

CANCER AND THE WORKPLACE

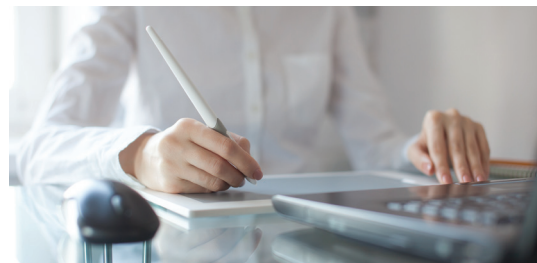
For some, work life doesn't stop after a cancer diagnosis. It's important to know your rights if you want to continue working during your cancer treatment.

KNOW YOUR RIGHTS

The Americans with Disability Act (ADA) requires that organizations with 15 or more employees comply with ADA guidelines. The ADA recommends that any accommodation that you need does not cause "undue hardship" to your employer. The following are possible accommodations options under the ADA:

- Flexible work hours to meet treatment schedules and doctors appointments is the most frequent workplace accommodation required by people living with cancer. If you require flextime, it is important to disclose your cancer diagnosis to your supervisor or Human Resources to be protected under the ADA. If no reason is given for frequent requests of flextime, you could risk jeopardizing your job security.
- Periodic breaks or a private area to rest or to take medication
- Approval to work at home
- Modification of office temperature
- Permission to use work telephone to call doctors where the employer's usual practice is to prohibit personal calls
- 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 his or her treatment related to cancer prior to making a job offer
- An applicant does not have to tell an employer that she/he has or had cancer before accepting a job offer
- An employer cannot ask any follow-up questions if an applicant voluntarily tells the employer that he/she has 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 (one who offers FMLA) where at least 50 employees are employed within 75 miles; have worked for the employer for a total of 12 months; and have worked at least 1,250 hours over the previous 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.

TALK TO YOUR DOCTOR

Many people are able to continue working during their treatments and 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 can affect your job performance
- Be prepared for treatment side effects and ask your doctor how you can best manage side effects during work hours
- Talk to your doctor about the best time to schedule treatment or take any medications to minimize side effects during your work hours
- Ask about treatment options that might make it easier for you to continue working, like oral chemotherapies

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 professional oncology social workers and world-leading cancer experts.

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

Facebook: facebook.com/cancercare | **Twitter:** @cancercare



RESOURCES

The Americans with Disability Act

www.ada.gov

Cancer and Careers

cancerandcareers.org

Cancer Legal Resource Center

866-843-2572

cancerlegalresourcecenter.org

The Equal Employment Opportunity Commission

www.eeoc.gov

800-669-4000

Family Medical Leave Act

www.dol.gov/whd/fmla

LawHelp.org

lawhelp.org

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