



For Endorsement and Forwarding

PUBLIC

CLOSED SESSION

TO:	Executive Committee
SPONSOR: CONTACT INFO:	Kelly Hannah-Moffatt, Vice-President, People Strategy, Equity and Culture Trevor Young, Vice-President & Provost vp.psec@utoronto.ca / provost@utoronto.ca
PRESENTER: CONTACT INFO:	As above
DATE:	November 26 for December 3, 2024
AGENDA ITEM:	3

ITEM IDENTIFICATION:

Revocation of the *Policy with Respect to AIDS for the University of Toronto* (1989)

JURISDICTIONAL INFORMATION:

As per Section 28(d) of By-law Number 2, the Executive Committee has authority to "deal with any matter that is within the responsibility of the Governing Council." The deletion of this policy, which predates the current delegation of authorities and responsibilities to the Academic Board, Business Board, and University Affairs Board, falls within Executive Committee's coordinating role and the Governing Council's residual authority over matters not explicitly assigned elsewhere. Final approval rests with the Governing Council.

GOVERNANCE PATH:

1. **Executive Committee [for endorsement and forwarding to Governing Council]** (December 10, 2024)
2. Governing Council [for approval] (December 19, 2024)

PREVIOUS ACTION TAKEN:

On March 9, 1989, the Governing Council approved the University of Toronto *Policy with Respect to AIDS for the University of Toronto*. The *Policy* was developed by then Vice-President, Human Resources and was approved by the University Affairs Board, Executive Committee, and Governing Council. In addition, revisions to the *Health & Safety Policy* were recently approved by the Governing Council, effective February 1, 2024.

HIGHLIGHTS:

The *Policy with Respect to AIDS for the University of Toronto* contains stigmatizing and discriminatory language as well as references to an outdated medical understanding of the transmission, diagnosis, and treatment of HIV and AIDS. Other U of T policies and the [Ontario Human Rights Code](#) address workplace and place of study health and safety with respect to health accommodations and freedom from discrimination, thereby eliminating the need for a policy related to this specific health condition.

These other relevant policies and guidelines include:

- [Statement on Prohibited Discrimination and Discriminatory Harassment](#)
- [Human Resources Guideline on Workplace Harassment and Civil Conduct](#)
- [Statement of Commitment Regarding Persons with Disabilities](#)
- [University of Toronto Health and Safety Policy](#)
- [Statement Regarding Access to Information and Protection of Privacy at the University of Toronto](#)
- [University of Toronto Policy on Employment Equity](#)
- [University of Toronto Statement on Human Rights](#)
- [University of Toronto Statement of Institutional Purpose](#)
- [Policies and Principles for Admission to the University of Toronto](#)
- [Agreements for unionized staff, faculty and librarians](#)

The following offices were consulted in bringing forward this recommendation:

- University Human Resources
 - Health and Wellbeing Programs & Services
 - HR Strategic Initiatives
- Office of University Counsel
- Environmental Health & Safety
- Institutional Equity Office
 - Sexual & Gender Diversity Office
- Accessibility for Ontarians with Disabilities Act (AODA) Office

Once revoked, a copy of the Policy will be available by request from the Secretariat's archives for reference or research purposes.

FINANCIAL IMPLICATIONS:

Not applicable.

RECOMMENDATION:

Be It Resolved,

THAT the following recommendation be endorsed and forwarded to the Governing Council:

THAT the *Policy with Respect to AIDS for the University of Toronto* be revoked, effective immediately.

DOCUMENTATION PROVIDED:

Policy with Respect to AIDS for the University of Toronto (1989)



UNIVERSITY OF TORONTO

University of Toronto
Governing Council

**Policy with Respect to AIDS
for the University of Toronto**

March 9, 1989

To request an official copy of this policy, contact:

The Office of the Governing Council
Room 106, Simcoe Hall
27 King's College Circle
University of Toronto
Toronto, Ontario
M5S 1A1

Phone: 416-978-6576

Fax: 416-978-8182

E-mail: governing.council@utoronto.ca

Website: <http://www.governingcouncil.utoronto.ca/>

Table of Contents

Policy 3

Responsibilities 3

Policy with Respect to AIDS for the University of Toronto

Policy

AIDS (Acquired Immune Deficiency Syndrome) describes the most serious form of an infection caused by a virus called the human immunodeficiency virus (HIV).

The main purposes of this policy are:

- (a) to alleviate fear and misapprehension surrounding the AIDS issue; and
- (b) to ensure fair and equitable treatment of any person who has AIDS or is infected by HIV.

This policy applies to all faculty, staff and students of the University of Toronto.

The University of Toronto has an obligation to take every reasonable precaution to provide a safe environment for employees and students. The University also recognizes and respects the rights of its employees as set out in federal and provincial laws, collective agreements and the Manual of Staff Policies.

AIDS is a serious medical condition, and neither a cure nor a vaccine has been found. For these reasons, many people have deep concerns about contracting HIV, which may lead to AIDS, and need assurance that their safety will be protected. The University will address these concerns through an ongoing program of information and education for its staff and students.

The Ontario Human Rights Code prohibits discrimination against or harassment of any individual on the basis of handicap or perceived handicap, including that caused by an illness such as AIDS. The University recognizes that employees and students handicapped by illness have a right to pursue those activities which their medical condition allows, including continuing to work or study. The existence of HIV infection will not, in itself, be a factor in the admission or enrolment of students, or in the hiring, promotion or dismissal of employees.

Any case of HIV infection or AIDS will be responded to in accordance with the particular facts of the case. Specific guidelines will be developed by the Departments of Human Resources and Student Affairs. These guidelines will derive from the best currently available medical information about HIV infection and AIDS, and will apply to all students, faculty and staff.

Employees or students with HIV infection may continue in their jobs or pursue their studies as long as they are physically and mentally able to meet performance standards, and as long as their presence does not pose a safety or health hazard to themselves or others. Any medical information concerning infected individuals will be held in confidence, recognizing the potential for discrimination and abuse, and the individual's right of privacy.

In Divisions of the University where there is a risk of exposure to HIV-contaminated blood, body fluids or viral preparations, any additional appropriate policies or procedures developed by the divisions will be applied.

Responsibilities

1. Each individual has a responsibility to minimize his/her risk of HIV infection and transmission by taking appropriate precautions. Persons who know or are concerned that they are infected with HIV are urged to seek medical advice about their health circumstances in order to help ensure proper medical care and education, and are obliged to conduct themselves responsibly in accordance with this knowledge for the protection of members of the community.

2. The University Health Service is responsible for AIDS education programs for students, and the Occupational Health Service is responsible for AIDS education programs for faculty and staff. The University Health Service and the Occupational Health Service are also responsible for ensuring that such education programs are continuously reviewed and updated to take into account current medical information.
3. Divisions whose academic, research, clinical and work programs involve a risk of exposure to HIV-contaminated blood, body fluids or viral preparations are responsible for preparing and depositing with the Director Environmental Health & Safety appropriate additional policies and procedures, including provision for the training and education of those potentially at risk and coordination with affiliated institutions, such as hospitals, which may have their own policies and procedures.
4. Other groups potentially at risk, which include, but may not be limited to, Campus Health Services, Campus Police and first-aid providers will comply with all appropriate guidelines and procedures.

RELATED DOCUMENTS (added for reference by the Secretariat, June 15, 2020)

Ontario Human Rights Code

March 8, 1989

Office of the Vice-President - Human Resources