

**AIDS EDUCATION
IN THE AMERICAN WORKPLACE**

**Report to the
"Bundeszentrale für gesundheitliche Aufklärung"
Köln-Merheim**

September 30, 1987

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I. INTRODUCTION

This report was prepared for the Bundeszentrale für gesundheitliche Aufklärung in the months of August and September 1987.

During this time, the author personally interviewed a number of American leaders in the fight against AIDS in the San Francisco Bay Area, Los Angeles, Chicago, Minneapolis, New York City, and at the Centers for Disease Control (CDC) in Atlanta, Georgia. In these locations he also collected various relevant original materials. However, most of these materials relate only indirectly to the subject under discussion here, although they illustrate its larger socio-political context which must be studied if the problem of AIDS education in the workplace is to find a rational solution. These contextual materials will be presented and discussed in the update report "AIDS Prevention in the U.S.A." of October 15, 1987.

The author wishes to express his sincere appreciation to all of his American interview partners and to the various institutions and organizations he visited. Without exception they were extremely helpful and considerate, in spite of their work overloads and busy schedules. Many of them had to be approached on very short notice, but they all recognized the importance of international cooperation. Indeed, in the United States there is a great interest in sharing information and in establishing organizational links between countries. This report should, therefore, also be seen as a first step in a continuing process of transatlantic exchange and as a basis for intensified future communication.

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II. SUPPORTING MATERIAL (under separate cover)

1. Sampler of Journalistic Reports

(Newspaper articles from various sources on the subject of AIDS in the workplace, arranged in chronological order.)

2. AIDS in the Workplace

(Handbook prepared by the San Francisco AIDS Foundation for a symposium held in spring 1986.)

3. Managing AIDS in the Workplace

(An executive briefing and training manual published by the Workplace Health Communications Corporation in cooperation with Institute for Disease Prevention in the Workplace.)

4. Training Package prepared by the Dartnell Corporation in Chicago (video and printed text), mailed separately and directly to the "Bundeszentrale für gesundheitliche Aufklärung" in Cologne.

The complete contact address is:
Scott Pemberton
Dartnell Corporation
4660 North Ravenswood
Chicago IL 60640
Tel. (312) 561-4000

5. AIDS-Aufklärung im Betrieb

(German translation of a manual prepared by the San Francisco AIDS Foundation. Available in Haeberle, Bedürftig eds. "AIDS - Beratung, Betreuung, Vorbeugung: Anleitungen für die Praxis", Berlin: de Gruyter 1987, pp. 235-271. The book has already been delivered to the Bundeszentrale in July, 1987.)

III. AIDS IN THE WORKPLACE - A Growing National Problem

Within the last few years, AIDS has become a major financial, legal, managerial, psychological and educational problem for many American small businesses and large corporations.

It has generally been held that AIDS, like other severe and/or chronic diseases, should be considered a handicap, and AIDS patients should, therefore, enjoy the same protection and consideration by their employers as other handicapped workers. However, a vacillating federal policy on this issue has created a great deal of uncertainty around the country. Some companies have protected their workers suffering from AIDS, others have not. Still other companies have begun to demand a negative HIV-antibody test result as a condition for employment. In several cases, workers with positive test results or disease symptoms have been terminated. Some of these workers have gone to court, suing for reinstatement, but have died before a judicial decision could be reached. (The relevant issues are documented and discussed in the attached Sampler of Journalistic Reports)

In view of all this, some states and cities have passed their own anti-discrimination laws and ordinances trying to protect workers suffering from ARC and AIDS and to prevent employers from using pre-employment HIV-antibody tests.

On the other hand, some big corporations have taken the lead in developing their own anti-discrimination policies and AIDS education programs aimed at reducing unnecessary fear among their employees.

At this time there is no complete survey of the various national and local government policies in regard to this problem, nor is there a complete overview of constructive private initiatives. Nevertheless, it is known that the New York City Health Department has begun to conduct free AIDS education courses for several large local companies. Unfortunately no scripts or other written materials are available on these programs. They are still in a state of development, being tailored ad hoc to the particular needs of particular companies. Still, it is possible that, sooner or later, these courses will be formalized and appear in print.

In San Francisco, several large corporations, among them Levi-Strauss, Bank of America, Pacific Telesis, Mervyns, Wells Fargo Bank, AT&T and Chevron Corporation have, in cooperation with the San Francisco AIDS Foundation, developed a model program consisting of several interlocking elements. As a result of this program, the corporations have adopted reasonable, humane and economically sound policies with regard to AIDS, and they have preserved a peaceful work environment. The history and content of the whole program forms the bulk of the present report. The German translation of the program handbook is listed in Supporting Material (p. 3). In addition, the video "An Epidemic of Fear", which is part of this program, has, in the meantime, been deposited with the Bundeszentrale.

Finally, private companies have begun to see the evolving need and are beginning to fill it with special educational programs of their own. Thus, for example, the Institute for Disease Prevention in the Workplace in Albany, New York, and the Dartnell Corporation of Chicago have developed educational packages which they offer to those businesses that need AIDS education for their employees. Such privately developed education programs, however, are designed to make a profit, and although they often have a very professional look, they are not necessarily as scientifically sound as those run by public health professionals.

Looking to the future, it seems that both governmental and private agencies will increasingly have to work together in order to standardize, streamline and professionalize workplace education programs. It is easy enough to predict that the need for these programs will grow very quickly by leaps and bounds, and that it will be very difficult to train enough educators to fill this need.

The present report and its supporting material provide samples of the best and most typical American efforts of AIDS education in the workplace. With appropriate modifications some of these programs may be immediately applicable in European countries, including the Federal Republic of Germany.

IV. HISTORY AND CONTENT OF THE SAN FRANCISCO MODEL PROGRAMS

1. The 1986 BLTF Conference

Beginning as early as 1981, a number of San Francisco businesses saw employees becoming ill and dying of AIDS. The patients were found in all levels of employment, from the unskilled workforce to top management. As a result, the business community here was sensitized to the problem much earlier than were employers in other parts of the country.

The San Francisco Department of Public Health, in cooperation with the San Francisco AIDS Foundation, also began an early program of educating the local television and print media, which, in turn, educated the public at large through a series of well-researched programs and newspaper articles. In addition, the city saw a continued stream of professional conferences on AIDS as well as public meetings, in which not only the medical but also the socio-political aspects of AIDS were discussed in great detail. It should also be mentioned that for many years San Francisco has had an association of gay businessmen (Golden Gate Business Association). All of these factors provided a climate in which a bold initiative in the business sector could be taken.

By the spring of 1986 it became possible for a business leadership task force to host a special conference on the subject of AIDS in the workplace. This conference was attended by more than 200 policy-makers representing nearly 100 companies from all over the country. The San Francisco Business Leadership Task Force (BLTF) itself, a coalition of 14 major Bay Area corporations, had been founded in 1982. It now used all of its influence to promote attendance at its conference.

The following pages document:

1. News releases and inter-office memos about the conference.
2. The conference program.
3. Opening and closing remarks made by Robert D. Haas, Chief Executive of Levi-Strauss, on whose premises the conference was held.

The enormous success of this initiative is illustrated by the AIDS policies that were subsequently adopted by the major Bay Area corporations involved.

Contact: Joyce Bustinduy
(415) 544-7222

BUSINESS LEADERSHIP TASK FORCE HOSTS
AIDS IN THE WORKPLACE CONFERENCE

SAN FRANCISCO, March 21, 1986 -- More than 200 policy-makers representing approximately 100 companies from throughout the country gathered here today to discuss ways of dealing with AIDS in the workplace. The day-long conference, hosted by the Business Leadership Task Force of the Bay Area, marked the first-ever effort by the private sector to pool its resources to address AIDS issues.

The Business Leadership Task Force (BLTF) is a coalition of fourteen major Bay Area corporations formed to bring the public and private sectors together to help solve problems in the community. BLTF has identified AIDS as a major issue in the workplace and society. Today's conference was designed to give businesses an opportunity to join forces and develop responsible action plans to deal with AIDS in the workplace.

Seminars conducted by AIDS experts and representatives of major corporations covered medical, ethical, legal and social issues surrounding the life-threatening illness which currently afflicts more than 18,000 people in the United States.

Conference participants received a training manual specially prepared to assist companies in formulating policies about AIDS. They also received educational materials such as copies of an informational brochure designed to answer employee questions about possible exposure to the disease in the workplace.

BLTF Conference/Add One

A highlight of the conference was the premiere screening of a mini-documentary, "AIDS in the Workplace: Epidemic of Fear," developed as an educational tool for viewing by employees who are concerned about AIDS. Copies of the videotape, which was produced by Pacific Telesis, were provided to conference participants.

Funding for the videotape and printed materials was provided by Levi Strauss & Co., Pacific Telesis Foundation, Mervyn's, BankAmerica Foundation, Wells Fargo Foundation, AT&T, and Chevron Corporation.



Bank of America

NEWS

Contact: Peter Magnani
(415) 953-2418

For release:

ATTENTION ASSIGNMENT EDITORS

SAN FRANCISCO, March 13, 1986 — The Business Leadership Task Force of the Bay Area is sponsoring a day-long conference on "AIDS in the Workplace" Friday, March 21 at Levi's Plaza, 1155 Battery Street, San Francisco. The conference marks the first-ever effort by the private sector to pool its resources and develop comprehensive action plans to deal with AIDS in the workplace. Approximately 200 corporate representatives from northern California are expected to attend.

The conference begins at 8:30 a.m. with an address by San Francisco Mayor Dianne Feinstein and the screening of "AIDS In the Workplace: Epidemic of Fear," a mini-documentary produced for the San Francisco AIDS Foundation. The film and accompanying materials were funded by several Bay Area corporations to educate companies about AIDS and assist employees in dealing with concern about AIDS in the workplace. Immediately following the screening, Mayor Feinstein; Leslie Luttgens, chairperson of the Business Leadership Task Force; Robert Haas, president and chief executive officer of Levi Strauss; Tim Wolfred, executive director of the San Francisco AIDS Foundation and others will be available to answer questions from the media about AIDS in the workplace.

If you are interested in attending other parts of the conference, please contact Peter Magnani (415) 953-2418 in advance, as space is limited.

Dear (CEO)

On behalf of the Business Leadership Task Force, I am asking you to support a unique conference, "AIDS in the Workplace," which will be held at Levi's Plaza, Friday, March 21. This day-long seminar is the first effort by the private sector to meet, help identify and address the many social, human, legal and economic issues raised by this much-feared and much-misunderstood disease.

Since its founding in 1982, the Business Leadership Task Force has sought to identify and address issues of concern to the public and private sectors. We feel it is critical for the private sector to take a greater role in addressing the AIDS crisis. Through attendance at the conference, your company can be better prepared to assume an active role in dealing with AIDS as it relates to your organization and to the Bay Area in its entirety.

Please refer this letter to your key personnel policymakers so they can consider attending the conference. The day's activities will include a basic overview of the disease and workshops on the development of personnel policies, legal guidelines and employee education programs. One of the highlights of the day will be the premiere of a videotape and printed materials which were prepared specifically to assist companies in dealing with employee concerns about AIDS in the workplace. I will send an information brochure about the event to you within the next three weeks.

