

Aids in the workplace



**ASSIGN
BUSTER**

INTRODUCTION “ We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

This statement is concededly one of the best-known – and best-loved – sentences in the English language. It affirms what every person knows in his heart: that he has a God-given right to conduct his life and exercise his freedom, as well as seek his happiness, for so long as he does not intrude upon other people’s rights to do the same. For the past two centuries, countless citizens in these United States, from every race, background and persuasion, have reposed their faith on these words to secure for them the basic rights they are entitled to.

Even while this statement calls the truth of men’s equality “ self-evident,” succeeding generations of racial minorities and economic classes have had to struggle to lay claim this right. The significance and interpretation of the very phrase “ all men are created equal” has repeatedly been called into question – apparently, it was not as “ self-evident” as the founding Fathers had initially envisioned it to be. For instance, more than one and a half centuries after the Declaration of Independence, people of color were taken to be less than and even property of the white man, and new immigrants were regarded with disdain compared to native-born Americans, although the privileged native-born Americans were understood not to include native indigenous Americans. This is not to mention the stereotypes attached to the male and female genders, the religious faithful, and levels of education – particularly those reared in private or ivy-league schools as against the public schools. But these were the first two centuries of American

nationhood.

In the twenty-first century, it seems such issues have been repeatedly put to the test by judicial pronouncements and legal statutes. There is a special case, however, wherein discrimination is still a stinging issue. These are in the matter of persons with physical disabilities in the workplace. Those with genetic and natural disabilities already contend with the prejudice that they could not perform as well as able-bodied individuals, which, to be frank, may be true in some occupations. The chicken-and-egg dilemma of disabilities in the workplace is that if disabled people are considered equal, it means they should enjoy no special favors, else it is the able-bodied who are discriminated against; and this being the case, the disability may itself be the very reason why the able-bodied would be considered more qualified. Whatever these predicaments, they are nothing compared to the plight of those persons with a condition that is not so much perceived as a physical disability as it is a social stigma. The issue is not only competition for jobs with those who are able-bodied, but the fear of inadvertent proliferation of a condition due to personal proximity. (While the HIVirus is not transferred this way, there still exists the fear of it.) Furthermore, in the current recession, jobs are hard to come by, and employers may feel that, all other qualifications being equal, employing a non-HIV applicant is much more desirable compared to employing an HIV-infected applicant.

There can be no argument against the fact that HIV- and AIDS-infected persons have equal rights as all men, with the right to engage in a legitimate occupation. What remains to be settled is the meaning of “ equal rights”.

What is the present situation that confronts the HIV- and AIDS-afflicted in the workplace? Does unfair discrimination exist, in what form does it exist, and

how prevalent or widespread is it? How do co-workers respond to an afflicted person among their ranks? And finally, what steps may be taken by employers and government agencies in order to remedy the situation?