

# Shedding Light on Hidden Disabilities

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## What Are Hidden Disabilities ?

- ▶ An impairment causing limitations not obvious or readily apparent by others, or not noticeable in the person's speech, behavior, or mobility.
- The impairment may affect the:
  - Brain
  - Circulation
  - Respiration
  - Muscular or skeletal system
  - Sensory abilities
  - Behavior

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## Accommodating Hidden Disabilities

Can you name some hidden disabilities ?

Give it a try!



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### Accommodating Hidden Disabilities

- HIV/AIDS
- Cancer
- Diabetes
- Heart conditions
- Respiratory impairments
- Vision loss
- Hearing loss
- Epilepsy
- ADD/ADHD
- Sleep disorders
- Migraine headaches
- Fibromyalgia
- Depression
- PTSD
- Learning disabilities

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### Accommodating Hidden Disabilities

#### Myths:

- ▶ Hidden disabilities are not believable.
- ▶ Hidden disabilities are downplayed – not as severe as obvious disabilities like mobility impairments.
- ▶ Hidden disabilities are hard to accommodate because the need is not obvious.
- ▶ People with hidden disabilities do not need accommodations.

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### Disclosure Dilemma

#### When to Disclose ?

- New Employees
- Current Employees



#### How to Disclose ?

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## Disability Disclosure

- ▶ **Personal choice**
- ▶ **Only protected if there is a known disability**
- ▶ **Pre-employment**
  - Individual NOT obligated to disclose.
  - Employer cannot ask medical questions.
- ▶ **Post-offer**
  - Employer can ask medical questions & require medical exams.
- ▶ **During employment**
  - When individual requests accommodation, must disclose.



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## Disability Disclosure

**Accommodation may be requested at any time during the employment process:**

- ▶ To ensure equal opportunity in pre-employment process
- ▶ To perform an essential function
- ▶ To enjoy equal benefits and privileges of employment

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## Disability Disclosure

**Disclosure is a matter of choice.**

- ▶ **Why disclose a disability to an employer?**
  - To be protected from discrimination under the ADA
  - To receive accommodations
  - To promote awareness



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## **Disability Disclosure**

**Disclosure is a matter of choice.**

- ▶ **Why NOT disclose a disability?**
  - Individual does not require accommodations
  - Individual is afraid to disclose
  - Individual desires privacy about disability



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**How do you accommodate an employee with a hidden disability ?**

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## **What is Your Accommodation process ?**

- ▶ Post-offer: Determine if the employee with the disability is qualified to perform the essential functions of the position identify the employee's accommodation needs
- ▶ Select accommodation that is most appropriate
- ▶ Check results
- ▶ Provide follow-up

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## **Perform a Needs Assessment**

- ▶ Review employee doing the job
- ▶ Identify the functional limitations
- ▶ Identify the impact of the functional limitations at the job
- ▶ Identify potential reasonable accommodation solutions

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## **Reasonable Accommodation**

- ▶ **What should employers do when they receive an accommodation request?**
  - Ask questions concerning the nature of the disability and the individual's functional limitations in order to identify an effective accommodation.
  - Request medical documentation
    - when the disability or need for accommodation is not obvious;
    - to show that the employee needs the requested accommodation, and to help determine effective accommodation options.

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## **Medical Documentation**

- ▶ **Reasonable and sufficient medical documentation:**
  - Documentation should substantiate:
    - Existence of an ADA disability, and
    - Need for reasonable accommodation.
  - Documentation should include:
    - Nature, severity, and duration of the employee's impairment;
    - Activity or activities that the impairment limits;
    - Extent to which the impairment limits the employee's ability to perform the activity or activities (EEOC).
  - Cannot request full release of medical information or complete medical records.

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## Medical Documentation

- **Insufficient Medical Documentation:**
  - does not specify the existence of an ADA disability and explain the need for reasonable accommodation.
  - the health care professional does not have the expertise to give an opinion about the employee's medical condition and the limitations imposed by it;
  - the information does not specify the functional limitations due to the disability; or
  - the information provided is not credible or is fraudulent.