So that you personally can learn more about key business-related AIDS issues, I hope that you will join me for breakfast prior to the conference at 7:30 a.m. on March 21 in the Executive Dining Room, LS/7. Please RSVP by March 10 by calling Robin Keating at (544-3662).

Thank you for your consideration. I look forward to your support and participation.

Sincerely,

Robert D. Haas
President and
Chief Executive Officer

AIDS: DEVELOPING A CORPORATE STRATEGY

Levi Strauss & Company

Friday, March 21, 1986

7:30 a.m. **Registration - Atrium**
 Distribution of materials
 (coffee & donuts - California Lounge)

Morning Session held in Auditorium

8:30 **WELCOME**
 Leslie Lutgens
 Spokesperson
 Business Leadership Task Force

M.C.
 Dr. Constance Wofsy,
 Co-Director Oncology/AIDS Activities
 San Francisco General Hospital

OPENING REMARKS
 David Werdager, M.D./M.P.H.
 Director of Health

PREMIER SHOWING
 "AIDS in the Workplace:
 Epidemic of Fear"

9:30 **IS THE WORKPLACE AT RISK?**
 A MEDICAL PERSPECTIVE*
 (Presentation and Q & A)
 Dr. Linda Hawes Clever
 Chairperson, Department of Occupational Health
 Pacific Presbyterian Medical Center

*** What is the latest medical information? *How is AIDS spread?**
*** Does ARC pose the same type problems? *Is it a different**
issue from other life threatening illnesses? *Is there a test for
AIDS?

10:30 **THE HUMAN RESOURCES CHALLENGE:
ETHICAL AND BOTTOM LINE ISSUES***
Robert M. Beck,
Executive Vice President Human Resources
BankAmerica Corporation

**How do you manage an employee with AIDS? *How do you handle
a crisis? *How do you separate phobias on employee lifestyles
from the realities of the disease? *How do you balance
business needs and ethical issues?*

11:00 **BREAK**

11:15 **WHAT ARE THE LEGAL ISSUES?***
Victor Schachter
Partner
Schachter, Kristoff, Ross, Sprague & Curiale

Gary Wood
Partner
Gottesman & Wood

**What are the issues surrounding the use of blood tests?
*Are there labor issues? *Are people with AIDS/ARC in a
legally protected group? *What about defamation? *What is
our legal liability if medical "facts" change?*

11:45

**BENEFITS:
SEEKING CREATIVE SOLUTIONS***

Donna Goye
Vice President, Human Resources
Levi Strauss & Company

William E. Hembree
Director
Health Research Institute

**Should you handle benefits to cover AIDS/ARC differently if you are self insured? *What are the costs of alternative care? *Are there ways a corporation can meet employee needs and reduce cost? *What are other companies doing?*

12:15

**AIDS EDUCATION IN THE WORKPLACE:
EXPERIENCES & OPTIONS***

Sam Puckett
Consultant, S.F. AIDS Foundation
S.F. Department of Health

Dr. Michael Erikson
Director, Preventive Medicine and
Health Education, Pacific Bell

**Do you start an education program before or after the first AIDS case appears? *What are other corporations doing? *What materials are available and which are worth using? *How do employees respond to AIDS education?*

1:00 p.m.

Informal complimentary lunch
California Lounge

Agency Fair - Atrium
Booths from Bay Area agencies that provide
AIDS/ARC support and educational materials

2:00

PANEL DISCUSSION:
EMPLOYEES WITH AIDS - Auditorium
Experiences in the Bay Area.
Moderator - Helen Scheitinger, Shanti Project

2:45

CONSULTATIVE WORKSHOP:
GETTING ANSWERS FROM THE EXPERTS
Presenters will answer questions, review the
"AIDS" manual and discuss strategy options.

1. **LEGAL ISSUES - Auditorium**
 - Victor Schachter, Partner,
Schachter, Kristoff, Ross,
Sprague & Curiale (facilitator)
 - Eldora A. Gardner, Counsel,
Bank of America
 - Charles E. Voltz, Attorney
Pillsbury, Madison & Sutro
 - Susanna Aroesty, CORO Foundation Fellow
2. **BENEFITS ISSUES -**
4th Floor, Canter Conference Room
 - William E. Hembree, Director
Health Research Institute (facilitator)
 - Reese Smith, Director
Benefit Plans, Levi Strauss & Co.
 - Jim Spahr, Spahr Insurance Services
 - Jeanette Dong, CORO Foundation Fellow

3. EDUCATION AND TRAINING ISSUES -

2nd Floor, Training Room 3

- **Sam Puckett, Consultant
San Francisco AIDS Foundation
(co-facilitator)**
- **Dr. Michael Eriksen, Director
Preventive Medicine and Health Education
Pacific Bell (co-facilitator)**
- **Dr. Bryan Lawton, Vice President & Director
Employee Assistance Services, Well Fargo**
- **Jean Taylor, M.S.W., Director
Employee Counseling Programs, Pacific Bell**
- **Maureen Daly, CORO Foundation Fellow**

4. MANAGEMENT AND HUMAN RESOURCES ISSUES

1st Floor, Display Center

- **Nancy L. Merritt, Vice President - Program
Manager, Personnel Relations, BankAmerica
(facilitator)**
- **Joan Moore, Secretary, Local 9410
Communications Workers of America**
- **Stu Pitner, Director Personnel, PG&E**
- **Geraldine D. Rosen, CORO Foundation Fellow**

3:30

WORKSHOPS REPEATED

4:15

**COLLABORATION FOR THE FUTURE:
COMPANY TO COMPANY/
COMPANY TO COMMUNITY - Auditorium**

**Bob Haas, CEO
Levi Strauss & Company**

4:30

ADJOURNMENT

Robert D. Haas

AIDS IN THE WORKPLACE
MARCH 21, 1986

Breakfast Remarks

I appreciate your joining us this morning. Your interest in this important subject, as reflected in your attendance, is mirrored in the heavy participation in today's conference: 200 attendees representing over 100 companies and agencies.

AIDS, as we all know, is a significant problem: for our companies, for our friends, for our community and for our nation. Together, we have a responsibility for addressing the problem.

This morning I want to share my personal views about AIDS and provide some background on the issue. Later, we will view a videotape on AIDS in the Workplace from the San Francisco AIDS Foundation. Time permitting, we will answer any questions you may have.

It is hard to see AIDS as someone else's problem....it affects each of us directly. I have friends who are dieing of AIDS and others who became its early victims. Levi's employees...including men with whom I worked closely...are AIDS sufferers or have died from it. One of my associates was interviewed on "60 Minutes" this past Sunday; another, who worked on preparations for this conference and who was to be a panelist, is in the hospital. AIDS is a part of our personal and professional lives.

My first direct involvement with AIDS came several years ago. A group of our gay employees wanted to set up an information booth in our atrium to help their fellow employees get a better and more realistic understanding of AIDS. However, they were afraid...afraid to be ostracized as gays and afraid that their co-workers might panic about contracting the disease through their normal daily interactions. To alleviate these concerns members of our company's Senior Management Committee and I joined our gay co-workers in manning the booths.

Management has continued to support AIDS-related employee education and services since then.

This conference grew out of discussions of the Bay Area Business Leadership Task Force, which is chaired by Leslie Luttgens, who is with us today. Also here this morning are members of the committee who organized this conference and the speakers who will be making presentations. All of them deserve our thanks. I hope that you have had an opportunity to talk about your interests over breakfast.

What are the dimensions of AIDS?

- Nationally, 18,000 cases have been reported to date. By year's end the rolls of AIDS victims is expected to reach 26,000.
- Locally, 1,800 cases have been reported to date...10% of our nation's cases.

- The average life span after diagnosis is 18 months.

- As you've probably seen in your own companies, AIDS affects not only its victims but is costly and disruptive.
 - Insurance costs for an AIDS patient averages \$140,000 compared to \$100-120,000 for cancer patients
 - Workflow is disrupted by employee absences and replacement
 - Unless properly informed, co-workers can be unsettled and fearful for their own safety
 - Similarly, our business with customers and clients can be affected by unfounded fears prompted by our employees' illness

We need to do three things:

- Curb fears. There are still people who believe they can get AIDS from talking with a gay man...or handling the same piece of paper...or being served food by a gay waiter. We need to allay these fears by educating our employees and, where applicable, customers and clients. We must ensure that our policies are based on current knowledge.

- Provide psychological support to employee victims, their partners and their families. Absorbing medical costs isn't enough. Providing a supportive environment includes allowing AIDS victims to work as long as they can.

- Provide financial support for services to AIDS patients, for public education about the disease and for continuing medical research to stop this epidemic.

I'm heartened by a number of encouraging signs:

- Organizations are banding together, as we are today, to share knowledge and seek humane solutions.
- This conference underscores the business community's concern.
- Related to this heightened interest is the increase in corporate funding to the San Francisco AIDS Foundation. Contributions from the business community have climbed from \$12,000 in 1984-5 to \$128,000 in 1985-6.
- We're seeing hopeful signs that these efforts are paying off. The number of new AIDS cases in San Francisco has leveled off over the past year.

There is, however, more to be done. Those of us in this room have to be personally involved and visible. We must:

- Support our human resource professionals to insure that there are adequate policies on AIDS within each corporation.
- Support our employees who are victims.

- Urge our associates and other business leaders who are not here today to get involved.
- Provide more financial resources for aids-related services and research.

The AIDS epidemic is a challenge and an opportunity.

This is not a one-time collaboration, but requires our on-going involvement.

Thank you for being here today. I look forward to working together on this problem.

Now I'd like to introduce Tim Wolfred, Executive Director of the San Francisco AIDS Foundation. Tim will introduce the videotape and can also answer specific questions about efforts in San Francisco or elsewhere.

ROBERT D. HAAS
CLOSING REMARKS
AIDS IN THE WORKPLACE
MARCH 21, 1986

TODAY'S CONFERENCE WASN'T ABOUT A DEADLY AND DEBILITATING
DISEASE, AIDS.

IT WAS ABOUT LIFE AND LIVING. WE AFFIRMED LIFE AND LIVING
IN DISCUSSING WAYS OF MAKING THE REMAINING LIVES OF THOSE
AFFLICTED WITH AIDS MORE FULFILLING AND COMFORTABLE THROUGH

- CREATING A SUPPORTIVE ENVIRONMENT
- PROVIDING ONGOING EMPLOYMENT
- ENSURING THAT COMPANY POLICIES ARE SUITABLE FOR
DEALING WITH AIDS
- CONTINUING MEDICAL SUPPORT
- COMBATTING FEAR, PREJUDICE AND MISUNDERSTANDING IN
THE WORKPLACE

WE AFFIRMED LIFE AND LIVING THROUGH EDUCATING OUR EMPLOYEES,
CUSTOMERS AND CLIENTS ABOUT THE REALITIES OF AIDS

- ADDRESSING UNFOUNDED FEARS
- HELPING THEM BE SUPPORTIVE OF THEIR AIDS-AFFLICTED
CO-WORKERS, FRIENDS AND FAMILY MEMBERS

WE AFFIRMED LIFE AND LIVING BY ENCOURAGING FUNDING FOR AIDS
EDUCATION, SUPPORT AND SERVICES AND RESEARCH.

