



**COLLEGE'S RESPONSE TO AN INDIVIDUAL'S INABILITY
TO WORK OR STUDY WITH A PERSON WITH A
BLOOD-BORNE COMMUNICABLE DISEASE #2-01**

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POLICY

Where an employee refuses to work or a student refuses to participate in a learning activity with an individual suffering from a blood-borne communicable disease, the College will be guided by the following:

- 1. Individuals have the right to continue to undertake their regular activities without discrimination for as long as they are able.**
- 2. No attempt will be made to reassign a student or staff member solely to alleviate the fears that some may harbour. Instead, a program of education, information and counselling will be provided to all concerned.**
- 3. The College recognizes that there are circumstances where an individual's own state of health renders him/her susceptible to acquiring other illnesses, i.e. individuals undertaking chemotherapy treatment may have weakened immune systems and may, therefore, be at an increased risk of contracting an ancillary illness. In this event the College will make every reasonable effort to restructure duties or locate alternative studies.**

PURPOSE

Current medical research indicates that blood-borne communicable diseases such as AIDS (Acquired Immune Deficiency Syndrome), and the HIV (Human Immunodeficiency Virus) are transmitted through intimate sexual contact, through infected blood entering the bloodstream, and through transmission from an infected mother to a fetus or newborn. Similarly HBV (Hepatitis B Virus) can be transmitted through intimate sexual contact with an infected person or infected needles and blood products.

While there is no known risk of transmission of such viruses by casual contact, an individual may refuse to work with a co-worker or student. The intent of this document is to outline the College's response should this occasion arise.

GUIDELINES

1. The College shall request medical confirmation of the circumstances from the employee or student.
2. The College shall, upon confirmation of the circumstances, attempt to restructure duties or locate alternative studies.
3. The College shall implement appropriate precautionary measures including the provision of protective garments and equipment where such are required and will be guided by advice from recognized health authorities.
4. Where the refusal by an employee to work or by a student to study with an individual suffering from a blood-borne communicable disease is not deemed reasonable under the circumstances described above, the College shall endeavour to ensure that the employee or student understands the current medical guidelines and information regarding communicable diseases and blood-borne communicable diseases such as AIDS (Acquired Immune Deficiency Syndrome) and HIV (Human Immune Deficiency Virus).
5. In the event that attempts to restructure the work fails, then the employee who continues to refuse to work with an individual suffering from a blood-borne communicable disease will be offered a leave of absence without pay until such time as a return to work can be accommodated.
6. Students who continue to refuse to study with individuals suffering from blood-borne communicable diseases will be advised of alternative times or courses of study.

INSTITUTIONAL RESPONSE TO COMMUNICABLE DISEASES – EMPLOYEES

A. Employees Infected with Communicable Disease

1. Infection with a communicable disease including a blood-borne communicable disease will be treated as any medical problem with its related absences and disability.
2. The employee's physician who is an expert in the disease, in conjunction with the employee, is responsible for evaluating the employee's health and for making recommendations to the College regarding the employee's capacity to perform the duties of the position.
3. Where required, and with the employee's written permission, the College may request its own physician to consult with the employee's personal physician.
4. Appropriate counselling and precautions to minimize exposure to blood-borne communicable diseases will be implemented by the College under the direction of the physician(s) involved.
5. Any changes in work assignment shall be handled as in any other disability case.

B. Responsibility for Determination of Status of an Employee

The employee's physician who is an expert in the disease, in consultation with the employee, will determine if an employee infected with a communicable disease will continue in his/her position.

Following the physician's recommendation, the appropriate Dean or designate and the Director, Human Resources are accountable for ensuring that:

1. Medical confirmation is received indicating that an infected employee is or is not capable of adequately performing the job;
2. Procedures regarding sick leave, return to work, and work restrictions will be those applied for other illnesses or injuries;
3. All medical records and information regarding the employee's condition will be held in strictest confidence;
4. An employee's right to privacy and request for confidentiality is respected;
5. Guidelines distributed by recognized authorities are followed for the prevention of transmission of communicable diseases; and
6. Educational material and specific counselling is provided to employees where requested or where the nature of the occupation requires it.

C. Employees Exposed to or at Risk of Exposure via Other Students, Co-Workers or Clients

Preamble

There is no evidence to date indicating the spread of blood-borne communicable diseases through casual contact. The following procedures therefore support practices which do not arbitrarily or unnecessarily restrict individuals from employment and reinforces normal hygienic practices in standard office or work settings:

1. Employees are expected to observe normal hygienic practices;
2. Where an employee may be exposed to the blood or body fluids of persons, the employee will receive appropriate training;
3. Where requested, or where the nature of the occupation requires it, educational material and specific counselling will be arranged through the Office of Human Resources; and
4. The College will avail itself of all available resources designed to increase awareness and knowledge.

