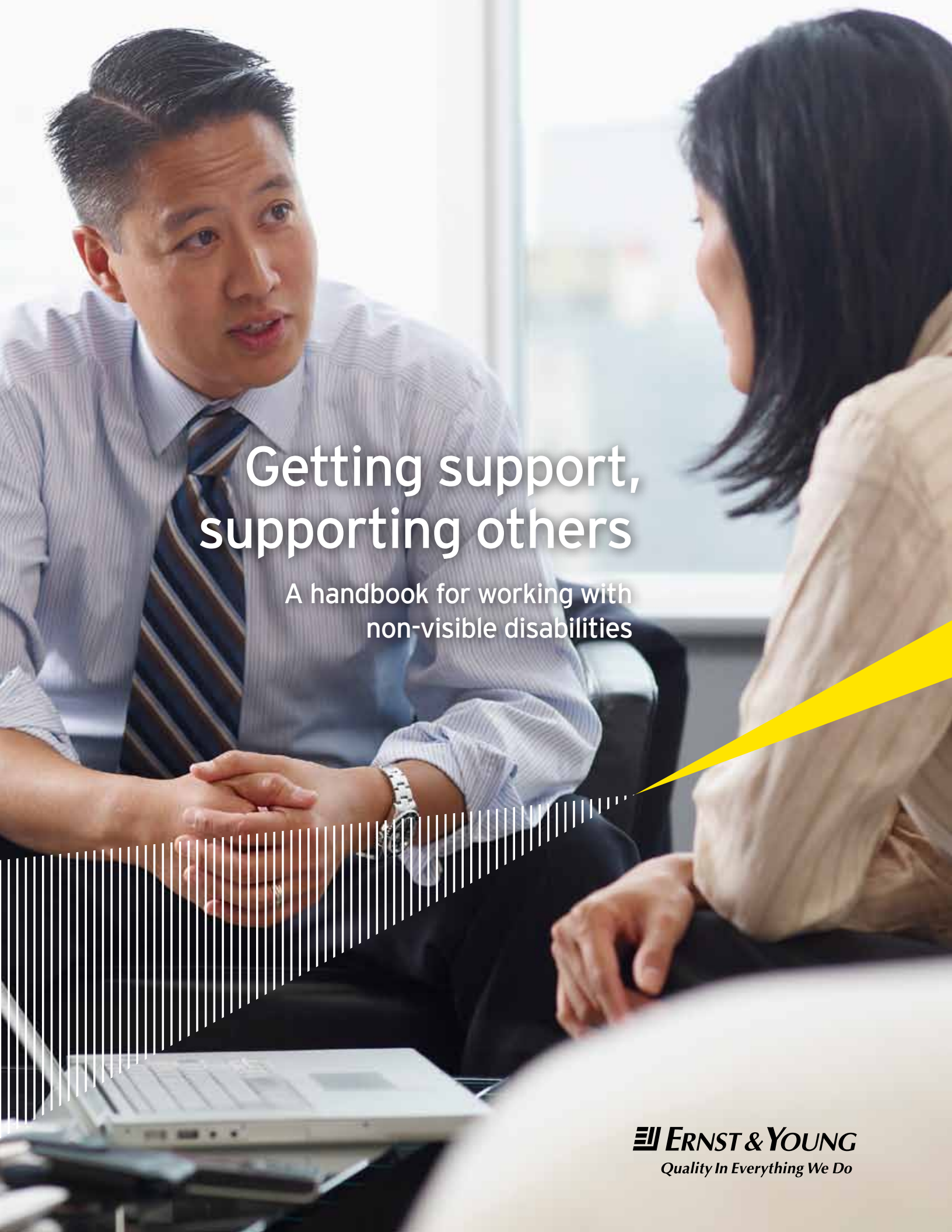




Getting support, supporting others

A handbook for working with
non-visible disabilities

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Foreword

Ernst & Young developed this handbook for people with disabilities, for an organization's HR or accommodations support team, and for supervisors and coworkers. It's intended to help people think through some of the challenges, especially the interpersonal issues, around disclosure and non-visible disabilities. We won't tell you what to do; these are all personal choices. Instead, we'll discuss some of the considerations you'll want to weigh when making your decisions. We'll provide information and highlight others' experiences so you can make well-informed, carefully considered choices. Note: though the focus here is non-visible disabilities, much of the guidance can be applied to any disabilities situation.

We hope this handbook plays a part in helping every person do his or her best work every day.

Nothing in this document should be construed as legal advice. Please consult with your organization's legal department for legal counsel.

Why is this important?