THIS AFFIRMATION OF LIFE AS UNDERScoreD BY THE COURAGEOUS
EXAMPLES OF AIDS PATIENTS WHO SHARED THEIR EXPERIENCES WITH
US AND THE SELFLESS COMMITMENT OF THE HEALTH PROFESSIONALS
WHO PROVIDE COMPASSIONATE SUPPORT AND TREATMENT TO SO MANY
EVERY DAY.

WE ARE INDEBTED TO THOSE WHO SHARED THEIR KNOWLEDGE,
EXPERIENCES AND HOPES WITH US.

WE LEAVE THIS DARKENED CONFERENCE ROOM INTO A DAY OF
SUNSHINE, BLUE SKIES AND BEAUTY...A WORLD OF LIFE.

AS YOU ENJOY THE BEAUTIFUL WEEKEND THAT LIES AHEAD, THINK OF
THE LIFE-ENHANCING MESSAGES OF THIS CONFERENCE...AND ALL
THAT YOU CAN DO TO AFFIRM LIFE IN YOUR COMPANIES OR
AGENCIES.

THAT IS THE MESSAGE OF THIS CONFERENCE: IT'S UP TO EACH OF
US TO MAKE A DIFFERENCE, TO USE THE KNOWLEDGE WE'VE
RECEIVED... TO AFFIRM LIFE.

2. A Model Example of Implementation: Levi-Strauss

The following documents illustrate the implementation of a model AIDS education program inside the Levi-Strauss, a company which maintains its headquarters in San Francisco. Its enlightened stance in regard to AIDS attracted immediate national attention as evidenced by the enclosed article from the New York Times.

Levi-Strauss' unwritten corporate policy on AIDS itself is documented in its AIDS Information Sheet following the NYT newspaper article.

Finally, and very significantly, a letter written by Robert D. Haas, its chief executive, illustrates Levi-Strauss' commitment to political action if necessary. The letter solicits donations for a fight against Proposition 64, a ballot initiative promoted by the totalitarian demagogue Lyndon LaRouche. This initiative, which was eventually defeated by the California voters, would have subsumed AIDS under the category of reportable infectious diseases and would thereby have contributed to driving the epidemic "underground" while creating a host of additional unnecessary social problems. The initiative had been opposed by all medical authorities as well as the California Catholic Bishops and was soundly defeated by a margin of 2/3 to 1/3. The letter enclosed here shows very clearly that responsible California business leaders also worked actively against the compulsory and discriminatory measures that might have resulted from LaRouche's initiative.

Business Day

The New York Times, March 12, 1987

Levi's Broad AIDS Program

By STEVEN PROKESCH

Special to The New York Times

SAN FRANCISCO, March 11 — Despite the soaring number of AIDS cases around the nation, most big companies have yet to confront the disease and the problems it brings to the workplace, health industry consultants and other experts say.

"The average company is doing nothing," said Dr. Alan Emery, a clinical psychologist and business consultant with the San Francisco AIDS Foundation, a leading provider of educational materials on acquired immune deficiency syndrome. He estimated that less than 10 percent of companies in the United States have an AIDS program or policy.

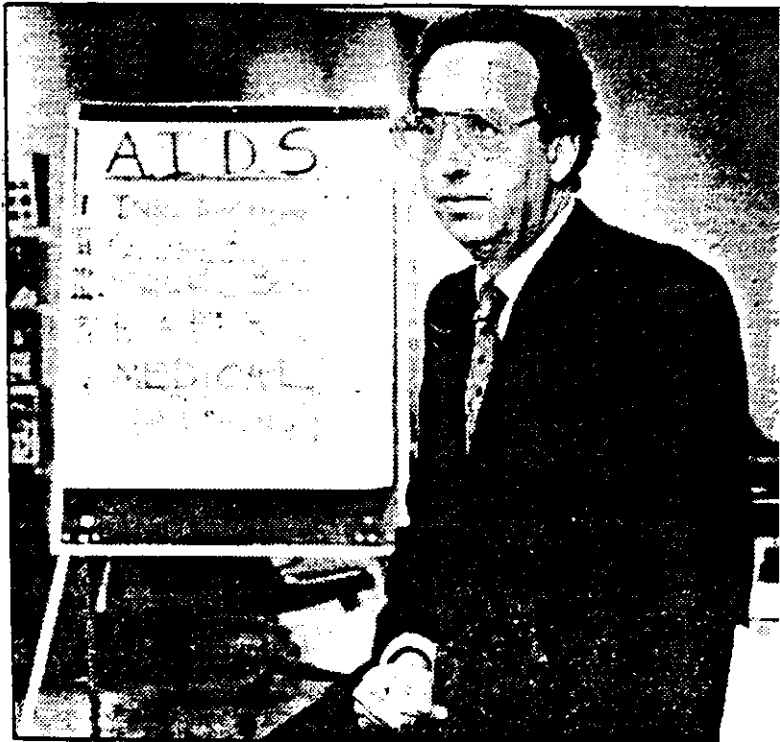
But here in San Francisco, which has a large homosexual population and probably the highest incidence of AIDS per capita in the country, a number of major companies have decided that AIDS can no longer be ignored. The companies — including Levi Strauss, BankAmerica, Pacific Telesis and Wells Fargo — have all introduced ambitious health and information programs designed to help employees with AIDS while allaying the fears of their co-workers.

"It has probably saved me one million words and a lot of anxiety," said Nick Latham, an employee with AIDS at the San Francisco office of Towers, Perrin, Forster & Crosby, a consulting concern that has a similar program.

A Leader in the Movement

Levi Strauss, the jeans maker long known for its unusual commitment to its employees and for its philanthropic activities, is considered a leader in the movement. At least a dozen of Levi's 1,500 employees here have contracted the incurable disease, and several have died, said Larry Holmes, a member of a homosexual employees' group at the company.

Levi has responded with a program that apparently appeals both to AIDS victims and their co-workers at the company's offices here. While the program has encountered resistance at some of Levi's other operations, particularly in the South, it is seen as



The New York Times/Terrance McCarthy

Robert D. Haas, chief executive of Levi Strauss, in the company's health library. Levi is considered a leader among companies dealing actively with the problem of AIDS in the workplace.

'By the end of 1991, an estimated 270,000 cases of AIDS will have occurred with 179,000 deaths . . . Work sites should have a plan in operation for education of the work force and accommodation of AIDS or ARC (Aids Related Complex) patients before the first such case appears at the work site.'

C. Everett Koop, U.S. Surgeon General
October 1986

Corporate Pioneers

The following companies are among the pacesetters in addressing AIDS by initiating and funding education programs:

- A.T.&T.
- BankAmerica
- Chevron Corp.
- Levi Strauss
- Pacific Telesis
- Transamerica Life Companies
- Wells Fargo

Source: AIDS Foundation

Continued on Page 33

Continued From First Business Page

a model for companies still trying to determine what they should do about the disease, most of whose victims have been homosexual men and intravenous drug abusers. The program includes these key features:

¶The company prohibits discrimination against employees with the disease. That means treating AIDS victims — in terms of benefits, medical coverage and their right to work — like any employee with a life-threatening illness that cannot be transmitted in the normal course of work.

¶Levi offers home health care as well as hospice care for the terminally ill, in addition to regular hospital coverage. Such outpatient treatment, said Robert D. Haas, the company's president and chief executive, not only is often more humane than long-term hospitalization, but is less costly as well.

¶It encourages employees with AIDS to stay on the job as long as they can. Whenever possible, flexible work schedules or part-time jobs are made available.

¶While it favors openness about the

Discrimination against employees with the disease is prohibited.

disease itself, Levi is very protective of employee confidentiality.

"Levi Strauss is the pioneer in creating a responsible, ethical and humane AIDS program," Dr. Emery said.

To be sure, a growing number of companies in other cities are becoming active in dealing with AIDS. In New York, CBS, Citicorp, the New York Life Insurance Company and Nynex are among those given high marks. Nonetheless, the efforts by Levi and others here appear to stand out, at least in part because of the homosexual community's unique status in San Francisco.

"It is difficult to be gay in corporate America anywhere, but less difficult in San Francisco than in New York," said Benjamin Schatz, director of the AIDS civil rights project of the National Gay Rights Advocates, a

San Francisco-based group. "Gay people in San Francisco are now part of the power structure. We didn't have to fight to have the AIDS crisis recognized the way people did in other parts of the country, including New York."

With health experts predicting that the number of AIDS cases will rise dramatically in coming years, Levi's Mr. Haas warned that the disease would become a much more serious problem for business. Some 31,000 cases have been reported in the United States since 1981, when AIDS was first identified, with the San Francisco area accounting for about 3,100 and New York 8,700.

Mr. Haas predicted that "the law is going to force employers to do some of the same things we have done" to keep employees with AIDS on the job. The California Fair Employment and Housing Commission recently prohibited employers from discriminating against workers with AIDS. And last week, the United States Supreme Court ruled that recipients of Federal money may not discriminate against people who are impaired by contagious diseases. While the case involved an employee suffering from tuberculosis, it could benefit many people with AIDS.

Started in '82

Mr. Haas's personal involvement in the AIDS cause dates back to 1982, when some employees requested permission to distribute AIDS information in the lobby of the company's headquarters. To allay these employees' fears that co-workers would assume they were homosexual or had AIDS and would shun them, Mr. Haas and other senior executives took turns manning the information booth.

About the same time, Levi suddenly got a taste of how misunderstandings about AIDS can disrupt the workplace. A frantic manager called the company's Employee Assistance Program fearful that she might catch AIDS from a subordinate just because he was homosexual.

"That said to us that we had to provide educational materials to all employees," said Yvonne Ellison-Sandler, head of the assistance program, which provides health information and counseling to employees. She also heads Levi's AIDS Task Force, an interdepartmental committee whose mission is to advise the company on how to respond to AIDS-related issues.

In the last five years, Levi's stand has been that it is in the best interests of both the employees and the company that all workers understand the facts about AIDS. And that includes the key fact that the AIDS virus is transmitted sexually or intravenously, meaning that it cannot be caught in the normal course of work.

"As employers, we have the responsibility to maintain an open and informed working environment that at least combats unwarranted employee fears and prejudices," Mr. Haas said.

Levi is using a variety of means to spread the word. It has taken pains to train its managers and personnel staff. It also employs everything from a videotape featuring medical experts and AIDS victims to brochures, lunchtime lectures and articles in its Health and Fitness newsletter.

In interviews at Levi, most co-workers of AIDS victims strongly endorsed the program.

James A. Bliss, controller of Levi's information resources department, recalled that he had requested help to prepare his group for the return of a co-worker who had contracted AIDS. Any trepidation that the workers might have had was greatly diminished by the educational materials they were given, Mr. Bliss and several others in the department said.

'They're Accepted'

"If a fellow employee is diagnosed and comes back, they're accepted," said Mr. Holmes, the member of the homosexual employees' group. "And the educational program is a key reason why that's true."

But one Levi employee confessed to having mixed feelings, expressing concerns that the company would become "a haven for gays — that's how good the program is."

And Levi officials acknowledge that getting employees to listen can be difficult. That is especially true in the South, where the company has many of its production facilities.

"We've had some struggles out in the field," said Robert H. Dunn, vice president for corporate communications and community affairs.

