



# EXAMPLES OF HIV-RELATED DISCRIMINATION

HIV-related discrimination intrudes into many contexts and many parts of the lives of people living with HIV and AIDS (PLWHA) and people thought to be HIV positive. It seems that for PLWHA, or those assumed to be HIV-positive, no area of life is untouched by stigma and no area of life is invulnerable to discrimination.

## EMPLOYMENT

HIV-related discrimination in employment occurs at all stages of the employment relationship. Examples of discriminatory practices include pre-employment HIV testing, denial of employment to people who test positive, dismissal, pressure to resign, and harassment.

The Terrence Higgins Trust reported the case of Mark Headley who disclosed his HIV positive status to his employers, a major supermarket chain. He was subsequently asked to leave his job because it was felt that his condition would cause offence to other staff and customers. Another example is the case of Chris who was happily employed as an assistant manager of a country pub until he disclosed his HIV diagnosis. His relationship with his manager broke down instantly. The manager proceeded to advise staff to avoid any contact with him and there was excessive cleaning of anything he had contact with. He received verbal abuse from his manager, and was told not to disclose his status for fear of loss of business. Soon afterwards his position was terminated without notice.

Due to a lack of knowledge about the potential risks of transmission and the impact of HIV on a person's capacity to perform certain jobs, HIV-related discrimination in employment is significant. Discrimination has been reported in the context of safety sensitive jobs, such as air transportation, food handling and especially the health care sector.

In extremely rare circumstances, having HIV can be a genuine bar to undertaking specific occupational tasks. This would include invasive or exposure-prone procedures in medical settings, such as conducting surgery where there is a significant risk of blood to blood contact. Otherwise, HIV-related discrimination in employment is unwarranted and unjust.

## HOUSING

Discrimination also occurs in private and public accommodation for people who are HIV positive or assumed to be positive, or those who have been mistakenly associated with the HIV, for example gay men. Examples of discrimination include eviction, locking out or harassing a tenant, and refusal to rent a property. For example, a man who had been renting a room for about a year in the house of an elderly couple was evicted after they became aware of his HIV status.

## INSURANCE

The eligibility criteria for public and private insurance cover and benefits are often discriminatory. Some insurers require an HIV test before providing insurance, or refuse to provide health and life insurance to gay men, regardless of their HIV status.

## EDUCATION

Discrimination has also occurred in educational institutions, often in relation to employment matters involving teaching staff. But discrimination has also involved students. The widespread fear of AIDS has led many adults to take extreme measures in an effort to prevent HIV positive children from attending school.

Debbie's 8-year-old foster son Michael was born HIV positive. He was placed in a school in a small village in the south-west and everything was fine until someone broke confidentiality. This caused such panic and hostility that they were forced to move out of the area. A local mother screamed at them in the street to keep Michael away from her children, shouting that he should have been "put down" at birth.

## SERVICES

Service providers can also discriminate, especially in relation to access to health care, with general practitioners, surgeons, nurses or dentists refusing to treat patients with HIV or suspected of being HIV positive, providing discriminatory standards of health care, or adopting unnecessary infection-control measures. In the UK for example, a patient received a letter from his GP telling him that they were reducing their patient list and that, he would have to find another GP after he disclosed that he was HIV positive. His wife, children and mother also received this letter. A dentist refused to treat a patient who had disclosed her HIV status at his practice, and falsely alleged that it was "illegal to treat" a person with HIV at his practice and that the patient needed to go to hospital.

Discrimination in access to services has also included refusals to provide services at a nail salon, an airline, and at services like gyms and sporting clubs. It has been widely reported in the funeral industry as well as in child and home care.

## OTHER AREAS OF DISCRIMINATION

Discrimination is not limited to these specific areas. It has also been reported in the areas of travel and immigration. For example, in the US a person with HIV has to disclose his/her HIV status and obtain a waiver to enter the country.

People with living with HIV and AIDS are also discriminated against by their family, their neighbours and their communities.

# ARE YOU HIV PREJUDICED?

For more information visit the campaign website at [www.arenat.org.uk](http://www.arenat.org.uk)

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