Disability is just another kind of difference. As with culture, language, ethnicity, sexual orientation, gender and generation, each of us has a unique set of abilities. Abilities are physical, intellectual/cognitive, psychological and learning-related. They range along a continuum. Some people are blind and use screen-reading software to vocalize the text on their computer screens. Others have low vision and use magnification programs. Many of us wear eyeglasses. And a few of us need nothing at all.

We move along the continuum throughout our lives, developing conditions – sometimes temporary, sometimes permanent – that impact our seeing, hearing, mobility and day-to-day activities. According to the US Department of Labor, if you are working and don't currently have a disability, you have a one in five chance of developing a disability before you retire.

Disabilities are all around us. According to the US Census, 20 million of 68 million families in our country have a member with disabilities, and people with disabilities are the largest minority and fastest-growing subgroup of our population. Most disabilities are not apparent, so we're not necessarily aware that our friends, colleagues, clients or neighbors have them. Non-visible disabilities include partial sensory impairments such as low vision or hearing loss; chronic health conditions like arthritis, asthma or diabetes; mental health conditions; learning disabilities; and serious illnesses such as cancer.

As with other kinds of differences, disabilities may make some people uncomfortable for any number of reasons: they're unsure of how to behave, a situation/condition is unfamiliar or unsettling, or the person's disability may require them to change the way they do things. The way we see it at Ernst & Young, diversity is a strength – and research bears out this perspective. It's a source of insight and adaptability, generating better business ideas and high-quality service for our clients and the firm. Differing abilities are part of that healthy diversity.



Defining terms

Disability

It's important to understand what a disability is and isn't. The Americans with Disabilities Act (ADA) is the federal law enacted to prohibit discrimination in employment against – and require reasonable accommodations for – qualified people with known disabilities. The ADA states that a person may be disabled if he or she has a physical or mental condition that substantially limits a major life activity, has a history of disability, or is believed to have a physical or mental impairment that is not minor nor transitory (lasting or expected to last six months or less). Most states and some localities have enacted similar laws, but they define disability much more broadly.

Some conditions may or may not be disabling by legal definition; the degree and frequency of impact often determine whether the condition rises to the level of a disability. Migraine headaches are one example. Migraines that come every few months and make a person ill enough to be bedridden for a day with each occurrence would probably not be considered a disability. However, if a person is bedridden with migraines one day a week, those migraines might be considered a disability.

Three common categories of non-visible disabilities are:

- ▶ Chronic health conditions and illnesses (e.g., diabetes, cancer)
- ▶ Sensory impairments (e.g., hard of hearing, low vision, mobility limitations)
- ▶ Mental health and learning disabilities (e.g., depression, anxiety disorders, ADHD)

Non-visible disability

This term refers to disabilities that cannot be seen and are not obviously apparent. We use that term rather than “hidden” to avoid the connotations of purposeful concealment or shame that may be associated with the adjective “hidden.”

Non-visible disabilities include partial sensory impairments such as low vision or hearing loss; chronic health conditions like arthritis, asthma or diabetes; mental health conditions; learning disabilities; and serious illnesses such as cancer.

Reasonable accommodation

“Reasonable accommodations” or “reasonable adjustments” are modifications made to enable employees with disabilities to participate in the job application process, to perform the essential functions of the job, and to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. An employer is required to provide reasonable accommodations to a qualified applicant or employee with disabilities unless the employer can show that the accommodation would be an undue hardship – that is, would cause



significant difficulty or expense for the employer. An accommodation need not be the suggestion originally proposed if another is as effective. An employer may reasonably be expected to make adjustments in day-to-day processes, but employers are not expected to substantially change their business models. An accommodation is a modification in the way the work is performed; it is not a change in the *nature of the work* itself. Sometimes roles can be adjusted as part of an accommodation, but often that just isn't possible. People need to be able to effectively perform the key functions of the jobs they were hired to do, and if they cannot – with or without accommodations – they may not be qualified to continue in those roles.

Reasonable adjustment

Throughout this handbook, the term “reasonable adjustment” is often used instead of “reasonable accommodation.” While “accommodation” is an accurate legal term, the word itself suggests doing a favor for the person who has a disability. An accommodation is a workplace or work-process modification made to enable an employee to be more productive. It is necessary, and not a personal preference or privilege. We think that the term “adjustment” captures this idea without suggesting a favor or special treatment.



Should you disclose?

Deciding whether to disclose a non-visible disability can be difficult. If you need reasonable adjustments to assist you in performing essential functions of your job, or if your disability is adversely affecting your performance, you may find it's prudent to disclose. If your condition could cause a medical crisis that jeopardizes you or your coworkers' health or safety, disclosure enables colleagues to be prepared to help you and/or others in an emergency. While it may feel uncomfortable to share personal information, understand that if a disability could affect your ability to do your job effectively, there's risk in not disclosing.