In reaction, Levi says it might come out with a "Southern edition" of the AIDS videotape. The new version would include AIDS victims who are not necessarily homosexual.

\$100,000 in Donations

With AIDS rapidly becoming a national crisis, Levi has also felt compelled to play an active public role. The company and its employees have donated more than \$100,000 to a variety of AIDS projects, including a hospice and a public education program.

Mr. Haas also persuaded the Business Leadership Task Force of the Bay Area, a group of 14 chief executives of major corporations, to take up the AIDS cause.

Last year, the group played host to a conference on AIDS in the workplace attended by representatives of 100 companies. It has also financed the development of training and educational materials.

LEVI STRAUSS & CO.
AIDS INFORMATION SHEET

Policy/Philosophy:

Levi Strauss & Co. does not have a written "policy" about AIDS. The company embraces the following philosophy regarding the welfare of its employees:

Employees with AIDS or any other life threatening disease are treated with dignity and respect. The company strives to maintain an open and informed environment for all employees.

Employees with AIDS or any other life threatening illness can continue to work as long as they are physically able to do so.

Employees are assured of complete confidentiality when seeking counseling or medical referral assistance.

Commitment:

The company has an overall commitment to health education. AIDS is national health problem and the company feels a responsibility to educate its employees so that prejudice and unwarranted fear about the disease in the workplace can be eliminated.

Benefits:

AIDS is treated like any other life threatening condition in respect to medical coverage, disability leave and life insurance. As part of its comprehensive medical plan, Levi Strauss & Co. offers home health and hospice care for the terminally ill.

Hiring:

Levi Strauss & Co. does not test prospective employees for AIDS and there are no AIDS screening questions on employment applications.

Levi Strauss & Co. is an equal opportunity employer and does not discriminate against persons because of sexual preference, age, race, religious beliefs, etc.

Education:

The company has undertaken a comprehensive education program to San Francisco-based employees. In 1987, a similar program will be rolled out to field employees. The education package includes a 23-minute video tape, brochures for employees and manager's training materials. Sessions typically include an overview of the company's philosophy about AIDS, a discussion of how the disease is and is not contracted, a review of health benefits available to employees, an update on the latest information about AIDS and a question and answer session.

If you are interested in obtaining a copy of the materials used in our education program, please see the enclosed brochure from the San Francisco AIDS Foundation.

Guest lecturers including an epidemiologist, local AIDS Foundation personnel and a department head of a local medical center have visited the company's headquarters and have spoken to employees about AIDS as part of the continuing overall health education program. Some of the presentations were either video or audio taped and are available to employees through the company's health library.

Pamphlets, company newsletters with articles on AIDS and fact sheets are available to employees through the Employee Assistance Program (EAP) reference library. Samples of the Health & Fitness newsletter are included in this package.

Support Programs:

Individual, family or group counseling is available for employees, co-workers and families through EAP or can be arranged through outside agencies.

EAP staff has compiled a comprehensive list of agencies that assist people with AIDS and provides this information confidentially to any employee requesting it.

Support Programs (continued):

EAP staff does department consultations for employees who work with someone with AIDS. Topics discussed in these sessions include: grief, contracting the disease and visitations.

Employee Participation:

San Francisco-based employee volunteer groups or Community Involvement Teams (CITs) have actively been involved with the AIDS issue.

In San Francisco, the CITs designated the SF AIDS Foundation one of the beneficiaries of money raised at a "Fun Run." Also, employees have held flea markets, bake sales and food drives have been money raisers for local AIDS groups.

Employee's gifts to non-profit, non-United Way agencies are eligible for a matching gift from the LS Foundation. Employees have been making donations to groups/organizations dealing with AIDS issues since 1982.

AIDS Task Force:

In 1985, an employee task force was formed to support a broad base of activities around education and other AIDS issues. The group--which meets monthly--is made up of employees from various divisions and departments throughout the company such as personnel, communications, community affairs, operations and office services.

The objectives of the employee-based task force include: developing a comprehensive Levi Strauss & Co. employee education program; raising AIDS-related issues and proposing suggestions for action; providing assistance to other employers or organizations seeking guidance in developing their own AIDS programs and obtaining support for AIDS organizations.

PAGE 4/LS&CO. AIDS INFO

Financial Support:

The company made a \$30,000 donation to the SF AIDS Foundation in 1985 for the development of the "AIDS In the Workplace" materials.

These materials were presented at a conference hosted by Levi Strauss & Co. in 1986. See attachments on the Business Leadership Task Force conference for further details.

The Levi Strauss Foundation and Levi Strauss & Co. have donated or matched gifts totalling more than \$85,000 in recent years (including the \$30,000 gift previously mentioned).

A partial list of grantees include:

San Francisco AIDS Foundation \$51,000
Shanti Project \$14,500
Home Care Hospice \$10,000
Matching Gifts \$12,609



QUALITY NEVER GOES OUT OF STYLE

October 8, 1986

[REDACTED]
[REDACTED]
San Francisco, CA 94106

Dear Mr. [REDACTED]:

I am writing to ask you to join me in working to defeat Proposition 64, the AIDS initiative, on the November ballot in California.

Proposition 64, if passed, would have a particularly serious impact on major employers such as our companies. The initiative could force many companies to conduct expensive and disruptive blood testing of their employees for AIDS, many of whom would then lose their jobs.

Economists predict that Prop 64 could cost billions of dollars annually in lost wages and economic output, as well as increased unemployment and medical costs.

Not only is this proposition unaffordable, but it is unnecessary and counterproductive to the control of AIDS. The California Medical Association and public health officials believe Prop 64 will worsen the epidemic by curtailing life-saving research and education.

Prop 64 is also opposed by leaders in government and businesses, including Governor Deukmejian, Senators Wilson and Cranston, and the California Manufacturers Association. In the past year, Levi Strauss & Co. and a number of other companies have led the way in educating our management and employees about AIDS issues in the workplace. Now we have also made a financial commitment to defeating this initiative.

I ask you to join us in this vital effort.

The campaign against Prop 64 is broadly-based and well-organized. But it needs our financial support to wage an effective media effort in the decisive closing days of the campaign.

I hope you will use the enclosed envelope to contribute generously.

Sincerely,

Robert D. Haas

3. Guidelines of the San Francisco Chamber of Commerce

Inspired by the example set by the San Francisco Bay Area large corporations, the San Francisco Chamber of Commerce (roughly comparable to the German "Industrie- und Handelskammer") published its own guidelines on the subject of AIDS in the workplace.

In practical terms, this decision may be even more significant than those already made by the large corporations because most members of the Chamber of Commerce are medium-sized or small businesses. They may not have arrived at their sensible AIDS policies at all if the most important industry giants had not shown them the way. It is very important and highly instructive to study this development as it may have to be repeated in other states and other countries if the same result is to be achieved.

The following pages reprint the guidelines in the same form in which they are distributed among the member businesses and other Chambers of Commerce across the country.

**AIDS IN THE WORKPLACE:
SUGGESTED GUIDELINES FOR THE BUSINESS COMMUNITY**

Epidemics of disease present enormous dilemmas to our society, straining our human, financial and health resources. Like smallpox, cancer and polio before it, Acquired Immune Deficiency Syndrome (AIDS) and its related conditions are approaching pandemic proportions.

The impact of AIDS is and will continue to be devastating. According to the Surgeon General of the United States:

By the end of 1991, an estimated 270,000 cases of AIDS will have occurred with 179,000 deaths within the decade since the disease was first recognized. In the year 1991, an estimated 145,000 patients with AIDS will need health and supportive services at a total cost between \$8 billion and \$16 billion. However, AIDS is preventable. It is the responsibility of every citizen to be informed about AIDS and to exercise the appropriate prevention measures.

If we are to overcome the obstacles presented by AIDS and its related conditions, it is imperative that we respond immediately as a unified society. A comprehensive and effective approach toward combatting the epidemic only can be realized through a national effort with the full support, understanding and informed decision-making of the business community.

Any sensible and humane response to the epidemic must be based on accurate information, not irrational fear and discrimination. There is an alarming tendency to label people as belonging to AIDS "risk groups." This is not only misleading, it is dangerous. AIDS is not confined to any single community. It is not caused by life-style or sexual orientation. It is caused by a virus--a virus that can be transmitted to anyone who engages in high risk activity. Fortunately, by modifying these high risk behaviors, we can stop virus transmission. Unlike many other life threatening illnesses, AIDS can be prevented.

We are fighting a disease, not people. The business community in America can and must play a major role in creating policies and disseminating accurate information about AIDS and its related conditions.

Any employee with a life threatening and/or catastrophic illness such as AIDS, cancer or multiple sclerosis should be treated in conjunction with the principles outlined below. It is our desire that every business in America adopt and/or incorporate these principles into personnel policies and adhere to the content and spirit of the principles.

1. Employees with any life threatening illness should be offered the right to continue working so long as they are able to continue to perform their job satisfactorily and so long as the best available medical evidence indicates that their continual employment does not present a health or safety threat to themselves or others.

2. Employers and co-workers should treat all medical information obtained from employees with strict confidentiality. In the case of an employee with a life threatening illness, confidentiality of employee medical records in accordance with existing legal, medical, ethical and management practices should be maintained.
3. Employees who are affected by any life threatening illness should be treated with compassion and understanding in their personal crisis. Reasonable efforts should be made to accommodate seriously ill patients by providing flexible work areas, hours and assignments whenever possible or appropriate.
4. Employees should be asked to be sensitive to the needs of critically ill colleagues, and to recognize that continual employment for an employee with a life threatening illness is often life sustaining and can be both physically and mentally beneficial.
5. In regard to the life threatening disease of AIDS and its related conditions, a person carrying the AIDS virus is not a threat to co-workers since AIDS is not spread by common everyday contact. For this reason, the AIDS antibody and/or AIDS virus status of an employee is not relevant information in regard to the health and safety of his/her co-workers. Therefore, the AIDS antibody test and/or AIDS virus test should not be used as a prerequisite for employment or a condition for continued employment. Knowledge or presumed knowledge of AIDS antibody and/or AIDS virus status should not be used to discriminate against an employee for any reason.
6. Given the irrational fear that AIDS, cancer and other life threatening diseases often inspire, the most effective way to avoid unnecessary disruptions in the workplace is to prepare and educate both management and employees before any employee is affected by a life threatening disease. To this end, employers should implement educational programs based on the best available medical knowledge to understand the disease; what services are locally available to help employees with any medical, psychological or financial hardships caused by the disease; and what policies the company has in place to cover employees with a life threatening illness.

JUNE 1987

4. The Video "An Epidemic of Fear"

Most of the printed material used in San Francisco's model program for AIDS education in the workplace have been translated into German and are available in Haeberle, Bedürftig eds. "AIDS - Beratung, Betreuung, Vorbeugung: Anleitungen für die Praxis", Berlin: de Gruyter 1987, pp. 235-271.

However, there is one other crucial element in the program which still needs a German equivalent: the video "An Epidemic of Fear - AIDS in the Workplace." This video is used at the beginning of each education program in conjunction with the printed material. It was produced by the corporate television department of Pacific Bell, one of the large companies involved in the pioneering San Francisco education programs.

