prevent instances of disclosure that may invade the personal privacy of employees.

Only those managers with a clear need to know should be informed of an employee's health condition, particularly if it relates to the AIDS infection status of an employee. Request for information by union representatives should be referred to the Personnel Department for appropriate action.

5.0 Policies and Procedures Applicable to Particular Occupations

It shall be the policy of the City of Cambridge as questions arise in specific employee categories, to look to the policies developed by the Massachusetts Department of Public Health and the Cambridge Department of Health and Hospitals for guidance.

The Department of Public Health (DPH) in conjunction with the Governor's Task Force on AIDS and the Public Health Council has developed and issued policies on various areas of specific concern. The Center for Disease Control of the U.S. Public Health Service has also issued guidelines relating to health care, personal service, food service, and other workers. Copies of all of these policies may be obtained through the Office of Human Resources of the Massachusetts Department of Public Health.

The following policies and procedures have been issued by the Massachusetts Department of Public Health:

5.1 Physicians Handbook - Guidance for practitioners in the diagnosis, treatment and care of AIDS patients.

5.2 School Attendance Policy - Issued in conjunction with Department of Education. Mandates that school age children with AIDS be educated in the public school - absent other considerations which for the child's safety or that of others would limit the AIDS child's attendance.

5.3 Day Care Policy - Children between ages of 0-4 who have AIDS or show signs of infection with HIV may be cared for in group settings only if the caregiver can establish that it can keep the infected child out of contact with other children. Policy includes procedures for caring for a child infected with HIV.

5.4 Policy for Food Establishment Workers - Since the AIDS virus is not a foodborne or airborne virus, infection with the virus is not a reason to keep a foodhandler from his or her work. DPH Retail Food Establishment Regulations and Communicable Disease Regulations contain adequate protection for food handlers and customers.

5.5 Residential Treatment Policy - Applies to residential and outpatient treatment facilities, particularly for substance abuse treatment. Establishes that many AIDS patients with substance abuse problems may be treated in residential facilities, but that for some others, transfer to a hospital or medical setting may be more appropriate. Also includes sanitary and other procedures to be followed when caring for a client with AIDS.

5.6 Dental Treatment Policy - As long as standard infection control procedures are in effect and are followed, individuals with AIDS and HIV infection can safely be treated in the dentist's office. Includes standard preventative measures recommended to eliminate any theoretical risk of transmission of HIV virus during dental treatment.

5.7 Hospital Procedures - Recommendations for patient care, infection control, laboratory procedures, personnel management (including pregnant personnel), employees with AIDS or HIV infection, outpatient care, and public relations.

6.0 Testing - Although there is no specific blood test for AIDS there is an antibody test which, if positive, indicates exposure to the virus at some earlier time. Because a positive test is more likely to reflect exposure from an activity outside the workplace, and because this information should be confidential and sought only with full understanding of its implications, testing should not be routine. However, in followup of specific employment-related exposures of concern, the employee should have an informed choice and access to testing for the antibody.

8.0 Resources for Further Information:

AIDS Action Committee
16 Haviland Street
Boston, MA 02115
(617) 437-6200
1-800/235-2331

Education and support group for people with AIDS, their families, lovers, friends, and health care providers. Bereavement support groups for those having lost someone to AIDS. Provides speakers, conducts forums, and offers rap groups, hospice-trained volunteers, hotline information and referrals.

AIDS Action Line
(617) 536-7733
3:00-9:00 p.m.

AIDS Action Committee service, providing information, referrals, and support about AIDS.

AIDS Hotline
(617) 424-5916
8:30 a.m. - 4:30 p.m.

The Community Infectious Diseases Epidemiology Program of the City of Boston. Staff of public health nurses answer questions about AIDS and make referrals.

Cambridge Hospital
Cambridge Street
Cambridge, MA 02139

Referrals for medical treatment, counselling services or social services.

Fenway Community Health Center
106 Haviland Street
Boston, MA 02115

Hotline information, medical workups, diagnosis, referrals, counseling. A healthcare facility sensitive to gay people.

**Haitian Committee
on AIDS**

177 Harvard Street
Dorchester, MA 02124
(617) 436-2848

Provides information, referrals, support and emergency assistance to Haitian victims of AIDS and their families.

**Cambridge Commission on
Handicapped Persons**

57 Inman Street
Cambridge, MA 02139
(617) 498-9000 x.9509
TDD 492-0235

City agency provides information, referrals, technical assistance and guidance aimed at promoting equality for persons with disabilities in Cambridge.

**City of Cambridge
Personnel Department
Benefits Section**

Cambridge City Hall
795 Massachusetts Ave.
Cambridge, MA 02139
(617) 498-9024

Counseling on benefit programs for City employees, answers questions about insurance coverage, assists in resolving claims problems.

**Cambridge Human Rights
Commission**

57 Inman Street
Cambridge, MA 02139
(617) 498-9049
TDD 492-0235

Receives, investigates and mediates complaints of discrimination on the basis of disability in employment, housing, public accommodations, city services and other areas.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

November 3, 1986

To the Honorable, the City Council:

Enclosed please find copy of a memorandum which has been sent to all department heads, outlining the City of Cambridge's Employment and Procedures Policy on HIV Infection (A.I.D.S.) in the Workplace.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over the typed name.

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item No. 15 *S-6/3*

Re: enclosed copy of a memo to all Dept.'s
outlining the City's Employment & Procedure
Policy on HIV Infection (A.I.D.S.) in the
Workplace.

In City Council,

November 3, 1986

Placed on F-ile