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## Accommodating Hidden Disabilities

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## Accommodating Hidden Disabilities

- › Purchasing or modifying equipment or product
- › Making the worksite accessible
- › Modifying a schedule
- › Allowing leave
- › Job restructuring
- › Modifying methods
- › Modifying policies
- › Providing a service (e.g., readers and interpreters)
- › Reassignment

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## **Cognitive & Neurological Impairments**

- Psychiatric Disabilities
- Learning Disabilities/ADD
- Epilepsy
- Sleep Disorders
- Brain Injury
- Stroke



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## **Functional Limitations**

- Time management
- Organization
- Easily distracted
- Memory deficits
- Mental fatigue
- Mobility problems
- Sensitivity to light or glare from computers
- Unable to work rotating shifts



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## **Accommodation Solutions**

- Use Electronic Organizer or Calendar
- Keep Task List
- Use Prompts or Reminders
- Eliminate Fluorescent Lights
- Color-code or Label Materials
- Reduce Distractions
- Schedule for Straight Shifts
- Provide Accessibility

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## **Physiological Impairments**



- Heart Disease
- Diabetes
- Arthritis
- Fibromyalgia
- Asthma
- Back Impairments
- Cancer

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## **Functional Limitations**

- Maintaining stamina
- Keeping up energy
- Attendance issues
- Respiratory problems
- Lifting
- Sitting/Standing
- Fatigue
- Weight Gain/Loss



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## **Accommodation Solutions**

- Provide flexible or modified schedule
- Allow for frequent breaks
- Adjust temperature, light or noise at work
- Provide anti-fatigue matting
- Use Ergonomic Principles
- Allow working from home
- Provide assistive technology

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## **Workplace Accommodations**

A call center employee with a circulatory condition needed to move her legs periodically, but the call center job required employees to stay at their desks unless they were on scheduled breaks. Their productivity was measured by the number of calls completed.



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## **Workplace Accommodations**

### **ACCOMMODATION:**

The employer purchased an under-the-desk exercise pedal device that enabled the employee to exercise her legs while on the phone.

**COST:** \$40



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## **Workplace Accommodations**

A long-term federal employee had diabetes and had to use a wheelchair due to foot ulcers. She was having difficulty accessing her workstation.



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## **Workplace Accommodations**

### **ACCOMMODATION:**

Her employer opened up her work area and made it more accessible, lowered the files she needed to use, and located a refrigerator closer to her workstation.



**COST:** \$100

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## **Workplace Accommodations**

A nurse with a hearing impairment worked the night shift and had to talk to doctors who called for information. She was having difficulty hearing over the telephone. The employee asked to be moved to a dayshift where there would be other nurses who could talk to the doctors but there were not any openings on the dayshift.



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## **Workplace Accommodations**

### **ACCOMMODATION:**

The employer purchased a telephone amplifier, which enabled the nurse to hear effectively over the telephone.

**COST:** \$50



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## **Workplace Accommodations**

An auditor for a federal agency had anxiety and depression and was having difficulty concentrating. He worked in a cubicle environment. The agency policy was to only give private offices to management.



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## **Workplace Accommodations**

### **ACCOMMODATION:**

The employer modified the policy and moved the employee to a private office that was vacant and let the employee close his door as needed.

**COST:** \$0



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## **RESOURCES**

### ▪ Job Accommodation Network

800-526-7234 (V)  
877-781-9403 (TTY)

E-mail: [jan@jan.wvu.edu](mailto:jan@jan.wvu.edu)

URL: <http://www.askjan.org>



### ▪ CAP

703-681-8813 (Voice)  
703-681-0881 (TTY)

E-mail: [cap@tma.osd.mil](mailto:cap@tma.osd.mil)

URL: <http://www.tricare.osd.mil/cap>



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**QUESTIONS ?**

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