The Jakarta Post Govt issues decree on HIV/AIDS prevention in the workplace 07 May 2004

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Minister of Manpower and Transmigration Jacob Nuwa Wea issued on Thursday a decree on HIV/AIDS prevention and control in the workplace, which bans employers from discriminating against workers with the virus. However, the decree's effectiveness is questionable because it fails to spell out the punishment for those who ignore the regulation. "With the issuance of the decree, I hope HIV/AIDS prevention in the workplace will be more effective," Nuwa Wea said while launching the decree at Le Meridien Hotel in Central Jakarta. The minister acknowledged that some parts of the community had a negative perception about people with HIV/AIDS, therefore he called on employers and trade unions to support the campaign for the prevention and control of the syndrome. The decree, comprising only seven articles, obliges employers to take steps to prevent and control the spread of HIV/AIDS in the workplace Article 2 (2c) requires employers and labor unions to protect workers from discriminatory action and treatment and to disseminate information and organize education and training on HIV/AIDS. Article 5 prohibits employers from performing HIV tests as part of their recruitment programs or regular medical checkups. However, Indonesian Employers Association (Apindo) chairwoman Nina Tursinah urged the government to exempt labor exporting companies from abiding by the decree. "Receiving countries require blood tests on migrant workers to confirm they are free of HIV/AIDS. Maybe we could further discuss the implementation of the decree for labor exporting companies." Nina said. However, she agreed to the termination of discriminatory treatment in the workplace against employees with HIV/AIDS and the education of workers concerning the syndrome. International Labor Organization (ILO) data reveal there were 90,000 to 130,000 people living with HIV/AIDS in Indonesia by the end of last year, 75 percent of which were male and 25 percent female. Due to many factors, such as a mobile workforce, a large commercial sex industry with about 200,000 female sex workers who have between seven million and nine million clients and with a very low rate of condom usage, the number of people with HIV/AIDS could double by the end of this year, ILO's national coordinator for HIV/AIDS Tauvik Muhamad warned. Muhamad, however, praised the decree, urging the employers not to discriminate against workers with the virus, including by not conducting HIV tests on people applying for jobs. "Conducting HIV tests will only burden companies as, besides being expensive, it does not guarantee that in the following days their workers will not be infected." he said in the discussion. It would be far cheaper for companies to campaign for the prevention and control of HIV/AIDS and organize education and training on the syndrome for their workers, he added. Since last year, the ILO has cooperated with Apindo and several non-governmental organizations in providing awards for 30 companies for their concern about HIV/AIDS. The companies include state Bank Tabungan Negara, tire producer Gajah Tunggal, state steel producer Krakatau Steel, garment producer Ricky Putra Globalindo and Standard Chartered Bank.