In order to "round out the package" and to provide a complete set of materials for similar German education programs, it will be necessary to produce a German equivalent of this video. The following pages offer:

1. A description of the American video.
2. A sketch for a German equivalent.

Prof. Dr. Dr. Erwin J. Haeberle
San Francisco, CA

Kurzbeschreibung von

AN EPIDEMIC OF FEAR - AIDS IN THE WORKPLACE

Video, ca. 23 Min.

Produziert von Pacific Bell in Verbindung mit
Business Leadership Task Force of the Bay Area und der
San Francisco AIDS Foundation

Das Video artikuliert und widerlegt allgemeine Ängste vor HIV-Infektion am Arbeitsplatz.

Zu diesem Zweck enthält das Video zahlreiche Interviews mit Mitgliedern dreier Gruppen: 1. Gewöhnliche Betriebsangehörige und 'Leute von der Strasse', 2. Infizierte und Kranke Arbeitnehmer, 3. Medizinische und andere Sachverständige.

Die Interviews folgen einer gewissen Sequenz, sind aber durch häufiges 'intercutting' aufgelockert, d.h. in kurze Segmente zerlegt und quasi mosaikartig neu zusammengesetzt, so dass erhebliche Abwechslung entsteht. Logisch läuft die Sequenz auf eine Beruhigung der Ängste hinaus. Grob zusammengefasst, sprechen zuerst 'gewöhnliche' Bürger ihre Befürchtungen aus, dann folgen drei Beispiele von infizierten und Kranken "Betroffenen", dann die aufklärenden und beruhigenden Stellungnahmen der Fachleute. Die Gesamtwirkung des Video liegt aber zum grossen Teil auch darin, dass diese Elemente nicht einfach 'hintereinander weg', sondern durch häufige Schnitte 'überlappend' dargestellt werden. Dadurch ergibt sich ein lebhaftes Tempo, das den Zuschauer fesselt.

Die Sachverständigen sind aus San Francisco, zumeist von der medizinischen Fakultät der Universität. Sie sind in der Stadt wohlbekannt und glaubwürdig.

Entscheidend ist die Auswahl der 'Betroffenen': 1. Ein zu Unrecht entlassener, symptomfreier Infizierter, der gegen seine Entlassung geklagt und in erster Instanz gewonnen hat, 2. ein AIDS-Kranker, der von seiner Firma (Levi-Strauss) und seinen Arbeitskollegen voll unter-

stützt wird, und 3. ein Bankangestellter AIDS-Kranker, der ebenfalls von seiner Bank voll unterstützt wird, wo er, so gut er kann, weiterarbeitet (BankAmerika).

Das Video enthält ausserdem Bilder von gewissen beruflichen Tätigkeiten (besonders Speisezubereitung) und Originalmusik.

Das Video ist gedacht als Einstieg in die Diskussion innerhalb von Betrieben, die das Gesamtprogramm "AIDS-Aufklärung in Betrieb" durchführen wollen.

Dies Programm ist in deutscher Sprache zugänglich in
Haeberle, Bedürftig: AIDS - Beratung, Betreuung, Vorbeugung: Anleitungen für die Praxis, Berlin 1987, S. 235-271.

Vorschlag für deutsche Version von "An Epidemic of Fear"

von

Prof. Dr. Dr. Erwin J. Haeberle
1100 Gough St. # 7-C
San Francisco, CA 94109

[KEINE] ANGST VOR AIDS AM ARBEITSPLATZ

Video, ca. 25 Min.

Kurzbeschreibung:

Das Video artikuliert und widerlegt die Ängste vor HIV-Infektion am Arbeitsplatz. Es zeigt in abwechselnder, themenzentrierter Folge (mit gewissen Wiederholungen, d.h. 'intercutting') Interviews mit verschiedenen "Betroffenen":

1. Gewöhnlichen Betriebsangehörigen und Strassenpassanten.
2. HIV-Infizierten bzw. AIDS-Kranken
 - a.) die deswegen Probleme mit Arbeitgebern und Kollegen hatten
 - b.) die mit Wissen und Unterstützung ihrer Betriebe weiterarbeiten.
3. Arbeitgebern
4. Medizinischen und andere Sachverständigen.
5. (Familienangehörigen der Arbeitnehmer).

Detaillierter Aufbau :

Das Video folgt generell der hier skizzierten Sequenz, nutzt aber häufige Rück- und Vorgriffe, so dass verschiedene Interviewpartner wiederholt in verschiedenen Kontexten erscheinen.

1. Allgemeine Befürchtungen und persönliche Einstellungen zu test-positiven oder AIDS-kranken Arbeitskollegen.

Frage: Hätten Sie Angst, mit einem AIDS-kranken Kollegen zusammenzuarbeiten? Hätten Sie auch Angst, wenn er nicht krank, sondern bloss infiziert ist? Wenn ja, warum? Wenn nein, warum nicht?

Interviews mit Betriebsangehörigen und Strassenpassanten.

2. Erfahrungen von infizierten und erkrankten Arbeitnehmern.

Frage: Hatten Sie wegen Ihrer Krankheit (Infektion) Probleme am Arbeitsplatz? Welche? Halten Sie die Reaktionen für gerechtfertigt? Wenn Sie keine Probleme hatten, worauf führen Sie dies zurück?

Interviews mit entsprechenden Arbeitnehmern. Es sollten mindestens 3 Fälle vorgestellt werden, die das Spektrum der Reaktionen deutlich machen - von der (versuchten oder erfolgten) Ausgrenzung bis zur reibungslosen Akzeptanz.

Möglicherweise zusätzlich Interviews mit den Familienangehörigen.

3. Einstellung der Arbeitgeber.

Frage: Wie werden Sie reagieren, wenn einer oder mehrere Ihrer Mitarbeitern an AIDS erkranken? Wenn Sie erfahren, dass sie ein positives Testergebnis haben? Bitte, begründen Sie Ihre Reaktion!

Interviews mit Arbeitgebern, die keine Ausgrenzungsversuche machen werden. Es sollten mindestens 3 Arbeitgeber interviewt werden, davon ein Dienstherr aus dem öffentlichen Dienst.

4. Meinung der Sachverständigen.

Frage: Muss man am Arbeitsplatz vor HIV-infizierten oder AIDS-kranken Kollegen Angst haben? Warum nicht? Was sind denn genau die Ansteckungswege? Gibt es irgendeinen Beruf, in dessen Ausübung man sich anstecken kann? Wie? Ist es falsch, HIV-Infizierte und AIDS-Kranke aus der Arbeitswelt auszugliedern? Warum?

Interviews mit verschiedenen Sachverständigen, etwa:

Meinrad Koch (BGA)

Reinhard Kurth

Hans-Dieter Pohle

E.J. Haerberle (berichtet über amerikanische Programme)

Elisabeth Pott

Peter Gauweiler (hat nach eigener Aussage Infizierte eingestellt)

Richter im Prozess des infizierten Arbeitnehmers, der sich erfolgreich an seinen Arbeitsplatz zurückgeklagt hat.

Friedrich Deinhardt

Tendenz :

Das Video muss alle wichtigen Ängste wegen AIDS, die in der Bevölkerung vorhanden sind, artikulieren und dann entkräften. Die Entkräftung geschieht auf zweierlei Weise:

1. Es werden reale Menschen (und deren Angehörige) vorgestellt, die von den ungerechtfertigten Ausgrenzungsmassnahmen betroffen wären bzw. sind, und es werden andere reale Menschen vorgestellt, die trotz Infektion oder Krankheit erfolgreich weiterarbeiten.
2. Verschiedene Sachverständige erklären genau, warum man sich am Arbeitsplatz nicht anstecken kann und warum eine Ausgrenzung von Infizierten und Kranken sowohl unsinning und unmenschlich als auch volkswirtschaftlich untragbar ist.

Produktion :

Erforderlich ist ein Videoteam, das an verschiedenen Orten in der BRD drehen muss.

Ein sachkundiger Produzent (Regisseur bzw. Experte) muss in allen Phasen die Dreharbeiten überwachen und dann den Zusammenschnitt besorgen.

Es muss Musik zur Unterlegung besorgt bzw. neu aufgenommen werden.

Es müssen zur Illustration verschiedene berufliche Tätigkeiten, wie etwa Speisezubereitung, Servieren, Haarschneiden, Maniküre, Sportunterricht, Zahnbehandlung, Bus- und Taxifahren usw. gefilmt werden.

V. A SAMPLER OF PROMOTIONAL MATERIALS

In the meantime, various private nonprofit and profit oriented companies have developed their own programs for AIDS education in the workplace. These programs are vigorously promoted and find increasing acceptance in the business world. Typical is the example of the Institute for Disease Prevention in the Workplace which uses recognized experts in the field to hold workshops in various cities. These workshops are fairly well attended and thus confirm a woeful lack of programs on the part of public health authorities.

In principle, there is nothing objectionable in this kind of program, even if profit-oriented. The only potential problem might be a failure on the part of the promoters to update the scientific information on which their programs are based. Furthermore, there remains a question of monitoring the content and efficiency of privately offered workshops. For example, the attached workbook "Managing AIDS in the Workplace" which was developed by the Institute under discussion contains some outdated and misleading statements. These concern only minor matters and do not invalidate the program as such. However, they illustrate the necessity for some constant cooperation between private industry and public health experts.

On the other hand, this and other privately developed education programs often excel in their design and more easily incorporate innovative and unconventional pedagogical features. From this point of view, the attached manual is highly instructive and deserves close scrutiny. (See Managing AIDS in the Workplace under Supporting Material, p. 3)

Published March 1986

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**This pamphlet was produced by
The San Francisco AIDS Foundation
with funding generously provided by**

**Levi Strauss & Co.
Pacific Telesis Foundation
Mervyn's
BankAmerica Foundation
Wells Fargo Foundation
AT&T
Chevron Corporation**



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Foundation

MERVYN'S

 Bank America
Foundation

 WELLS FARGO
Foundation



 Chevron Corporation

Third Printing August 1986

AIDS



in the workplace


**a guide
for
employees**

THE COMPLETE AIDS IN THE WORKPLACE PACKAGE

A 23-minute educational videotape entitled "An Epidemic Of Fear: AIDS In The Workplace," produced by the Corporate Television Department of Pacific Bell. It was prepared with the technical assistance of the University of California Medical Center, San Francisco General Hospital and the San Francisco AIDS Foundation.

Ten copies of the brochure entitled, "AIDS IN THE WORKPLACE: A Guide For Employees," prepared by The San Francisco AIDS Foundation.

A resource manual and appendix for corporate policy makers, medical departments, human resource and personnel departments, benefits managers, and others, entitled, "AIDS In The Workplace," produced by the Business Leadership Task Force and member companies. The manual suggests strategies for developing policies and procedures regarding AIDS in the workplace.

"AIDS EDUCATION IN THE WORKPLACE: A Guide For Managers," a loose-leaf manual which will assist you in educating your organization about AIDS in the workplace. The information in this manual is applicable to the full range of typical business or governmental workplace settings, except, perhaps, for certain functions within hospitals or law enforcement agencies where highly atypical risks might sometimes be found.

The following sample brochures:

5 copies, "AIDS Lifeline", (specify languages.)

5 copies, "When a Friend Has AIDS."

