



CITY OF CHICAGO OFFICE OF THE MAYOR

Richard M. Daley
Mayor

December 1, 1994

Dear City of Chicago Employee:

Today, we're observing World AIDS Day. As Mayor of the City of Chicago, I want to take this opportunity to reaffirm the City's commitment to provide a work environment free of any discrimination--particularly against persons infected with HIV or AIDS. I am reissuing an amended Executive Order to make perfectly clear that discrimination based on HIV status will not be tolerated.

This order means that no City employee or applicant is required to take an HIV test or divulge his or her HIV status in order to keep or secure a job. As long as an employee is able to perform his or her job, an HIV-related condition should have no bearing on the terms and conditions of employment. Also, under no circumstances should an employee be transferred to another job or location strictly because he or she works near a person known or believed to be infected with HIV. I want to stress that an employees' health records and information--including HIV status--are confidential.

The Commissioner of Personnel will institute a training program to educate City employees and officials concerning HIV-related concerns in the workplace, including medical information, legal issues and employment practices. This training builds on the HIV/AIDS awareness training initiated in 1989.

I want to emphasize that people with HIV-related conditions do not pose a risk of transmission of the virus through ordinary contact at work. Educating people about the facts concerning HIV and AIDS will help us ensure a supportive work environment, free of discrimination.

Sincerely,

Handwritten signature of Richard M. Daley in cursive script.
Mayor

THE ANNE SPENCER FOUNDATION
1993 & 94
CITY LIVABILITY



OFFICE OF THE MAYOR
CITY OF CHICAGO

RICHARD M. DALEY
MAYOR

EXECUTIVE ORDER 89-13a

WHEREAS, the Human Immunodeficiency Virus ("HIV") is the virus that may ultimately result in Acquired Immune Deficiency Syndrome ("AIDS"); and

WHEREAS, HIV-related conditions, as defined in this order, may result in medical consequences which impair a person's health and ability to work safely and effectively; and

WHEREAS, HIV-related conditions may not necessarily result in an employee's inability to perform job duties; and

WHEREAS, persons with HIV-related conditions may wish to continue to engage in as many of their normal activities, including work, as their condition allows; and

WHEREAS, current medical research indicates no medical basis for refusing, or threatening to refuse, to hire, train or work with a person with an HIV-related condition; and

WHEREAS, HIV-related conditions constitute a disability as defined in Chicago's Human Rights Ordinance, Chapter 2-160 of the Municipal Code of Chicago; and

WHEREAS, it is the policy of the City of Chicago, contained in its Human Rights Ordinance and in its Personnel Code, Chapter 2-74 of the Municipal Code, to prohibit and prevent

discrimination in employment against any person due to the person's real or perceived disabilities; and

WHEREAS, discrimination and prejudice against persons with HIV-related conditions can best be avoided by ongoing education, information and counseling services to managers, supervisors and personnel of the various departments and agencies of the City government concerning the nature and effect of HIV-related conditions; and

WHEREAS, the Commissioner of the Department of Personnel has the authority under Chapter 2-74 of the Municipal Code to foster programs for the improvement of employee effectiveness, and to promulgate rules for the enforcement and administration of the City's Personnel Code; and

WHEREAS, the Department of Health is authorized by Section 2-112-280 of the Municipal Code to publish information concerning matters of public health; now, therefore,

I, RICHARD M. DALEY, Mayor of the City of Chicago, Illinois do hereby order that Executive Order 89-13 is hereby amended to read as follows:

SECTION 1. Whenever used in this order, the following terms shall have the following meanings:

- (a) "AIDS" means Acquired Immune Deficiency Syndrome.
- (b) "HIV" means Human Immunodeficiency Virus, the virus that ultimately results in AIDS.
- (c) "HIV-related condition" means AIDS, the presence of AIDS antibody (indicating exposure to HIV) without symptoms of

AIDS, or any condition related to either AIDS or the presence of AIDS antibody.

(d) "Perception" or "perceived" includes both accurate and inaccurate perceptions.

SECTION 2. No City employee or applicant for City employment shall be required to submit to testing for any HIV-related condition, nor shall any person be required to divulge his or her status with respect to any HIV-related condition as a condition of employment.

SECTION 3. The Commissioner of the Department of Personnel shall conduct the following activities as part of a program of employee education concerning HIV-related conditions and the prohibition against discrimination based on non-job related disability:

(a) increase awareness throughout the City government of the Support Services for City employees and their families, currently available through the Employee Assistance Program in the Department of Personnel;

(b) increase awareness of the availability of Counseling, currently available through the Benefits Management Office, to assist employees in managing health benefits, and of counseling available through the Department of Personnel concerning leaves of absence;

(c) prepare and promulgate an amendment to the City's Personnel Rules concerning appropriate personnel administration relative to HIV-related conditions, including: a statement of the policy of the City of Chicago prohibiting discrimination

based on perceived non-job related disabilities, including HIV-related conditions; a statement that no employee or applicant for employment shall be required to submit to testing for any HIV-related condition, nor shall any person be required to divulge his or her status with respect to any HIV-related condition; and a statement of the responsibilities of department managers, supervisors and employees in dealing with workers and clients with perceived HIV-related conditions.

SECTION 4. The Commissioner of the Department of Health shall conduct the following activities as part of a program of employee education concerning HIV-related conditions and the prohibition against discrimination based on non-job related disability:

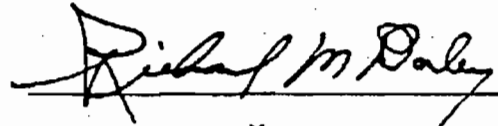
(a) increase awareness throughout the City government of the confidential HIV Antibody Testing Program, currently available through the AIDS Activity Office of the Department of Health; notices of the availability of this service shall indicate that the testing is free of charge and done anonymously.

(b) increase awareness throughout the City government of the AIDS Hotline, currently available through the AIDS Activity Office of the Department of Health; advertisement of the AIDS Hotline shall include the appropriate telephone numbers and a statement that calls may be made anonymously and will be handled confidentially.

SECTION 5. The Commissioner of the Department of Personnel and the Commissioner of the Department of Health, with the assistance of the Corporation Counsel, shall prepare a

comprehensive educational program for use by supervisors and managers in the various departments concerning HIV-related conditions and appropriate personnel practices relating thereto.

SECTION 6. This order shall take effect upon its execution and delivery to the City Clerk for filing.

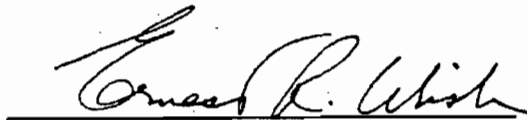


Mayor

Dated: December 1, 1994

Received and filed:

December 1, 1994



City Clerk

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94 DEC -1 PM 3:05
ERNEST R. WALSH
CITY CLERK
CHICAGO