



CANCERcare®

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fact sheet

CANCER AND THE WORKPLACE

For some, work life doesn't stop after a cancer diagnosis. It's important to know your rights if you want to continue working during your cancer treatment.

KNOW YOUR RIGHTS

The Americans with Disability Act (ADA) requires that organizations with 15 or more employees comply with ADA guidelines. Employers must offer accommodations that do not cause "undue hardship" to the business to any employee who has a disability as defined by the ADA.

Flexible work hours to meet treatment schedules and doctor's appointments are the most frequent workplace accommodations required by people living with cancer. If you require flextime, it is important to disclose your cancer diagnosis to your supervisor or Human Resources department to be protected under the ADA or you could risk jeopardizing your job security.

The following are other possible accommodation options under the ADA:

- Periodic breaks or a private area to rest or take medication
- Approval to work at home
- Reallocation or redistribution of marginal tasks to another employee

For more information, call 800-514-0301 or visit the ADA website at www.ada.gov.

Obtaining Employment. Under the ADA laws, you have the following rights:

- An employer cannot ask if a job applicant has or had cancer or about any treatment related to cancer prior to making a job offer.
- An applicant does not have to tell an employer that they have or had cancer before accepting a job offer.
- An employer cannot ask any follow-up questions if an applicant voluntarily tells the employer that they have or had cancer.



Family Medical Leave Act (FMLA) can cover some time off during treatment. Under FMLA, an employee can take up to 12 weeks of unpaid leave per 12-month time period. To be eligible for FMLA benefits, an employee must work for an employer with at least 50 employees within 75 miles and have worked for this employer for a total of 12 months and for 1,250 hours over the last 12 months.

The Equal Employment Opportunity Commission (EEOC) is a federal agency that enforces the provisions of the ADA and FMLA and assists citizens who feel they have been discriminated against in the workplace. If you feel you are being treated unfairly, contact the EEOC at 1-800-669-4000 or visit www.eeoc.gov.

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TALK TO YOUR DOCTOR

Many people are able to continue working during their treatments. Being proactive can make all the difference. The keys are good communication with your health care team, knowing up front what the expected side effects will be and developing a plan with your doctor.

- Let your doctor know if work is a priority for you throughout treatment.
- Describe your work hours and what your job entails to your doctor. It's also important to include any unique circumstances that may be difficult for you throughout treatment.
- Ask your doctor what to expect during treatment and how treatment or side effects can affect your job performance.
- Ask about treatment options that might make it easier for you to continue working, like oral chemotherapies, medications to manage side effects and times to schedule treatment.

SHARING WITH OTHERS IN YOUR WORKPLACE

It can be challenging to navigate conversations about diagnosis and treatment in the workplace. Some things to keep in mind regarding conversations in the workplace are the setting, your colleagues and how much you want to share.

- Tell your colleagues as much, or as little, as you want. Your diagnosis is your story to tell, and you know your workplace environment best.
- Be conscious of how much others may want to share your story. Make sure to specify whether you intend to keep your diagnosis or treatment private and between yourselves.
- Feel confident in setting boundaries in the workplace. You may wish to share more some days and less other days. Do what is most helpful to you.

CancerCare® Can Help

Founded in 1944, CancerCare is the leading national organization providing free support services and information to help people manage the emotional, practical and financial challenges of cancer. Our comprehensive services include counseling and support groups over the phone, online and in-person, educational workshops, publications and financial and co-payment assistance. All CancerCare services are provided by master's-prepared oncology social workers and world-leading cancer experts.

To learn more, visit www.cancer.org or call **800-813-HOPE (4673)**.

Facebook: [facebook.com/CancerCare](https://www.facebook.com/CancerCare) | **Instagram:** @CancerCareUS | **Twitter:** @CancerCare



RESOURCES

The Americans with Disability Act
www.ada.gov

Cancer and Careers
www.cancerandcareers.org

Cancer Legal Resource Center
www.thedrhc.org/cancer
866-843-2572

The Equal Employment Opportunity Commission
www.eeoc.gov
800-669-4000

Family Medical Leave Act
www.dol.gov/whd/fmla

LawHelp.org
www.lawhelp.org

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