5 copies, "Antibody Testing at Alternative Test Sites." (Recommended for California use only.)

HOW TO MANAGE AIDS IN YOUR WORKPLACE

Train the Trainer One Day Workshops

New York, NY, September 18


Albany, NY, October 8

Washington, DC, October 28

Chicago, IL, November 10

New York, NY, December 7

These full-day workshops train you to manage employee fears, and to be updated on medical facts and legal issues. They are led by a highly respected team of experts—a physician; a labor law attorney; an organizational psychologist; medical sociologist; and a psychiatric social worker. Participants are given the nationally acclaimed “Managing AIDS in the Workplace” Executive Briefing and Training Manual, interactive educational training tools, sample policies and action plans, plus 7 hours of instruction.


INSTITUTE FOR
DISEASE
PREVENTION
IN THE
WORKPLACE

An Albany, New York based non-profit consulting company
dedicated to health and safety in the workplace.

HOW TO MANAGE **AIDS** IN YOUR WORKPLACE

Why it is important to attend this train-the- trainer workshop

Fear is more contagious than AIDS.

Employees and employers alike are worried about the one and one half million people who are currently estimated to be carrying the HIV virus. Employees with AIDS are unjustifiably shunned.

Myths and rumors abound. Instead of examining the facts, we look for scapegoats, someone or something to blame for our inability to find a quick cure.

This train-the-trainer workshop, "How to Manage AIDS in Your Workplace," confronts these critical issues. Trainers will be able to take the medical, legal and psychological information about the disease along with the training exercises, skills, sample action plans and policies to directly assist managers and employees.

Who this is for

Recognizing the magnitude of this problem, the Institute for Disease Prevention in the Workplace, an Albany, New York based occupational health consulting firm, has developed this presentation with the assistance of top national experts to serve the needs of:

- CEOs
- company presidents
- personnel managers
- human resource executives
- EAP specialists
- organizational trainers and educators
- Health care providers

Workshop Schedule

8-8:30 Registration, coffee, tea & danish	11:30-12:00 Noon Discussion on how to use this type of video
8:30-8:45 Introduction	12:00-1:15 Lunch: See list of neighborhood restaurants
8:45-9:00 Video: "Managing AIDS in the Workplace"	1:15-2:00 Legal presentation
9:00-10:00 Medical presentation	2:00-2:45 Exercise on legal and policy issues
10:00-10:15 Break	2:45-3:00 Break
10:15-10:45 Social psychology of fear surrounding AIDS	3:00-3:45 Exercise on developing organizational readiness
10:45-11:15 Values clarification	3:45-4:15 Expert panel discussion
11:15-11:30 Video: "Rage to Live"	4:15-4:30 Evaluation and adjournment

Special features of this train-the-trainer workshop

This workshop enables participants to learn how to manage the fear of AIDS in the workplace. Included in the registration price are:

- 1** Sample action plans and policies to help implement and refine educational training and policies about AIDS in your workplace.
- 2** Nationally acclaimed 100-page looseleaf Executive Briefing and Training Manual. As advertised in magazines and newspapers, this valuable publication has chapters on the medical facts, the economics of AIDS, education, testing & confidentiality, employee & public relations, current case law, CDC guidelines, case studies of corporate AIDS policies, and referral sources. Complementing human resource and health programs, the Manual gives concrete guidelines and practical trainer exercises.
- 3** 7 full hours of specialized instruction and training

- 4** A set of interactive educational exercises to use with your employees. These exercises cover demystifying AIDS, values clarification, medical and legal evaluation instruments, use of community resources, and organizational readiness to manage AIDS at work.
- 5** Lectures on medical facts, legal implications for employee relations, and the psychology of fear surrounding AIDS in the workplace
- 6** Participation in 3 exercises: one which shows you how to desensitize your employees to the fear of AIDS at work; a second which illustrates how current case law affects existing personnel policies; a third which helps you to develop and refine your employee relations policy to treat AIDS like other catastrophic illnesses
- 7** Viewing of two videos which will punctuate these exercises along with a panel question and answer period
- 8** Two evaluation instruments which will be administered for you to take back to monitor your employees' levels of understanding of medical facts and issues surrounding transmissibility

Registration Card

Institute for Disease Prevention in the Workplace
4 Madison Place Albany NY 12202
518-434-2381

Enclosed is our payment of \$275
for each participant.

Please register the following person(s) for this workshop:

Name(s) Please print

Agency

Title(s)

Phone No.

Street Address

City, State, Zip

Make check or money order
payable to:

Institute for Disease Prevention;

Send to:

4 Madison Place
Albany, NY 12202

or call for reservations:
518-434-2381

Please check city of choice:

- New York, NY
 Albany, NY
 Washington, DC
 Chicago, IL
 New York, NY

Workshop Dates & Locations

Date	City	Hotel
9/18/87	New York, NY	Southgate Towers 371 7th Avenue New York, NY 10001 212 563 1800
10/8/87	Albany, NY	Hilton Ten Eyck Plaza State & Lodge Albany, NY 12207 518 462 6611
10/28/87	Washington, DC	Grand Hyatt Washington 1000 H Street NW Washington, DC 20001 202 582 1234
11/10/87	Chicago, IL	Hilton Towers 720 South Michigan Avenue Chicago, IL 60605 312 922 4400
12/7/87	New York, NY	Roosevelt Hotel 45 East 45th Street New York, NY 10017 212 661 9600

Faculty

Elizabeth Cheever is a nationally recognized corporate communications consultant from Marblehead, Massachusetts who provides strategies to assist organizations in coping with and planning for growth, innovation and change. Ms. Cheever received graduate degrees in English, education, psychology and community organization from Boston College and Boston University. She is a frequent speaker at national conferences, universities and corporations.

Michael H. Grieco, M.D. is Attending Physician at St. Luke's Roosevelt Hospital Center and is Director of Infectious Diseases and Epidemiology. He is also a J.D. from Fordham University and is Professor of Clinical Medicine at Columbia University.

Alan A. Koral is with Vedder, Price, Kaufman, Kammholz and Day, a nationally known management labor law firm based in Chicago. He is the author of several books and numerous articles on employment discrimination law and is a well known speaker in this field. In 1985, Mr. Koral was appointed by Governor Cuomo to the NYS Human Rights Advisory Council.

Kathryn J. Platz, M.Ed., MSW, CSW is Deputy Director of the Institute for Disease Prevention in the Workplace and Director of the AIDS Training Program. She is a certified psychiatric social worker with over 10 years experience in hospital social work. Ms. Platz is a recognized speaker on alcoholism, drugs and stress management. She has counseled the terminally ill and their families in nursing homes and long-term health care facilities.

Neal Rzepkowski, M.D. is on the faculty of St. Clairs Hospital Family Practice Residency program and is Director of the Family Health Center at St. Clairs in Schenectady, NY. He is secretary for the AIDS Council of Northeastern New York.

Mark Senak is Director of Legal Services for the Gay Men's Health Crisis, Inc. of New York City and is an attorney in private practice in New York. Mr. Senak has appeared in more than 250 interviews for local and national TV, wire services and print media.

Joyce Wallace, M.D. is President of the Foundation for Research on Sexually Transmitted Diseases at St. Vincent's Hospital in New York City. She is Assistant Professor of Clinical Medicine at Mt. Sinai Hospital in New York City. As a researcher, Dr. Wallace has contributed to the first official report on Kaposi's Sarcoma as a new disease.

Alan A. Zox, Ph.D., is founder and Executive Director of the Institute for Disease Prevention in the Workplace and President of Workplace Health Communications Corporation. He received his doctorate from Rutgers University Graduate School of Sociology in Human Care Systems. Dr. Zox is a former college professor and Peace Corps volunteer in Colombia, S.A. He has written two books and a number of scholarly articles on health, education and the social sciences.

Cancellation Policy

Cancellations received less than 2 weeks prior to the conference date will be charged a 40% late fee.

Substitutions will be permitted.

“ I very much liked the overall presentation, its fast pace and legal issues. It will help educate management and EAP personnel to interact with ARC and AIDS clients. ”

Mary Ann
EAP Specialist
Eastern Airlines

“ This program looks at process and content. All presenters were knowledgeable and sensitive to these extremely emotionally laden issues ”

Tim Blevins, MSW
Psychotherapist
Family Service Association of
New London, CT

About the Institute

The Institute for Disease Prevention in the Workplace, an Albany, New York based occupational health consulting firm, creates individually designed disease prevention and health training programs for the public and private sectors. The Institute works in such areas as Hazard Communication, Right-to-Know, asbestos abatement, back injury prevention, stress management, drugs, alcohol, and AIDS education.

What seminar participants say about our program

“The range of information presented related to AIDS was very helpful for our company—especially the medical, legal and psychological aspects.”

*Lori Weinberg
Employee Relations
Resorts International
Casino Hotel*

“The overview of AIDS and the range of expertise of the speakers was excellent.”

*Ronald Bycroft
Executive Director
Friends of Cazenovia
An Alcoholic Rehabilitation Organization*

“The information I learned answered many questions and will guide us well in our approach in dealing with the AIDS problem.”

*John Gasko
Manager, Employee Relations
Atlantic Electric*

Institute for Disease Prevention
in the Workplace
4 Madison Place
Albany, NY 12202

Non-profit Organization
Bulk Rate
U.S. Postage
PAID
Albany, NY
Permit No. 556

**NEW WORKPLACE
TRAIN THE TRAINER
WORKSHOPS ON AIDS**

Erwin J. Haeberle
1100 Gough St.
No. 7-C
San Francisco CA 94109

Reroute if necessary:

- Director of Public Relations
- Vice President of Personnel
- Corporate Medical Department
- Director of EAP

VI. SUMMARY AND RECOMMENDATIONS

The various programs described and documented in the present report and in the supporting material which is being supplied under separate cover have been widely tested and largely proven successful in the United States.

They may, with only slight modification, also be usable in other countries of the Western industrialized world, especially in Europe. Their careful study is therefore recommended.

However, the programs are not only instructive in themselves but also in the history of their development. It is highly significant that the lead in the field of AIDS workplace education was taken by some large, in some cases multi-national, corporations. Their sophisticated management realized relatively soon that they had much to lose by a negative and confusing AIDS policy, while they had much to gain from the timely education of their work forces. It is very important to notice that the now adopted humane and economically sound policies were implemented from the top down, i.e. they were imposed on the corporation by its top executive officers. Once they had been convinced of the wisdom of preventive AIDS education in the workplace its implementation became easy and was highly efficient.

The AIDS policies of these big corporations, in turn, prompted smaller companies to follow their lead, and thus the principle of leadership "from the top down" was once again confirmed. Just as the top executives led their own companies in this field so did the top companies lead the smaller businesses.

There is a lesson here that may well profitably be applied in Europe. It seems necessary to convince at least a few prominent and powerful business leaders to recognize the true long-term interests of their companies and to initiate appropriate AIDS education programs. Indeed, it may be useful to approach European branches or subsidiaries of American multinational companies that already have successful programs of AIDS education in the workplace. Their American headquarters or mother companies may be able to speed up the process of implementation and thus set an example to European companies which still lack the necessary experience.

