

## **DISABILITY DISCLOSURE**

### **Disclosing your disability**

Only you can decide whether and how much to tell your employer about your disability. On the positive side, telling your employer about your disability is the only way to protect your legal right to any accommodations you might need to get or keep a job. However, revealing your disability also leaves you open to discrimination which may limit your opportunities for employment and advancement. It's a complex decision, and one you shouldn't make until you've thought it through. Here's what you might want to think about:

### **The Human Rights Commission states that a disability is only relevant to the job if:**

- It threatens the safety or property of others.
- It prevents the applicant from safe and adequate job performance.
- A job candidate may choose to disclose that he/she does have a disability before the interview.
- An employer cannot use disclosure to deny any person an interview or job.
- People need only disclose their disability to ensure that an employer can provide appropriate job accommodations. Accommodations eliminate barriers to successful job performance.

### **A GENERAL RULE OF THUMB**

If your disability will affect your ability to do the essential requirements of a job it is recommended that a potential employer be told. You should also tell your employer if your disability is likely to affect your ability to work safely or impact on the safety of co-workers. However, you do not need to disclose specific medical or personal information about the nature of the disability.

If you do choose to disclose, it is important to let your employer know of any strategies you have in place to help you do your job and if you require any workplace modifications or accommodations.

### **Disclosing Disability - Preparing to Disclose**

1. Assess your job search skills to determine whether you need help from your therapist or service provider to:

- Initiate contact or arranging an interview with the employer
- Interview
- Describe your disability
- Negotiate the terms of employment
- Negotiate accommodations

2. Identify any potential accommodations you might need during the hiring process or on your first day of work

3. Explore your feelings about having a disability and about sharing that information with others

- ***remember, no one can force you to disclose if you don't want to***

4. Research potential employers' attitudes toward disabilities and screen out unsupportive employers

- Have they hired someone with a disability before?
- Do they personally know someone with a disability?
- What positive or negative experiences have they had in employing someone with a disability?
- Do they show signs -- newsletters, posted notices, employee education programs about people with disabilities, etc. -- of encouraging a diverse workforce?
- Do they have a corporate culture that favors flex time, mentoring programs, telecommuting, flexible benefit plans, and other programs that help employees work efficiently and well?
- Does the job have certain requirements (e.g., child care, high security, some government positions) that would put you at a disadvantage if you disclosed your diagnosis?

5. Weigh the benefits and risks of disclosure

- Do you need to involve an outside agency to get or keep the job?
- Do you need accommodation or other employer support?
- When will you need this accommodation?
- Do other people in the company need similar accommodation?
- How stressful will it be for you to hide your disability?

6. If you decide not to disclose, find other ways to get the support you need

- Behind-the-scenes support from friends, therapists, etc.
- Research potential employers who provide these supports to all employees

7. If you decide to disclose, plan in advance how you'll handle it

- Who will say it (you, your therapist, your job coach, etc.)
- What to say (see below)
- When to say it
- A person with a disability can choose to disclose at any time, and is not required to disclose at all unless s/he wants to request an accommodation or wants other protection under the law.

**Someone with a disability can disclose at any of these times:**

- Before the hiring interview
- During the interview
- After the interview but before any job offer
- After a job offer but before starting a job
- Anytime after beginning a job

- It is recommended disclosing a disability sometime before serious problems arise on the job. It is unlikely that you would be protected if you disclosed right before you were about to get fired. Employers are most likely to be responsive to a disclosure if they think it is done in good faith, and not as a last-ditch effort to keep your job.

## Who to tell

- Your supervisor or manager, if he or she must provide or approve an accommodation
- The EEO/Affirmative Action officer or Human Resources staff, if no immediate accommodation is needed, but you would like the protection of the CHRA
- The person interviewing you or Human Resources staff, if you might need accommodation during the hiring process
- The Employee Assistance Program staff, if you are already on the job, experiencing difficulties, and need help deciding how, how much, and to whom to disclose

## When You Disclose

1. Decide how specific you will be in describing your disability

**General terms:** a disability, a medical condition, an illness

**Vague but more specific terms:** a biochemical imbalance, a neurological problem, a brain disorder, difficulty with stress

**Specifically referring to mental illness:** a mental illness, psychiatric disorder, mental disability **Your exact diagnosis:** schizophrenia, multiple sclerosis, major depression

2. Describe the skills you have that make you able to perform the main duties of the job:

- Qualifications
- Technical skills
- General work skills

3. Describe any functional limitations or behaviors caused by your disability which interfere with your performance

4. Identify the accommodations you need to overcome those functional limitations or behaviors

5. Optional: You may choose to describe the behaviors or symptoms the employer might observe and tell the employer what steps to take as a result.

6. Point the employer to resources for further information

- Employment specialist, supported employment provider, rehabilitation counselor, job coach
- Doctor, psychiatrist
- Therapist, counselor, social worker

**You may find it helpful to prepare a script to read from. For example:**

"I have (preferred term for psychiatric disability) that I am recovering from. Currently, I can/have (the skills required) to do (the main duties) of the job, but sometimes (functional limitations) interfere with my ability to (duties you may have trouble performing). It helps if I have (name the specific accommodations you need). I work best when (other accommodations)."

**You could also add the following information:**

"Sometimes you might see (symptoms or behaviors associated with symptoms). When you see that, you can (name the action steps for the employer). Here is the number of my (employment specialist, doctor, therapist, previous employer, JAN, etc.) for any information that you might need about my ability to handle the job."

**Timing the Disclosure**

The employer's first contact with you will typically be through your cover letter and resume, especially if you initially contacted the organization.

There are many differing opinions on whether one should mention the disability on the resume or in the cover letter. If you are comfortable revealing your disability early in the process, then give careful consideration to where the information is placed and how it is stated.

The cover letter and resume should primarily outline relevant skills, experiences and education for the position for which you are applying. The reader should have a clear understanding of your suitability for the position.

Therefore, if you choose to disclose your disability, the disclosure should be brief and placed near the end of the cover letter and resume. It should never be the first piece of information that the employer sees about you. The information should also reveal your ability to manage your disability while performing required job functions.

**Source:**

[http://web4.uwindsor.ca/units/cce/Main.nsf/inToc/FCBE1A495813A82C8525707A00575835/\\$FILE/Disclosing%20disability.pdf](http://web4.uwindsor.ca/units/cce/Main.nsf/inToc/FCBE1A495813A82C8525707A00575835/$FILE/Disclosing%20disability.pdf)