Do I Tell My Boss?: Disclosing My Mental Health Condition at Work

The Word on Work, Tip Sheet 7 **TRANSITIONS RTC** *2012*

What Should I Say About My Mental Health Condition at Work?

Every young adult with a mental health condition will face the decision of whether or not to tell others about, or "disclose" their condition at work. Typically the reason for disclosure is to ask for an accommodation in order to perform better at your present job. An accommodation is modifying a job, the job site, or the way things are done in order to enable a qualified individual with a disability to have an equal opportunity for employment.[1] The following information can provide some guidance in helping you make an informed decision.

Some Reasons to Disclose Having a Mental Health Condition on the Job:	Some Reasons Not to Disclose Having a Mental Health Condition on the Job:
• To obtain protection under the Americans with Disabilities Act (ADA)[1] • Required in order to request job accommodations[2] • To serve as a role model and educate others • Reduces stigma • Relieves the stress some may feel about "hiding" a disability • Makes employers better able to respond to sudden symptoms or hospitalizations • Disclosure to a supervisor is kept confidential by law	• There is no need for accommodations • Hiring or promotion chances may be negatively affected due to stigma • To protect your privacy • Fear of: - Negative employer or coworker reactions to you or your work - People not respecting your privacy and confidentiality (others in community/ workplace will be told) - Being held to a different standard, i.e., less will be expected of you

If I Want to Disclose, How Should I Do It?

- Let your employer know you have a medical disability. Steer clear of medical terms and a specific diagnosis. Instead provide examples of how your disability affects you i.e., "I have a medical condition that affects my concentration."
- You will need to provide information about the existence and extent of your disability or diagnosis, how your condition may limit your functioning in the job, and the accommodations that address these barriers. YOU DO NOT need to disclose your entire medical record, progress notes or tests, etc.
- Focus on your abilities, not disabilities.
- Prepare and practice what you will say ahead of time.
- List your strengths and qualifications related to this job. You can also give examples of how your experiences with a disability will positively affect your work performance.
- Share what issues you may face in the workplace due to your diagnosis and try to word it in a positive way. For example, "My disability requires me to take frequent breaks in order for me to stay productive."

- You should engage in an "informal interactive process" with your employer and provide a specific list or a written statement that summarizes the disability and accommodations that would help you at this job.[2]
- Inform your employer of an action plan that works best for your safety if you become unwell at work.
- Some employers may have policies and processes in place for disclosure, which may be helpful to look over and potentially use.

If I Want to Disclose, When Should I Do It?

There is no exact point in time that is best to disclose, however, each has its advantages and disadvantages. You have the right to disclose at any time during your employment. You also have the right not to disclose. The Americans with Disabilities Act(ADA)[1] states that employers cannot ask questions that will likely reveal the existence of a disability before making a job offer.

SOME TIMES YOU CAN DISCLOSE	PROS OF DISCLOSURE AT THAT POINT IN TIME	CONS OF DISCLOSURE AT THAT POINT IN TIME
In a cover letter/ resume/ job application	Shows honesty, gives the opportunity to prepare a written statement including your abilities	Employer may have pre-conceived opinions on disabilities and may not offer you an interview
Before an Interview	You can discuss the accommodations that you may need during an interview[2]	May affect the interview process and how you are viewed due to stigma
During the interview	Opportunity to discuss strengths and how disability will positively affect employment Can interact with people and flexibly respond to questions/concerns	May affect the interview process and how you are viewed due to stigma
Once hired	Avoids possibility of discrimination during the hiring process. Secure accommodations and coverage under the ADA[1]	May affect how your job duties and assignments are handled due to stigma
During Employment	You may find that you will need accommodations once you've been at the job for a while You may want to wait until you form a relationship with your boss, prove your abilities and feel confident with your job. Disclosing enables you to have a conversation with your boss. Hopefully you are perceived as a valued worker and they will be motivated to make adjustments in order to keep you.	May affect co-workers responses to you May affect how your performance is evaluated by the employer May affect promotional opportunities
After Performance Difficulties Arise	If you become sick or hospitalized you may need to request time off, so you will need to inform your workplace.	Your employer may feel betrayed, wonder why you waited so long, and look at it as an excuse for bad performance.

Footnotes

1. Americans with Disabilities Act of 1990, Pub. L. No. 101-336, § 2, 104 Stat. 328 (1991); ADA Amendments Act of 2008, PUB. L. No. 110-325 (2008) found at: http://www.eeoc.gov/laws/statutes/adaaa.cfm
2. Job Accommodation Network Accommodation and Compliance Series: http://askjan.org/media/downloads/accommodationrequestletter.pdf

What Employers Can & Cannot Ask During a Job Interview About Your Mental Health Condition:

In the table below, we have posed some questions that are allowed and not allowed during a job interview, including ways to answer appropriately and in a professional manner.