As the American experience has shown, there is no question that humane company policies with regard to AIDS are also the economically soundest policies, because they preserve an atmosphere of peace and cooperation in the workplace and avoid not only costly lawsuits but also wasteful confrontations with labor unions. Furthermore, they protect companies from negative publicity. Instead, they polish the company image and even become useful elements in public relation campaigns.

Finally, widespread AIDS education in the workplace can make an enormous difference in the attitude of the general public. Since most citizens are employed somewhere, either by government or private industry, they are bound to be touched by these programs sooner or later even if they would otherwise have shown no personal interest. Thus, AIDS education in the workplace becomes a major element in all governmental attempts to prevent public hysteria and to keep the citizenry (voters) informed.

In sum, German and other European businesses would probably be well advised to adopt the AIDS policies documented here as quickly as possible.

In particular, the author makes the following recommendations:

- Duplicate, in German, the San Francisco model package "AIDS Education in the Workplace".

The text is already available in German translation; only a German equivalent of the video needs to be made.

- This package should be used as a basis for discussion with German business and labor union leaders who should be persuaded to adopt AIDS education programs in the workplace as quickly as possible.
- In order for these discussion to be successful, it may be necessary to organize a special conference or series of conferences, preferably in a modified workshop format as applied at the San Francisco BLTF Conference. It seems quite clear that such conferences cannot succeed without a readily available complete educational package prepared in advance. In this case the translated San Francisco package would be available and could be used.
- It may be useful to approach American subsidiary companies first as long as their parent companies have AIDS education programs already in place. This may facilitate the speedy acceptance of such programs in Germany.
- It will be necessary to train special teams to conduct the necessary workshops within the various companies. The training could be either initiated or supervised by appropriate government agencies, for instance the Bundeszentrale für gesundheitliche Aufklärung. Such a team or group of teams would first have to be paid by the government, but eventually may be able to charge the companies involved for the education they receive. Thus, the teams would become self-supporting.

It is also worth exploring whether certain private educational companies might be supported with government funds while they are developing their own programs.

California State Department of Education
PRIVATE POSTSECONDARY EDUCATION DIVISION
721 Capitol Mall
Sacramento, CA 95814
(916) 445-3427

October 1984

1984 AMENDMENTS

"The Private Postsecondary Education Act"

CALIFORNIA EDUCATION CODE, Chapter 3, Part 59,
Division 10

Sections Amended 1984:

- 94304
- 94305
- 94310
- 94345
- 94350

1.

94304 (a) There is in the State Department of Education a Council for Private Postsecondary Educational Institutions consisting of 15 members, selected as follows:

(1) The superintendent or his or her designee shall be a member, and the superintendent shall appoint four members. Two shall be members of the general public, one with a strong interest in developing private postsecondary education, and one representative of business that employs persons in positions requiring vocational or technical education. Two shall be administrative heads of institutions, one representing a nonaccredited, degree granting school operating pursuant to subdivision (b) or (c) of Section 94310 and one representing a nonaccredited, non-degree granting school operating pursuant to subdivision (d) of Section 94311.

(2) The Senate Rules Committee shall appoint five members. Two shall be members of the general public, one with a knowledge of private vocational education, and one representative of a labor organization that

represents persons with vocational or technical training. Three shall be administrative heads of institutions, one representing a nonaccredited, degree granting school operating pursuant to subdivision (b) or (c) of Section 94310, one representing an accredited non-degree granting school operating pursuant to subdivision (c) of Section 94311, and one representing a nonaccredited, non-degree granting school operating pursuant to subdivision (d) of Section 94311.

(3) The Speaker of the Assembly shall appoint five members. Three shall be members of the general public with an interest in developing private postsecondary vocational and technical education. Two shall be administrative heads of institutions, one representing an accredited, non-degree granting school operating pursuant to subdivision (c) of Section 94311, and one representing a nonaccredited, non-degree granting school operating pursuant to subdivision (d) of Section 94311.

(4) In addition, the following shall serve as ex officio members of the council:

(A) The Director of Consumer Affairs, or his or her designee.

(B) The Director of Employment Development, or his or her designee.

(C) The Director of the California Postsecondary Education Commission, or his or her designee.

Ex officio members have no vote.

It is the intent of the Legislature that the council shall provide leadership and direction in the continuing development of private postsecondary education as an integral and effective element in the structure of postsecondary education in California. The work of the council shall at all times be directed toward maintaining and continuing, to the maximum degree permissible,

private control and autonomy in the administration of the private postsecondary schools and colleges in this state.

(5) Administrative heads of institutions appointed under paragraphs (2) and (3) may be selected from lists submitted by an association or associations of institutions governed under this chapter which has at least 30 members.

(6) Public members appointed under paragraphs (1), (2), and (3) shall not be retained or employed by any secondary or postsecondary educational institution or system when appointed or during their term of appointment.

(b) The first members shall be appointed on or before January 15, 1982, and the superintendent shall designate the date of the first meeting of the council.

The terms of office of the members of the council shall commence on January 15, 1982, and the members shall enter upon their terms of office by lot so that the terms of five members shall expire on January 15, 1983; the terms of five members shall expire on January 15, 1984; and the terms of five members shall expire on January 15, 1985.

The terms of the members of the council shall be four years. No appointee shall serve on the council for more than eight consecutive years.

Any member of the council who misses two consecutive regular meetings of the council without cause forfeits the office, thereby creating a vacancy.

At the first meeting of the council, and annually thereafter, the members shall select one of their number to serve as chairperson and one to serve as vice chairperson. The vice chairperson shall preside over all meetings of the council in the absence of the chairperson.

(c) Any vacancy on the council shall be filled in the same manner as provided for appointment of council

members in subdivision (a). The appointee to fill a vacancy shall hold office only for the balance of the unexpired term.

(d) Appointed members of the council shall receive no compensation but shall receive their actual expenses for attendance at official council meetings, and when on official council business approved by the Superintendent of Public Instruction, not to exceed State Board of Control expense allowances.

(e) The council shall determine the time and place of council meetings which shall not be fewer than six times in each calendar year.

(f) The council shall:

(1) Advise the superintendent on the establishment of policy for the administration of this chapter.

(2) Establish a process, in cooperation with the superintendent, for the development and promulgation of rules and regulations. The process developed should not be inconsistent with the provisions of this chapter and allow for the input of consumers and institutions.

(3) Adopt procedures necessary or appropriate for the conduct of its work and the implementation of this chapter consistent with rules and regulations.

(4) Review minimum criteria utilized by the superintendent in conformity with subdivisions (b), (c), and (d) of Section 94310 and subdivision (d) of Section 94311 and Section 94312, including quality of education, ethical and business practices, health and safety, and fiscal responsibility, which applicants for approval to operate, or for an agent's permit, shall meet before the approval or permit may be issued, and to continue the approval or permit in effect. Criteria to be developed hereunder shall be such as will effectuate the purposes of this chapter but will not unreasonably hinder legitimate education innovation.

(5) In cooperation with the superintendent, prepare and submit an annual report to the California Postsecondary Education Commission to be used by the commission for the review and inclusion in the annual update of the five-year plan for postsecondary education.

(6) Review appeals and complaints from educational institutions, agents, and consumers. Make recommendations to the superintendent regarding the disposition of these appeals and complaints.

(7) Represent private postsecondary educational institutions on the State Occupational Informational Coordinating Committee.

(8) Advise the superintendent regarding the appropriate action to be taken in the event that the visiting committee does not reach a unanimous recommendation on an institution's application for authorization pursuant to subdivisions (c) and (d) of Section 94310.

(g) All actions with the exception of those regarding the operating procedures of the council shall be adopted according to the affirmative vote of the majority of the council and shall be in writing.

■ 94305. It is the intent of the Legislature that the superintendent meet regularly with the council, and that the superintendent work cooperatively with the council in providing leadership and direction in the continuing development of private postsecondary education.

The superintendent shall do all of the following:

(a) Establish policy for the administration of this chapter in cooperation with the council.

6.

(b) Adopt regulations in cooperation with the council not inconsistent with this chapter governing the exercise of authority comprised by this article which shall be adopted in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) Prepare annually a proposed budget for the support of activities of the State Department of Education pursuant to this article. The proposed budget shall be presented to the council for its review and recommendations.

(d) Consult with the council prior to instituting any action to deny, suspend, or withdraw approval or authorization of courses or schools pursuant to this article.

(e) Meet with the council at least twice per year. Take into consideration the advice of the council on all matters where the council is authorized to communicate advice to the director.

(f) Impanel special committees of technically qualified persons to assist the superintendent and the council in the development of standards for education and educational institutions and the evaluation of any application or institution pursuant to this chapter. The special committees shall make such inspections and studies as may be necessary to enable them to advise the council and the superintendent in regard to action to be taken in any particular situation. Members of these special committees shall not be connected in any way with a school which is the subject of inspection or investigation. The members of the special committees shall serve at no expense to the state. The actual travel expenses incurred by each member of a special committee shall be reimbursed by the institution which is the subject of inspection or investigation.

7.

(g) Publish annually for public distribution a directory of all institutions approved or authorized to operate in this state under provisions of this chapter. The directory shall contain as a minimum, the names and addresses of these institutions, together with a notation of the statute section or sections under which the institution has been authorized or approved.

(h) Negotiate and enter into interstate reciprocity agreements with similar agencies in other states if, in the judgment of the superintendent, such agreements are, or will be, helpful in effectuating the purposes of this chapter. However, nothing contained in any such reciprocity agreement shall be construed as limiting the superintendent's powers, duties, and responsibilities with respect to investigating or acting upon any application for issuance or renewal of any agent's permit or with respect to the enforcement of any provision of this chapter or any rule or regulation promulgated under this chapter. The agreements shall not include institutions authorized to operate under subdivision (b) of Section 94311 nor be in conflict with agreements arranged by the state licensing boards authorized to negotiate the agreements through provisions of the Business and Professions Code.

(i) Receive, investigate, as he or she may deem necessary, and act upon applications for authorization or approval to operate educational institutions and applications for agent's permits.

(j) It is the intent of the Legislature that the superintendent develop, with the cooperation of the council, a program or procedure requiring institutions subject to the provisions of this section to provide evidence assuring the due and faithful performance of agreements or contracts with students and the refund of unearned tuition in the event the school ceases to exist or provide instruction.

(k) Request the Attorney General to bring actions pursuant to paragraph (2) of subdivision (a) of Section 94339 which the superintendent deems are necessary to enforce the provisions of this chapter.

■
94310. No institution may issue, confer, or award an academic or honorary degree unless the institution meets the requirements of at least one of the four subdivisions of this section.

●(A) The institution, which at the time of the issuance of a degree, has accreditation of the institution, program, or specific course of study upon which the degree is based by a national accrediting agency recognized by the United States Department of Education, the Western Association of Schools and Colleges, or by the Committee of Bar Examiners for the State of California. The institution shall file with the superintendent an annual affidavit by the administrative head of the institution stating that the institution is so accredited. Institutions authorized to operate under this subdivision may issue diplomas and certificates as well as degrees.

●(B) The institution, which at the time of the issuance of a degree, has full institutional approval by the superintendent to award or issue specific professional, technological, or education degrees.

