

For some, work life doesn't stop after a cancer diagnosis. It's important to know your rights and needs if you continue to work during, and after, your cancer treatment. This fact sheet will tell you:

- Knowing your rights and protections as a worker
- The importance of talking with your doctor
- Communication with your co-workers



What are My Rights and Protections as an Employee?

The **Americans with Disabilities Act (ADA)** requires that organizations with 15 or more employees follow 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.

Disclosing your cancer diagnosis to your supervisor or Human Resources department is the strongest way to be protected under the ADA or you could risk your job security when asking for accommodations.

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
- Giving some tasks to another employee

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

The **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 of each other and have worked for this employer for a total of 12 months and for 1,250 hours over the last 12 months. For more, go to www.dol.gov/whd/fmla, or contact your HR department

The Equal Employment Opportunity Commission (EEOC) is a federal agency that enforces the provisions of Title 1 of the ADA 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.

Two agencies that can help are Cancer and Careers, at www.cancerandcareers.org, and LawHelp.org, at www.lawhelp.org.



What Are My Rights and Protections While Interviewing for a Job?

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.
- An employer cannot decide not to offer a job to an applicant because of a cancer diagnosis.



What Should I Say to My Doctor?

Many people are unsure if they can continue working during their treatments. Talking about work with your doctor can only help know what the expected side effects will be.

- Let your doctor know if work is a priority for you throughout treatment.
- Describe your work hours and what your job duties are.
- 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.



Should I Share My Cancer Experience With Coworkers?

It can be hard to know how to tell your coworkers about your cancer and treatment, or whether you want to tell them at all.

- Tell your colleagues as much, or as little, as you want. Your diagnosis is your story to tell, and you your workplace environment.
- Know that some coworkers may share your story with others in the workplace. Be clear when you do not want your situation told to others.
- Be clear 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 resource navigation, 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.cancercare.org or call **800-813-HOPE (4673)**.

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This fact sheet is supported by the Anna Fuller Fund, Bristol Myers Squibb and a grant from Genentech.