Organizations should strive to judge their employees by the same standards, whether typically or differently abled. A reasonable adjustment may help you work in another way so the disability doesn't undermine your performance. An accommodation gives both you and your business the opportunity to try different ways to mitigate the impact of the disability so your performance doesn't suffer. It's helpful to be proactive so that your organization can implement adjustments before a disability adversely affects your work. Sometimes people delay disclosure until performance significantly declines; by then, it may be very hard to rebuild your reputation and relationships.

Weighing the pros and cons

You may be concerned that, after disclosing your disability, people will view you differently, or limit your opportunities. You can address this directly by making it clear that you want the same treatment and opportunities as everyone else.

Well-meaning colleagues and supervisors will sometimes try to protect people with disabilities from work they consider physically and/or emotionally demanding and, unwittingly, rob them of important career-building experiences. They may avoid contact because they're not sure how to behave and are therefore uncomfortable with routine social interactions that are an everyday part of professional development. If you want to have choices about what challenges you take on, say so. Be proactive about requesting challenging work, and then demonstrate your commitment by doing an outstanding job. Let there be no doubt about your ambition or goals.

On the other hand, if you choose not to mention what you need the organization to do, there are risks. If medical emergencies or safety aren't concerns, the biggest risk you probably face is the possibility that your performance will be impaired by the disability. *Disability doesn't excuse poor performance, nor does it protect you from any actions that may result.* If the organization has been working with you on reasonable adjustments, you have a much better chance of maintaining strong performance or improving decreased performance. There's more trust, closer collaboration, and you're better positioned for success.



Whether you choose to disclose or not, you may at times feel disadvantaged by the impact of your disability. Sometimes this may be due to misperceptions, other times it may be due to practical limitations, but even with the best intentions and adjustments, you may face special challenges. Since you cannot change these issues, you'll want to optimize every asset. Understand your strengths and talents and find every opportunity to leverage them. Become an outstanding contributor, teammate and collaborator. Be generous about sharing information, ideas and knowledge. Bring people together. Build relationships and networks. Deliver outstanding performance and professionalism. Your attitude and proactive approach are your most important contribution to helping others see you and your performance first – and your disability second.

Collaborating is key

Leading practice organizations are committed to handling disability disclosures with confidentiality. However, staff may be involved with developing and/or implementing accommodations, including your HR consultant and, when appropriate, your supervisor, office manager, technology support staff, accommodations support team, and/or legal department.

There are times when it may be helpful to share limited information with colleagues and/or supervisors to avoid misperceptions, build trust and enlist their support with implementing reasonable adjustments. It often takes a team effort for an accommodation to work well, and some degree of openness helps the team come together to support that effort.

Preparing for emergencies

If you have a disability – permanent or temporary – that may impact your ability to quickly and safely evacuate the building in case of an emergency, you should seriously consider notifying appropriate personnel. For example, see whether your location manager and/or emergency response team can access this information so they can make arrangements to help you evacuate safely in case of fire or another emergency. You would then want to keep the appropriate people abreast of any changes to your condition.



Taking leave

Leaves are treated differently from accommodations. They're generally governed by other organizational policies and another set of laws such as the Family and Medical Leave Act (FMLA) rather than the ADA.

When most people think of leaves, they think of maternity leave, or extended time off for recovery from an illness, surgery or treatments. Some organizations have short- and long-term disability policies, which use different definitions of disability to determine if you qualify. The FMLA also permits a reduced schedule or repeated, incremental time off as short as one half-hour for your own serious health condition or that of your parent, child or spouse. This time off applies to medical visits, treatments, illnesses or other temporary incapacities.

If you or your parent, child or spouse have an ongoing condition that requires regular or intermittent time off for these reasons (e.g., you need to leave early or take a day off one day a week to be tested or to receive chemotherapy, or if your condition worsens), you might consider applying for an FMLA leave. Your HR department will tell you who to contact and the required documentation. If you are ineligible for an FMLA leave, you may still qualify for leave as an accommodation. Discuss this option with your HR department and/or accommodations support team.



Questions and answers

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Questions from people with disabilities

Should I notify someone in particular about my disability?

In most organizations, your key HR contact or supervisor should be notified first. He or she will handle any request for accommodations or other disability-related issues you may have. While the discussion will be kept confidential, typically your supervisor will need to be involved in developing or implementing reasonable adjustments, so he or she may need to have some knowledge of your situation.

What should I say?

