Living and Working with HIV

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http://askjan.org/landingpage/HIV_AIDS_TAPWebinar2012/
Overview

- National Working Positive Coalition (NWPC)
- HIV and Vocational Rehabilitation
- Stigma and Disclosure
- Effective Practices from a Service Provider Perspective
- Job Accommodation Network (JAN)
- ADAAA
- Negotiating Accommodations
- Successful Situations and Solutions
- Success Stories
National Working Positive Coalition (NWPC)

NWPC - we are:
- persons living with HIV/AIDS, service providers, educators and researchers in HIV/AIDS and employment

NWPC - our mission is to:
- promote research, development and implementation of effective practices in employment services
- coordinate sharing and dissemination of this information
- advocate for work options and opportunities for people living with HIV/AIDS.

Presidential Memorandum released on July 13, 2010 – includes a directive for the development of:

“recommendations for increasing employment opportunities for people living with HIV.”

Secretary of Labor Hilda Solis and Assistant Secretary Kathy Martinez (Office of Disability Employment Policy) present an HIV/AIDS Employment Roundtable at DOL on April 8, 2011.
Barriers - Social Factors

Youth
- Strikes many during key vocational development years

Poverty
- Social inequalities in health care
- Lack of access to support

Restricted opportunities
- Employment discrimination
- Lack of jobs in local communities

Criminal justice - high rates of incarceration

Unequal access to quality education
- High dropout rates
Factors in HIV Risk are Factors in Discrimination

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<th>Race/Ethnicity</th>
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HIV is often transmitted through sexual contact, which can increase stigma and discomfort for many.

HIV stigma is an important factor influencing many facets of the course of the epidemic – including considering work and use of employment services.

It is essential that service providers are trained and sensitive to the role that stigma can play in one's ability to engage in mainstream employment services.
Disclosure Concerns

**Trust**
- Who could find out about my HIV status?

**Control of Information**
- How do I explain why I haven’t been working, without disclosing my HIV status?
  - Discussing gaps in work history in job interviews
  - When is it, and when is it not, in my interest to disclose my HIV status?

**Disclosure in the Workplace**
- Weigh the pros and cons
- Not required, unless requesting accommodation
The health and stability of PLWHA which makes considering work possible may result from a combination of benefits and supports which may change with employment:

- Health Insurance
- Access to meds
- Financial/disability benefits
- Housing supports
- Counseling and case management
Effective Practices

Design services to contribute to well-informed, client-driven employment decisions and action plans.

Access to resources, support, and referrals to consider and address needs in four areas:

- Medical
- Vocational
- Psychosocial
- Financial/legal
Four Interrelated Factors for People Living with HIV/AIDS Considering Work
(Goldblum, Kohlenberg 2005)
May:

- Not be able to perform past occupations
- Need assistance selecting employment goals
- Need training and education
  - GED, high school diploma
  - Limited English Proficiency
  - Vocational training
  - Certificate and degree programs
- Need job search skills and assistance
Facilitate well-informed career decisions with:

- Assessment services to allow identification and understanding of abilities, interests, aptitude and challenges.
- Job and labor market information made accessible for individuals.
- Access to career counseling resources in formats and styles responding to individual needs.
  - Computer-based
  - Group-based
  - One-on-one
Effective Practices: Post-Employment Supports

Provide post-employment supports critical to job maintenance, assisting PLWHA to develop problem-solving skills and adapt to changes related to:

- job demands
- health (treatment adherence, regular lab & medical appointments, self-care)
- personal life
- job market
- co-workers
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  NYS Department of Health, AIDS Institute

and the data developed from the NWPC National Vocational Development and Employment Survey of Persons Living with HIV/AIDS
Resources

AIDS.gov: Access to U.S. Government HIV/AIDS Information:
www.AIDS.gov

CDC Business Responds to AIDS/Labor Responds to AIDS (BRTA/LRTA):
www.hivatwork.org

Department of Labor, Office of Disability Employment Policy (ODEP)
www.dol.gov/odep/topics/HIVAIDS.htm

Job Accommodation Network (JAN):
www.AskJAN.org

National Working Positive Coalition:
www.workingpositive.net
The National Working Positive Coalition (NWPC) can provide or refer for technical assistance on topics related to HIV, employment and vocational rehabilitation:

