



*Eliane*

## Legal facts on HIV and (voluntary) work

- There is no obligation to disclose the HIV status at work or in any situation.
- No questions are allowed on HIV status or any health issues during a job interview or at work.
- No mandatory testing on HIV is allowed.
- There are no limitations due to HIV to work in any profession.
- It is forbidden by law to end a work contract due to the HIV status.
- After someone discloses their HIV status, all privacy laws are in place to protect people living with HIV.
- Anti discriminatory laws on HIV are in place to protect people living with HIV at work or in any situation.

## Our legal position

HIV is not a valid reason to refuse people living with HIV a job or volunteer work.

There is nothing as good as being freed from this HIV secret. I am telling you, it took me ten years to be able to open up about this! I was sick and tired of taking my medication secretly when I was out with friends or when my in-laws came to visit. Gaining self-confidence through all the compliments I got after my performances, enjoying nice relationships and trust with my neighbours and friends, I decided to disclose my secret. I wrote a letter titled “The hidden truth” in which I talked about my 10 years of hiding HIV. I wanted to free myself from this secret and I decided to share the letter on Facebook. I did not know what the consequences would be, but I felt strong enough to face them.

News travels fast, we all know. I was a volunteer in the hospital and I did not want my colleagues to hear my story through other people whom I was connected with on Facebook. So, I sent an email about my HIV status to my work co-ordinator and also mentioned that I shared my story on Facebook. The co-ordinator reacted in a very rude manner; she was not supportive at all. She reproached me that I had not informed them when I applied for the volunteer job: “Eliane, I am in shock. I cannot find anything in your file about this. You cannot work in our hospital living with HIV and diabetes. You never told us about this and now we do not trust you anymore”. There was no question about it in the form I needed to fill in when I applied. I asked the co-ordinator if she was aware of all the medical conditions of the volunteers. She replied that none

of them has HIV. I presumed that no one ever told her about it. That it takes time and trust in oneself to be open about it. My time to disclose has come. The discussion continued. “HIV is in Africa, not here in The Netherlands and you just want to shock people...” She summoned me to come and hand in the volunteer badge and shawl. When I did I also asked her for an official letter, explaining why I was fired.

According to the letter I received I supposedly called in sick very often and hardly came to work. Now it was my turn to be shocked! I contacted the Hiv Vereniging and they helped me for legal advice. We filed a court case at The Netherlands Institute for Human Rights. My demand was that people living with HIV should be allowed to work in this hospital. This legal procedure drained me emotionally, but I was happy with the positive outcome. In the end the hospital did hire someone with HIV and took notice of the Hiv Vereniging’s information and training on “HIV and work”.

Stigma will only end if we decide to stand up against misjudgements we face in our daily life.

### *Hiv Vereniging*

The Dutch Association of People Living with HIV (Hiv Vereniging) represents the interests of all people with HIV in The Netherlands, irrespective of background.

We provide information about living with HIV and organise all kinds of meet-ups.

### *Servicepunt*

Our team of expert volunteers can be contacted for any question about living with HIV, by telephone on Mondays, Tuesdays and Thursdays from 14:00 – 22:00 hrs, or by email: [servicepunt@hivvereniging.nl](mailto:servicepunt@hivvereniging.nl).

See [www.hivvereniging.nl](http://www.hivvereniging.nl)