EMPLOYERS CANNOT ASK	EMPLOYERS CAN ASK	SUGGESTED EXAMPLES OF ANSWERS
Do you have any physical or mental impairment that would keep you from performing the job you seek? What physical or mental impairments do you have that would affect your job performance?	Are you able to perform the essential function of the job you are seeking, with or without accommodations?	If you are able to perform the essential functions with accommodations, you can simply answer "Yes". You are not required to give details about what specific accommodations you would need or why you may need them until after you are hired.
How many days were you sick during your last job?	Can you meet our attendance requirements? How many days were you absent from your last job?	Indicate that you are able to meet the attendance requirements of the job. If you are disclosing, you can speak about accommodations that may be needed for hospital or therapy visits.
What medications are you currently taking?	Are you currently using illegal drugs?	Reply no illegal drug use and that your medications are private information.
Questions to a third party (service providers/friends/state agency) that they could not directly ask the applicant.	Questions to a third party (service providers/ friends/state agency) that they are legally allowed to ask the applicant directly.	Tell them you can supply medical information if you are disclosing; if not, that is private information.
The employer is prohibited from asking disability-related questions or requiring a medical examination before making the individual an offer.	After the employer extends an offer for the position, he may ask the individual disability-related questions or require a medical examination as long as he does so for all entering employees in the same job category	A question about your disability that is asked before a job offer is illegal and you can reply that it is private information and you are not comfortable answering that question.

References:

The U.S. Equal Employment Opportunity Commission: http://www.eeoc.gov/policy/docs/preemp.html

National Collaborative on Workforce and Disability for Youth. *The 411 on Disability Disclosure: A Workbook for Youth with Disabilities:* http://www.ncwd-youth.info/411-on-disability-disclosure

National Collaborative on Workforce and Disability for Youth. *Cyber Disclosure For Youth with Disabilities:* http://www.ncwd-youth.info/cyber-disclosure

Ellison, M.L., Russinova, Z., MacDonald-Wilson, K.L., & Lyass, A. (2003). Patterns and correlates of workplace disclosure among professionals and managers with psychiatric conditions. *Journal of Vocational Rehabilitation*, 18(1), 3-13.

MacDonald-Wilson, K.L., Russinova, Z., Rogers, E.S., Lin, C.H., Ferguson, T., Dong, S., & MacDonald, M. K. (2011). Disclosure of mental health disabilities in the workplace. In I. Z. Schulz & E. S. Rogers (Eds.) *Work accommodation and retention in mental health*. New York, NY: Springer Publishing.

Luecking, R. G. (2009). *The way to work: How to facilitate work experiences for youth in transition*. Brookes Publishing Company.

To Whom Do I Disclose?

You are only required to share disability information with the person/s in the workplace who is involved with approving or providing accommodations. You can choose whether or not to tell other people at the workplace. An employment specialist or counselor may be able to help you determine who that might be. Some examples of types of disclosure include:

- **Full Disclosure:** Being open with everyone at work (bosses and coworkers) about your mental health condition, including details and your diagnosis. Note: not all coworkers will understand, and some may resent accommodations.
- **Targeted Disclosure:** Telling specific people such as:
  - Your immediate boss /supervisor if they will be the one providing accommodations and support.
  - A higher level manager such as your immediate supervisor/boss's manager.
  - The human resources manager who can help you with legal rights, health insurance, medical leave, etc.
  - A job coach or transition youth advocate who may represent you if you are uncomfortable/unable to disclose yourself.
  - Your co-workers who may be able to provide informal supports. Note: The ADA requires your employer to keep all information about your disability confidential. Keep in mind when disclosing disability-related information to co-workers, that they are not held to the same standard.
- **Inadvertent Disclosure**: Others find out about your condition without you telling anybody.

Think About "Cyber Disclosure" When Using Social Media Sites!

With sites like Facebook and Twitter becoming increasingly popular, you may find yourself sharing a lot of information about yourself, and disclosing your mental health condition online without realizing it. Here are some tips to avoid inadvertent cyber disclosure:

- Know what information about you is available for all to see online. Do a check by entering your name every few months into search engines (Google) to see what information comes up.
- Check the privacy settings on any site you may be a part of i.e., Facebook. You can make your profile private so only the friends you choose can see your page, photos, and specific information. Double check that you have made each part of your profile private.
- Realize that others, including employers, may see information you post that could relate to you having a mental health condition i.e., awards you received from mental health organizations or memberships in self advocacy groups, etc.
- During employment, review your rights and privacy laws when it comes to using work computers. You should assume that any work equipment is the employer's, not yours, and you have no privacy on that equipment. For example, some organizations have public e-mail that can be looked at by request of your employer.

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