State the nature of your disability and your need for reasonable adjustments. You don't need to give full medical details, but you should be prepared to *explain how your disability impacts your work*. You may be asked to provide documentation from your doctor or other health care professional. If you have specific adjustments in mind, that's always helpful, but it's not essential.

You may find some good ideas on the [Job Accommodation Network website](#). This free, government-sponsored resource provides a good overview of specific disabilities, discusses possible accommodations, and lists relevant equipment and service providers. If you are requesting a specific adjustment, be prepared to explain exactly how that accommodation will mitigate any negative impacts the disability has on your work. Whether you start with a specific request or not, your HR representative will work with you to develop possible solutions. Understand that developing an effective accommodation plan may take a team effort involving you, your HR department, the accommodations office, your supervisor, and sometimes external subject matter specialists.

“Before I begin working on a project, I give my colleagues tips on how we can communicate most effectively since it’s not obvious that I am hard of hearing. I find that if I ask them at the start to do things a certain way, it’s easier and more efficient for everyone.”

My colleagues don't know about my disability. What should I say if they ask me about my accommodation?

If your adjustment affects colleagues, such as if a change in your work routine affects the day-to-day operations of the team, it's helpful if coworkers have some information, so they know what to expect. If you don't want to discuss your disability, share as much as you can about the modification itself – not *why*, but *what*. If asked a direct question, you can reply in a general way. Restate the question in your response and follow with specifics you're comfortable sharing. Focus on how the work will get done, not on your condition.

For example:

Q: Why do you have to take regular breaks?

A: I work better when I take regular, planned breaks. If you'd like to know when I'm available, I can share that schedule with you.

Some of my colleagues are uncomfortable with my accommodations. What can I do to minimize negativity?

When adjustments affect how a team or group works together – requiring different methods of communication, changes in how work is assigned or how deliverables are produced, for example – members may be uncomfortable or even resentful of the need to change. Sometimes coworkers may even question the necessity for change or suspect special treatment. Here are some things you can do to prevent bad feelings:

- ▶ Be very specific and proactive about communicating any changes. Uncertainty causes discomfort; provide as much information as possible so everyone knows what to expect.
- ▶ Be appreciative. Thank people often – not because making changes is doing you a favor, but because you recognize the effort that's involved.
- ▶ Be helpful. If coworkers are making special efforts to support you, doing the same for them can go a long way toward reducing any negativity.
- ▶ Be collegial. Be strategic about building positive relationships with your coworkers. If people are personally invested in their relationship with you, they'll support you more readily.
- ▶ Show your dedication to the group/team. Be a strong contributor to discussions, meetings and group projects. Volunteer to take on tasks.

“Sometimes I feel good and have lots of energy. Other times it’s hard just to get through the day. Keeping my sense of humor and positive attitude helps me weather the bad times and lets the people I work with know I’m committed to the team and to doing my best no matter what.”

Colleagues who don’t know about my disability may think I’m slacking off, disinterested or getting away with something. What can I do?

In addition to the previous suggestions, remember that you are the expert on your condition. Consider how you can influence your coworkers by educating them over time about the ways in which you have adapted or adjusted in order to fulfill work obligations.

Questions from colleagues

My colleague has a disability our coworkers don't know about. What should I do if there's complaining about special treatment?

- ▶ You might remind people that we cannot do our best work unless every team member does her or his best work.
- ▶ Think about the dissatisfaction underlying the complaint. Maybe it's not really about the person with disabilities, but about the individual complaining. You might want to empathize by saying something like, "I know it could seem that way, but it's really about enabling each of us to do our best so as a team/group we can produce the best work."
- ▶ If there is – or you suspect – an underlying issue affecting the person who is complaining, consider asking what he or she wants for himself or herself. If you're a colleague, you may suggest that your coworker make a request that addresses his or her needs.

"My friend has a disability only a few people know about. When someone on our team complained that the individual was getting special treatment, I just said, 'I sure hope that if I ever need to adjust the way I work, I'll be lucky enough to have colleagues who'll support me.'"

Questions from supervisors

I supervise someone with disabilities. How do I prevent backlash if his or her accommodations inconvenience the team?

