

# Employee Disability Disclosure Should I? or Shouldn't I? PowerPoint Outline

## **Slide 1: WORKCON 2019**

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## **Slide 2: Today's Objectives**

1. Discuss
  - the need to disclose a disability in the recruitment, application, interviewing and employment phases of employment
  - why and when to disclose a disability
  - what and whom to disclose
  - and how to disclose
2. Strategies for disclosure once employed

## **Slide 3: Overview of Alternate Formats and Disclaimer**

- Alternate formats for qualified individuals with disabilities, are available upon advanced request.
- Today's presentation is intended solely as informational guidance and not legal advice.

## **Slide 4: Important Terminology**

- A **qualified individual with a disability** has appropriate skills, experience, education or other requirements of an employment position that they hold or seek to hold and can perform the essential functions of the job with or without a reasonable accommodation.
- A **reasonable accommodation** is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions

## **Slide 5: Disability Disclosure**

**Self-disclosure** by definition is the sharing of information privately held that is:

- deliberately and intentionally shared (not accidental)
- information of significance (not trivial; information that is important)
- information not already known to others (privately held and guarded)

## **Slide 6: Why Disclose?**

- You need a reasonable accommodation
- Self-disclosure as part of a requirement or regulation
- To receive protection benefits
- Promote awareness and invite inclusion
- To further education others

## **Slide 7: When to Disclose**

- In an application or cover letter
- Before an interview
- At the interview
- After you've received a job offer
- After the job begins
- When performance issues arise

## **Slide 8: What to Disclose**

- General information about your abilities; including your reasonable accommodation needs
- Types of accommodations that have helped in the past
- Be brief and matter of fact

## **Slide 9: To Whom to Disclose**

- Refer to company policies and procedures for direction
- Immediate Manager/Supervisor
- Human Resources
- Reasonable Accommodation Unit
- EEO Officer

### **Slide 10: Scenario #1**

A grocery store bagger with seasonal affective disorder (SAD) had difficulty working an early schedule due to oversleeping. She also experienced fatigue and depression during late fall and winter months.

- Should she disclose?
- Consequences for not disclosing.
- Suggestions?

### **Slide 11: Scenario #2**

A young person has a disability that limits their ability to lift heavy objects, but the description of the job that they are applying for does not state that lifting is required.

- What would be a reason to disclose?
- What would be a reason not to disclose?
- Are there consequences for disclosing?
- Are there consequences for not disclosing?

### **Slide 12: REVIEW: You are entitled to:**

- Choose to disclose your disability at any time during the employment process
- Seek information about hiring practices from any organization
- Receive reasonable accommodations for an interview
- Be considered for a position based on your skill and merit

### **Slide 13: REVIEW: You have the responsibility to:**

- Disclose your need for any work-related reasonable accommodations
- Offer suggestions for accommodations
- Bring your skills and merits to work everyday
- Be truthful, self-determined, and proactive

### **Slide 14: Suggestions for Employers**

- Focus on Ability
- Provide Training
- Duty Statements
- Reasonable Accommodation Policy
- Open Communication

## **Slide 15: Timing of the Accommodation Request**

The ultimate question individuals with disabilities must ask themselves is...

“is it better to disclose one’s disability and request accommodation before job performance suffers or simply hope performance problems do not arise.”

## **Slide 16: Resources**

- Disability Access Services Home Page
  - [www.dor.ca.gov/DisabilityAccessInfo/index.html](http://www.dor.ca.gov/DisabilityAccessInfo/index.html)
- Job Accommodation Network
  - [www.AskJan.org](http://www.AskJan.org)
- Department of Fair Employment and Housing
  - [www.dfeh.ca.gov](http://www.dfeh.ca.gov)
- Equal Employment Opportunity Commission
  - [www.eeoc.gov](http://www.eeoc.gov)

## **Slide 17: Questions or Comments**

Thank you!!

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