



Hepatitis C

An Advice Guide
for Usdaw Reps





What is Hepatitis C?

Hepatitis C is a blood-borne virus that infects the cells of the liver. It causes inflammation and fibrosis in the liver. This can cause serious damage to the liver, and can affect the liver's ability to perform essential functions. There are two kinds of infection – acute and chronic. Acute infection lasts for the first six months and in some cases can have no noticeable symptoms at all.

In approximately 20% of cases, the virus is cleared from the body naturally and the person is no longer infected with Hepatitis C. If the person is still infected after the acute infection has passed, they will develop chronic Hepatitis C. As it is a blood-borne virus, Hepatitis C can only be transmitted by infected blood.

Symptoms of Hepatitis C

Some people with acute Hepatitis C will experience a high temperature, tiredness, loss of appetite, stomach pains and nausea. For people with chronic Hepatitis C, the symptoms can vary widely but can include flu-like symptoms, chronic tiredness, headaches, depression, memory problems, mood swings and severe abdominal pain.

How Does This Affect Work?

Incidents where a person with Hepatitis C could expose another person to the virus, such as through a cut, must be dealt with under health and safety regulations. Employers have a legal obligation to protect the public, and should have a health and safety policy that deals with blood-borne viruses.

People with Hepatitis C have a legal duty to take care of their own health and safety as well as that of others who could be affected. However, there is

no risk of transmission to customers or colleagues through normal work activities.

First aiders should be reassured that there are no recorded cases of Hepatitis C being transferred during mouth to mouth resuscitation, and the risk of being infected is low.

Some symptoms may be made worse by performing certain job roles, such as having a high temperature while working in a bakery, or experiencing mood swings working directly with customers. This may mean that an affected person may need to take time away from their role, or to be transferred temporarily to another department.

The symptoms can be mistaken for other illnesses, particularly with chronic Hepatitis C. Before diagnosis, individuals could have high sickness levels as a result of the symptoms without being aware that Hepatitis C is the underlying cause.

Treatment for chronic Hepatitis C is usually an 8-12 week course of direct-acting antiviral tablets. They are highly effective at clearing the infection in more than 90% of people. Side effects vary from person to person and people receiving treatment, may require time away from work. Even if the treatment is successful, people may still be living with secondary illnesses, such as liver cirrhosis or depression.

What Support Can Be Offered?

People with Hepatitis C can suffer from stigmatisation, harassment and discrimination. People can feel uncomfortable about declaring their illness, which makes supporting them in the workplace complex.

Support at work may include:

- Ensuring members can stick to their medication regime and securing a private space to use.
- Recognising the impact the symptoms can have on day-to-day work.
- Securing regular rest breaks.
- Looking at amending duties or hours.
- Addressing instances of discrimination at work.
- Arranging blood-borne virus awareness training for managers and colleagues.
- Ensuring members have appropriate time off for appointments and treatments.

You may be in a position where a member discloses their illness to you as a rep, but does not want their manager to know. It is important to ensure members with Hepatitis C know that their confidentiality is protected by law.

Hepatitis C and the Equality Act 2010

Under the Equality Act (Disability Discrimination Act, DDA, in Northern Ireland), a person is considered disabled if they 'have a physical or a mental impairment which has a substantial, long-term, adverse effect on their ability to carry out day-to-day activities'.

Very few disabilities are automatically covered by the Equality Act (DDA in Northern Ireland); the exceptions are HIV, cancer, Multiple Sclerosis, severe disfigurement, and being registered blind or partially sighted. Everyone else will have to show that they fit the above definition.

If you can show that the member meets this definition, you will have a much stronger case in arguing that the employer should support the member and make reasonable adjustments.

When deciding if a member is covered by the Equality Act (DDA in Northern Ireland), you need to consider the following five questions:

1. Does the member have a physical or mental impairment?

Hepatitis C is a blood-borne virus which affects the liver's ability to function normally, causing physical symptoms and damage to internal organs. It is therefore a physical impairment.

2. Is it more than a trivial condition?

The severity of the symptoms varies between individuals and according to whether the person has acute or chronic Hepatitis C. However, in either case, if untreated, Hepatitis C can be fatal and it is therefore clearly not a trivial condition.

Continued overleaf...



3. Has the condition lasted, or will it last, for more than 12 months?

The member needs to show that the condition has, or will, last for more than 12 months. Chronic Hepatitis C will usually meet this requirement.

4. What would happen if they stopped taking their medication?

Employers sometimes argue that the member is not disabled because their condition is controlled by medication. However, in deciding whether or not someone is disabled, they must be assessed as if they were not taking their medication. This is because medication only controls the symptoms, but does not cure the condition.

5. Does the condition affect their day-to-day life?

If you can show that the symptoms of Hepatitis C have a substantial effect on how the member carries out normal day-to-day life, they may be covered. It helps to assess this by working through a typical day with a member, from getting out of bed, washing and bathing to travelling, cooking or cleaning.

If you can show that the member meets all of the criteria listed, they will be entitled to the protection of the Equality Act (DDA in Northern Ireland). The employer would then have a duty to make reasonable adjustments to take account of their illness to help them stay in, or get back to, work.

Help and Support

The Hepatitis C Trust

www.hepctrust.org.uk

020 7089 6221

Mon - Fri, 10.30 - 4.30

British Liver Trust

www.britishlivertrust.org.uk

0800 652 7330

Join Usdaw

You can join online at:

www.usdaw.org.uk/JoinUs



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What Happens Next

Once we process your application, you will receive a membership card with our Helpline telephone number and a New Member's Pack giving details of all the benefits and professional services available to you.