(1) The superintendent shall not approve an institution to issue degrees until he or she has conducted a qualitative review and assessment of, and has approved, each program offered by the institution, and the superintendent has determined, based upon information submitted to him or her, all of the following:

(A) The institution has facilities, financial resources, administrative capabilities, faculty, and other necessary educational expertise and resources to afford students, and require of students, the completion of a program of education which will prepare them for the attainment of a professional, technological, or educational objective, including, but not limited to, a degree.

(B) The curriculum is consistent in quality with curricula offered by appropriate established accredited institutions which are recognized by the United States Department of Education or the Committee of Bar Examiners for the State of California and issue the appropriate degree upon the satisfactory completion of specific qualitative academic programs.

(C) The course for which the degree is granted achieves its professed or claimed academic objective for higher education, with verifiable evidence of academic achievement comparable to that required of graduates of other recognized schools accredited by an appropriate accrediting commission recognized by the United States Department of Education or the Committee of Bar Examiners for the State of California.

The criteria developed for conducting the review and assessment shall effectuate the purposes of this chapter, but shall not unreasonably hinder legitimate educational innovation.

(2) The superintendent shall conduct the qualitative review and assessment of the institution and all programs offered through a comprehensive onsite review process, performed by a qualified visiting committee impaneled

by the superintendent for that purpose. The visiting committee, which shall be impaneled by the superintendent within 90 days of the date of receipt of a completed application, shall be composed of educators from both accredited and state approved institutions. Within 90 days of the receipt of the visiting committee's report and recommendations, the superintendent shall take one of the following actions:

(A) Grant full institutional approval for a period not to exceed three years.

(B) Grant candidate for institutional approval status for a period not to exceed two years plus the remainder of the calendar year in which the application was made. Candidate status may be renewed only one time, at the discretion of the superintendent.

(C) Disapprove the application.

If the application is disapproved, or candidate for institutional approval status is granted, the institution shall be advised of the specific reasons for the action and the specific corrective measures needed to achieve full institutional approval. An institution may not advertise itself as an approved or fully approved institution unless each degree program offered by the institution has been approved in accordance with the requirements of this section.

(3) (A) The superintendent shall grant full institutional approval status for three years to all institutions operating pursuant to subdivision (b) of Section 94310 on June 30, 1984, as it read on that date and which have received full approval of all courses offered.

(B) The superintendent shall grant candidate for institutional approval status for a period not to exceed two years to all institutions operating on June 30, 1984, pursuant to both subdivisions (b) and (c) of Section 94310 as it read on that date. The superintendent shall specify

a date, prior to June 30, 1986, by which all institutions operating pursuant to this subparagraph shall file a completed application for either full institutional approval pursuant to this subdivision, or authorization to operate pursuant to subdivision (c).

(4) The superintendent may authorize any institution approved to issue degrees pursuant to this subdivision to issue diplomas for the completion of courses of study which do not fully meet the degree requirements, but are within the institution's approved degree program.

The superintendent may approve an application to issue honorary degrees if the applicant institution has received full institutional approval to issue academic degrees.

• (c) The institution has demonstrated that it is in compliance with formal standards recommended by the Council for Private Postsecondary Educational Institutions and adopted by the superintendent, which shall include, but not be limited to, the standards developed by the special committee pursuant to Section 94304.5.

(1) The institution shall demonstrate compliance with the standards through a comprehensive onsite review process conducted by a three-member visiting committee impaneled by the superintendent for that purpose pursuant to paragraph (2). The process shall review all of the following:

- (A) Institutional objectives.
- (B) Administrative methods.
- (C) Curriculum.
- (D) Instruction.
- (E) Faculty, including their qualifications.
- (F) Physical facilities.
- (G) Administrative personnel.

- (H) Procedures for keeping educational records.
 - (I) Tuition, fee, and refund schedules.
 - (J) Admissions standards.
 - (K) Scholastic regulations and graduation requirements.
 - (L) Degrees offered.
 - (M) Financial stability, including that the capital assets of the institution are sufficient for the type, level, and number of degree programs offered and that the current assets of the institution are sufficient to serve the number of students then currently enrolled and to meet any tuition or fee refunds which may reasonably be expected under the institution's refund policy.
- (2) Within 90 days of the date of receipt of a completed application, the superintendent shall impanel a visiting committee for the purpose of reviewing the applicant institution. The visiting committee shall be composed as follows:
- (A) One member appointed by the director of the California Postsecondary Education Commission.
 - (B) One member appointed by the superintendent from a list of three names submitted by the Council for Private Postsecondary Educational Institutions.
 - (C) One member appointed by the superintendent from his or her staff, who shall serve as chairperson of the visiting committee.
 - (D) Additional members may be appointed by the superintendent if the superintendent determines that their technical expertise is necessary to review the applicant institution. These members shall be nonvoting members.
- (3) The visiting committee's responsibilities shall include all of the following:
- (A) To verify the accuracy of the information submitted by the applicant institution.

(B) To determine whether the applicant institution complies with the standards required by statute and regulation.

(C) To provide the applicant institution with a preliminary report of its findings, including its recommendation regarding the grant of the requested authorization, no later than 30 days following completion of the onsite review. The applicant institution shall provide the visiting committee with any additional information the visiting committee may request within 30 days after receipt of the preliminary report.

(D) To review the applicant institution's response to the preliminary report, and no later than 30 days following receipt of the response, submit a final report to the superintendent. The final report shall include the visiting committee's recommendation for the grant of authorization or for the denial of that authorization.

(4) If the visiting committee's recommendation regarding authorization is not unanimous, the superintendent shall refer the final report to the council or to an appropriate appeals committee of the council for its advice pursuant to paragraph (8) of subdivision (f) of Section 94304.

(5) Within 90 days of the receipt of a unanimous visiting committee's report or the advice of the council, as appropriate, the superintendent shall take one of the following alternative actions:

(A) Grant the applicant institution full authorization for a period not to exceed five years. Authorization pursuant to this subparagraph shall continue to be valid upon payment of the annual renewal fee specified in Section 94331.

(B) Disapprove the application.
The superintendent shall advise the applicant institution of the specific reasons for action taken

pursuant to subparagraph (B) and of the specific corrective measures needed to obtain authorization. If those corrective measures have been taken, authorization may then be granted for an initial period not to exceed one year, and for periods of five years upon each subsequent renewal, subject to the payment of the annual renewal fee specified in Section 94331.

(6) Not later than 90 days prior to the expiration of an authorization to operate, an institution shall file a completed application for reauthorization pursuant to subdivision (c) with the superintendent. The reauthorization process for all institutions shall include a full review by a visiting committee.

(7) All institutions operating pursuant to authorization received under this subdivision in effect on June 30, 1984, shall receive conditional authorization for a period not to exceed three years. On a specified date prior to June 30, 1987, determined by the superintendent, each institution granted conditional authorization pursuant to this paragraph shall file a completed application for reauthorization pursuant to subdivision (c).

(8) Authorization received pursuant to this subdivision shall not be interpreted to endorse, and it is unlawful for, any institution to represent by any means that the State of California, the Superintendent of Public Instruction, State Board of Education, or the State Department of Education has made any accreditation or endorsement of the course of study or degree.

(9) If at any time the superintendent determines that an authorized institution has significantly deviated from the standards for authorization, but not to an extent which would warrant the withdrawal of the institution's authorization, the superintendent may place the institution on probation for a specific period of time. During the period of probation, the institution shall be

subject to special scrutiny by the superintendent. That scrutiny may include required submission of periodic reports, as prescribed by the superintendent, and special visits by authorized representatives of the superintendent. If at the end of the specified probation period, the institution has not taken steps to eliminate the cause for its probation which the superintendent finds satisfactory, the superintendent may withdraw the institution's authorization to award degrees. An institution placed on probation pursuant to this paragraph may appeal the superintendent's action to the council. The appeal shall be filed no later than 30 days following the superintendent's initial action pursuant to this paragraph.

• (D) The institution is structured by schools of theology, and awards degrees primarily in theology and other areas of religious study, and it has filed all of the following affidavits with the superintendent:

(1) An annual affidavit of "full disclosure" describing the institutional objectives and proposed methods of achieving them, the curriculum, instruction, faculty with qualifications, physical facilities, administrative personnel, educational recordkeeping procedures, tuition and fee schedule, tuition refund schedule, scholastic regulations, degrees to be conferred, graduation requirements, and financial stability as evidenced by a certified financial statement for the preceding year.

(2) An affidavit by the president or other head stating that the institution owns, and shall continue to own, net assets in the amount of fifty thousand dollars (\$50,000) which is used solely for the purpose of education as stated in paragraph (1), located within this state, and stating

that these assets provide sufficient resources to achieve the educational objectives of the institution. These assets shall include such real property as buildings and facilities, library materials, and instructional materials, but shall not include other personal property not used directly and exclusively by the institution for the purpose of education. The affidavit shall be accompanied by a statement from a public accountant showing the value of the interest of the institution therein to be at least fifty thousand dollars (\$50,000) above the unpaid balance on any note secured by a mortgage, deed of trust, or the unpaid balance on a contract of sale.

(3) An annual affidavit by the president or other head setting forth, as a minimum, all of the following information:

(A) All names, whether real or fictitious, of the person, institution, firm, association, partnership, or corporation under which it has done or is doing business.

(B) The address, including city and street, of every place of doing business of the person, firm, association, partnership, or corporation, within this state.

(C) The address, including city and street, of the location of the records of the person, firm, association, partnership, or corporation, and the name and address, including city and street, of the custodian of those records.

(D) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership, or corporation.

(E) That the records required by subdivision (k) of Section 94312 are maintained at the address stated, and are true and accurate.

Any change in the items of information required to be included in this affidavit shall be reported to the superintendent within 20 days of the change.

Within 90 days of the receipt of the affidavits described in paragraphs (1), (2), and (3), and prior to granting the initial authorization to operate, the superintendent shall verify the truthfulness and accuracy of the affidavits by impaneling a three-member team comprised of one representative which he or she shall select, one representative of the California Postsecondary Education Commission, and one representative selected by, but not affiliated with, the institution to be inspected. Within 30 days of the receipt of the report from the three-member team, the superintendent shall grant or deny authorization to operate. Authorization to operate may be denied only if the affidavits are inaccurate. Authorization to operate may be granted for one year initially and for periods of three years upon each subsequent renewal, subject to payment of an annual fee pursuant to Section 94331. For all affidavits beyond the initial application, the superintendent may take any steps necessary to verify the truthfulness and accuracy of the affidavits. Filing pursuant to this subdivision shall not be interpreted to mean, and it shall be unlawful for, any institution to expressly or impliedly represent by any means whatsoever, that the State of California, the Superintendent of Public Instruction, the State Board of Education, or the State Department of Education has made any evaluation, recognition, accreditation, approval, or endorsement of the course of study or degree.

94345. Prior to September 1, 1989, the California Postsecondary Education Commission shall review and evaluate all of the following, and shall report to the Legislature on the results of this review and evaluation:

(a) The implementation of this chapter by the State Department of Education.

(b) *The effectiveness of subdivisions (b), (c), and (d) of Section 94310 in protecting the integrity of degrees and diplomas issued by private postsecondary educational institutions.*

94350. This chapter shall become inoperative on June 30, 1991, and, as of January 1, 1992, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 1992, deletes or extends the dates on which it becomes inoperative and is repealed.