D. Individuals Applying for Positions as Employees

1. A job applicant shall not be questioned on whether he/she is infected by or has been exposed to a blood-borne communicable disease.
2. In the event that information is voluntarily imparted to the employer it cannot by itself serve to deny the opportunity for employment.

INSTITUTIONAL RESPONSE TO COMMUNICABLE DISEASES - STUDENTS

A. Students Exposed to or at the Risk of Exposure to Communicable Diseases

1. Students are expected to observe normal precautions for standard classroom settings.
2. Where a student may be exposed to the blood or body fluids of persons, the student will receive appropriate training.
3. Educational materials and specific counselling will be provided to students where requested by students or where the nature of the learning activity requires it. The College will avail itself of all available resources designed to increase awareness and knowledge.

B. Responsibility for Determination of Status of a Student

The student's physician who is an expert in the disease, in conjunction with the student will determine if a student infected with a communicable disease will continue in his/her regular program.

Following the physician's decision, the Dean, Student Services and the appropriate Dean or designate are accountable for ensuring that:

1. Medical confirmation is received indicating that a student is or is not capable of adequately completing the course of studies;
2. Where possible, alternative programs of study are developed to accommodate the student's right of access to education;
3. All medical records and information regarding the student's condition are held in the strictest confidence;
4. A student's right to privacy and request for confidentiality is respected;
5. Guidelines distributed by recognized authorities are followed for the prevention of transmission of communicable diseases; and
6. Educational materials and specific counselling is provided to students where requested or where the nature of the program requires it.

C. Individuals Applying for Admission as Students

1. A student applying for admission shall not be questioned on whether he/she is infected by or has been exposed to a communicable disease including a blood-borne communicable disease.
2. In the event that information is voluntarily imparted to the College it cannot by itself serve to deny the opportunity for study.

INSTITUTIONAL RESPONSE TO COMMUNICABLE DISEASES – CLIENTS

A. Clients Exposed to or at the Risk of Exposure to Communicable Diseases from Employees or Students

1. Infected employees or students who have contact with patients, clients or the general public shall not be restricted from their work on the basis of such contact unless they have infections or illnesses which would restrict any worker within a specific working or learning environment.
2. In environments where the nature of the work or learning increases the risk of transmission of communicable diseases, guidelines distributed by health authorities will be followed.
3. In the event that there is accidental exposure, the College will be guided by physicians and public health authorities who are experts in the disease.

Definitions:

AIDS: Acquired Immune Deficiency Syndrome.

An individual diagnosed as having AIDS is believed to be infected with HIV (Human Immune Deficiency Virus) but the immune system is so damaged that otherwise rare diseases (called "opportunistic diseases") may develop.

HIV: Human Immune Deficiency Virus.

Sero Positive Tested: A blood test has indicated that the individual is infected with the AIDS (Acquired Immune Deficiency Syndrome) Virus. There may be no signs of illness.

HBV: Hepatitis B Virus.

This is an infectious inflammatory condition of the liver.

UNIVERSAL PRECAUTIONS:

In August, 1987, the Center for Disease Control in Atlanta issued updated recommendations for prevention of HIV (the virus believed to result in AIDS) transmission in health-care settings. These recommendations have been adopted by Health and Welfare Canada. The following are the salient points:

1. Sharp items that have been used (needles, scalpel blades, and other sharp instruments) should be considered as potentially infected and be handled with extraordinary care to prevent accidental injuries;
2. Disposable syringes and needles, scalpel blades, and other sharp items should be placed into puncture-resistant containers, located as close as practical to the area in which they are used. To prevent needle stick injuries, needles should not be recapped, purposely bent, broken, removed from disposable syringes, or otherwise manipulated by hand;
3. When the possibility of exposure to blood or other body fluids exists, routine recommended precautions should be followed. The anticipated exposure may require gloves alone, as in handling items soiled with blood or equipment contaminated with

blood or other body fluids, or may also require gowns, masks, and eye coverings when performing procedures involving more extensive contact with blood or body fluids, as in some dental or endoscopic procedures, or post mortem examinations. Hands should be washed thoroughly and immediately if they accidentally become contaminated with blood; and

4. To minimize the need for emergency mouth-to-mouth resuscitation, mouthpieces, resuscitation bags, and other ventilation devices should be strategically located and available for use in areas where the need for resuscitation is predictable.

To these precautions should be added the recommendation that health-care workers who have dermatitis, chapped hands, or fresh cuts must be especially careful to wear protective gloves when in a situation where they might come into contact with any blood or body fluids.

Cross Reference:

See also Support for Persons with Communicable Diseases, Including Blood-Borne Communicable Diseases Policy #2-02