- ▶ Clearly communicate new arrangements and address any uncertainties. Ask for comments and/or questions.
- ▶ Discuss the facts of the adjustment, not the disability itself. Avoid using the word “accommodation.” Not only does it compromise confidentiality, but also it may raise questions that you cannot answer without violating privacy or trust.
- ▶ Create a positive team dynamic, emphasizing that to work effectively together, team members must recognize and adjust for individual needs. Some of those needs are practical – such as an adjusted schedule to reduce the physical strain of rush-hour commuting – and some may be behavioral. Chronic pain can cause irritability, for example. Coworkers should try to be more tolerant of one another’s behavior and working arrangements. You can demonstrate this by modeling flexibility and acceptance.
- ▶ Understand that there’s often a tendency to judge people with non-visible disabilities based on one’s own difficulties, e.g., the person with chronic fatigue syndrome isn’t disabled, just tired, and “we all get tired from these heavy workloads.” Counter this mindset by working to ensure that all team members’ needs are recognized and addressed. If people feel they’re receiving appropriate recognition and consideration, they’re likely to be more accommodating. Show your support for the individual with disabilities. Treat him equitably in assignments. Solicit his or her comments during meetings. Spend time with him or her. This isn’t about showing favoritism, but about letting your actions demonstrate that you value the person’s contributions.
- ▶ Assess the impact of the adjustment not only on the individual, but also on the group/team. Review at regular intervals. Provide opportunities for everyone to give input, not on the accommodation, but on “how things are working,” and then address any issues that arise.

I’m a supervisor. What’s the best way to inform the team/group of changes we need to make in order to implement reasonable adjustments?

1. Tell people what will happen and what they’re expected to do. Let them know when/if the arrangement will be re-evaluated, and how they should provide feedback/suggestions.
2. Anticipate and prepare for questions/objections.
3. If possible, present the adjustment in a broader context by discussing other team/group issues at the same time.
4. Follow up with a summary email to ensure everyone has the same understanding.

What should I say when someone reporting to me says that he or she is depressed and worried about it affecting his or her performance?

1. Thank him or her for bringing it up. Talking about a non-visible disability, and especially a mental health issue, is often very difficult for people. Acknowledging this helps build trust.
2. Fact-find to get a basic understanding of the situation. How long has this been going on? Has he or she spoken with anyone about this? Does he or she feel it's affecting performance now? How does he or she know that?
3. Offer resources, not advice. Employee assistance programs may be helpful with any needed work adjustments.
4. Suggest that the individual consider contacting a mental health professional. Your company's employee assistance program may be able to provide referrals.
5. Ask what action he or she would like you to take (if any).
6. Ask if there's something else the company can do to help, such as reasonable adjustments/accommodations.
7. If reasonable adjustments may be needed, contact the appropriate HR representative to work with you on determining next steps.

What should I say when someone asks about one of my reports' adjustments/accommodations?

- ▶ There's no need to answer directly. You can note that the arrangement is designed to help ensure every team member can be fully productive, do the best work and ensure that the arrangement is working for everyone.
- ▶ Avoid using the word "accommodation." Not only does it compromise confidentiality, but also it may raise questions that you cannot answer without violating privacy or trust.

“As a supervisor, when someone asks me about another person’s accommodation, I just say that the arrangement is the most effective way for that individual to work. I state it as a fact, pure and simple. No more explanation is needed.”

I suspect one of my team members has a disability. What should I say to that person about it?

- ▶ A disability is a personal matter, and if an individual chooses not to discuss a non-visible disability, it's inappropriate to ask directly. However, it is entirely appropriate to share any observations leading you to suspect a disability if those behaviors are impacting work performance or professionalism. As is the case with any performance-related issues, you might share your observation, state the negative impact, and ask if there's anything you or the organization can do to help.
- ▶ Mention to the individual that his or her productivity and/or work quality have declined and ask if the person is having difficulties with the concepts or if there is something the team can do to help.
- ▶ If you suspect that health and safety may be at risk, say so directly.
- ▶ If the individual is uncomfortable talking with you about the situation or need for reasonable adjustments, remind him or her that he or she can always turn to his or her HR representative. As a supervisor, it's helpful but not essential that you know the specifics, as long as you know what adjustments need to be made.
- ▶ It is always a good idea to document conversations about disabilities or adjustments in an email to the employee and to copy the appropriate HR professional. State the key points covered and anything agreed upon, such as next steps. Ask that the individual verify that this is a full and accurate summary by replying to the message, or to reply with corrections if it is not.

My report has a disability our coworkers don't know about. What should I do if there's complaining about special treatment?

- ▶ You might remind people that we cannot meet customers' or clients' expectations unless every team member does his or her best work.
- ▶ Think about the dissatisfaction underlying the complaint. Maybe it's not really about the person with disabilities, but about the individual complaining. You might want to empathize by saying something like, "I know it could seem that way, but it's really about enabling each of us to do our best so as a team/group we can produce the best work."
- ▶ If there is – or you suspect – an underlying issue affecting the person who is complaining, consider asking what he or she wants for himself or herself. This may be a reasonable request that you can grant, or there may be an alternative that will meet the need.

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