



Disability Awareness and Disclosure Strategies

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Diversifi Consulting Group, LLC

Diversifi Consulting Group, LLC (DiversifiCG) is a certified:

- ▶ Disability-Owned Business Enterprise (DOBE®)
- ▶ Women's Business Enterprise (WBE)
- ▶ Woman-Owned Small Business (WOSB)
- ▶ ADA (Americans with Disabilities Act) Leadership Network Trainer

Our mission is to educate companies, associations, individuals, and other entities on disability awareness and inclusion in the workplace and community.

Services we provide include:

- ▶ Customized webinars and virtual workshops
- ▶ One-on-one consultations
- ▶ Speaking engagements



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DiversifiCG Webinars and Virtual Workshops

- Non-Obvious Disabilities and Disclosure Workshops
- Disability Awareness and Etiquette Guidelines
- Navigating the Hiring Process as a Job Seeker with a Disability
- Preparing for the Workforce of Tomorrow /Hiring People with Disabilities



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Five Titles of the ADA

Title 1. Employment

Prohibits disability discrimination in all employment processes

Title 2. Accessibility in public entities

Physical and program accessibility in state/local govt. entities

Title 3. Accessibility in businesses

Physical and program accessibility in restaurants, hotels, stores, places of business

Title 4. Telecommunications

Telephone and communications systems for the public

Title 5. Miscellaneous

Protection from retaliation



Who has rights under the ADA?

Applies to people who:

- Have a disability
- Record of/regarded as having a disability
- Have an association with a person with a disability



What is a “disability?”

*...A physical or mental impairment that substantially limits one or more major life activities**

* www.eeoc.gov/laws/regulations/ada_qa_final_rule.cfm

Why Disclose?

- Need for accommodation
- Supportive supervisor relationship
- Disability-friendly workplace
- Active disability recruiting
- Knowing of the successes of others
- Disability in diversity statement
- Belief in new opportunities
- Disabled employee as recruiter
- Existence of ERGs – disability awareness training

Source: Schrader, S., Malzer, V., Erickson, W., & Bruyère, S. (2011). Emerging employment issues for people with disabilities: Disability disclosure, leave as a reasonable accommodation, use of job applicant screeners. Report of a Cornell/AAPD Survey. Ithaca, NY: Cornell University Employment and Disability Institute)

Barriers to Disclosure

- ▶ Risk of being fired/not hired
- ▶ Employer may focus on disability
- ▶ Risk of losing health care
- ▶ Fear of limited opportunities
- ▶ Supervisor may not be supportive
- ▶ Risk of being treated differently
- ▶ No impact on job ability
- ▶ Desire for privacy

Source: von Schrader, S., Malzer, V., Erickson, W., & Bruyère, S. (2011). Emerging employment issues for people with disabilities: Disability disclosure, leave as a reasonable accommodation, use of job applicant screeners. Report of a Cornell/AAPD Survey. Ithaca, NY: Cornell University Employment and Disability Institute)

DISCLOSURE OPTIONS FOR EMPLOYMENT

TIME OF DISCLOSURE	ADVANTAGES	DISADVANTAGES	ISSUES
1. On a Resume or Application	Honesty/Peace of Mind: Lets employer decide if disability is an issue.	Might disqualify you with no opportunity to present yourself & your qualifications.	You may have a harder time finding work, but usually have no disability related problems.
2. Employer Calls for an Interview	Honesty/Peace of Mind: Reduces "Shock Value" upon initial meeting.	May not get interview or receive serious consideration during interview.	Without "Shock Value", employer may more comfortable.
3. Interview: Moment of Meeting	Demonstrates to employer your positive self-perception.	"Shock Factor" that makes employers uncomfortable: may have to refocus employer.	Employer is distracted by your disability. Deal with embarrassment and anger.
4. During the Interview	Honesty: Opportunity to respond briefly & positively in person to specific disability issues. Discrimination less likely face-to-face.	Puts responsibility on you to handle disability issues in a clear, non-threatening way. Too much emphasis on issue indicates possible problem: you are not being evaluated on your abilities.	How comfortable are you discussing your disability? Are you too preoccupied with disability? Prepare to answer.
5. Interview: Pre-offer	Honesty: Lets employer know prior to offer.	Employer may feel person has been less than honest waiting this long.	If a person requires accommodations, they need to consider disclosing at this point.

(Aase and Smith, 1989 & Witt, M.A., 1992)

DISCLOSURE OPTIONS FOR EMPLOYMENT

TIME OF DISCLOSURE	ADVANTAGES	DISADVANTAGES	ISSUES
6. Interview: Post-offer, Pre-acceptance	Honesty: If the disability information changes the hiring decision, there is legal recourse.	Employer may feel you should have told before hiring decision was made. Could lead to distrust.	Need to evaluate disability & explain that it will not interfere with ability to perform job.
7. After you start work	Opportunity to prove yourself on a job before disclosure. Allows you to respond to disability questions with peers at work. If disclosure affects employment status & the condition doesn't affect your ability to perform your job, you may be protected by law.	Nervousness on the job. Possible employer accusation of falsifying your application. Could change interactions with peers. May not have legal recourse.	The longer you put off disclosing, the harder it becomes. It may be difficult to identify who to tell.
8. After a problem on the job	Opportunity to prove yourself on the job before disclosure.	Possible employer accusation of falsifying your application. Can perpetuate disability myths and misunderstandings. May not have legal recourse.	Relationships with your co-workers may be hurt if they feel you have not been truthful with them. It may be difficult to reestablish trust.
9. Never	Employer can't respond to your disability unless you choose to disclose.	If disability is discovered, you run the risk of being dismissed and possibly having no legal recourse. Can perpetuate disability myths and misunderstandings.	If you are sure your disability will not be an issue for your job performance, the issue of disclosure becomes less critical.

(Aase and Smith, 1989 & Witt, M.A., 1992)

Resources

- Office of Disability Employment Policy – Department of Labor:
<https://www.dol.gov/odep/>
- The Job Accommodation Network: <https://askjan.org>
- Mid-Atlantic ADA Center: www.adainfo.org
- Office of Federal Contract Compliance Programs
<https://www.dol.gov/agencies/ofccp>
- U.S. Equal Employment Opportunity Commission:
<https://www.eeoc.gov/laws/guidance/fact-sheet-disability-discrimination>