National Working Positive Coalition
Contact: Mark Misrok
(646) 403-9821
markmisrok@gmail.com
www.workingpositive.net
About JAN

- 27 Years of Service
- Experienced
- Free
- National
- Easy to Use
About JAN

- Employers
- Individuals
- Service Providers
- Others

- (800)526-7234 (V) & (877)781-9403 (TTY)
- AskJAN.org & jan@askjan.org
About JAN

Extensive Website of Resources

Accommodation and Compliance Series

Employees with HIV/AIDS

Job Accommodation Network
PO Box 6090
Morgantown, WV 26506-6090
(800)526-7234 (V)
(202)781-6453 (TTY)
jan@askjan.org
askjan.org

A service of the U.S. Department of Labor’s Office of Disability Employment Policy
ADA Amendments Act 2008 Basics

**ADAAA**

- Applicable to employers with more than 15 employees
- Prohibits employment discrimination against “qualified individuals with disabilities”
- Requires covered employers to provide effective, reasonable accommodations for employees with disabilities
Reasonable Accommodation

“...is any change in the work environment or in the way things are usually done that results in equal employment opportunity for an individual with a disability.”
Reasonable Accommodation Examples

Making existing facilities accessible; job restructuring; part-time or modified work schedules; acquiring or modifying equipment; changing tests, training materials, or policies; providing qualified readers or interpreters; and reassignment to a vacant position.
Essential Job Functions

Means the fundamental job duties of the employment position that the individual with a disability holds or desires. The term essential functions does not include marginal functions of the position.
Interactive Process

Equal Employment Opportunity Commission (EEOC) recommends that employers use an "interactive process," which simply means that employers and employees with disabilities who request accommodations work together.
Three Reasons to Disclose

- To ask for job accommodations
- To receive benefits or privileges of employment
- To explain an unusual circumstance
What symptoms or limitations is the individual with HIV/AIDS experiencing?

How are these symptoms or limitations affecting job performance?

What accommodations are available to reduce or eliminate these problematic job tasks?

What are the workplace hazards and what measures can be taken to correct them?
Symptoms & Impairments

- Flu-like Symptoms
- Skin Rashes
- Weight Loss
- Fatigue
- Chronic Diarrhea
- Pneumonia
- Vision Impairment
- Neurological Impairment
- Cognitive Impairment
- Depression
- AIDS-Defining Cancers
- Side Effects of Treatment
Accommodating HIV/AIDS

Situations and Solutions

A pharmacist was having difficulties standing for eight hours a day on a tile floor. This employee was responsible for filling prescriptions for medication. The work area was carpeted using extra padding, which assisted in reducing fatigue and a sit/stand/lean stool was purchased to assist employee when standing. Employee was also permitted to take frequent rest breaks throughout the day. This was possible since the employee cut his lunch hour down to 30 minutes, which provided him with 30 minutes that could be used at other times of the day whenever a break was needed.
Situations and Solutions

A computer operator was experiencing weight loss and chronic diarrhea. She was provided with an ergonomic chair with extra padding and began to change seating positions often. This prevented her from getting sores from sitting in one position for prolonged periods of time. Employee’s workstation was also moved closer to a restroom to provide her better access. Cost was minimal.
Accommodating HIV/AIDS

Situations and Solutions

A secretary with HIV could only go to the HIV clinic during work hours. The employer provided the employee with a flexible work schedule, so that she could go to the clinic for medical attention and counseling. The employee made up the hours throughout the week by staying later and by coming in early.
Positive and Proactive Practices for Employers

- Develop and implement workplace policies and programs on HIV/AIDS
- Educate your workforce about HIV/AIDS
- Respond with “universal” precautions
- Keep all medical information – including HIV/AIDS status – confidential
- Understand direct threat under the Americans with Disabilities Act
Success Stories from the Field

- Chicago House/iFour Program
- Education For Life/Minnesota Department of Health
- Positive Resource Center/San Francisco
- GMHC/MATCH Program

Employer Success: Levi Strauss

- See: [http://www.hivaids.levi.com/training](http://www.hivaids.levi.com/training)
Questions

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