Understanding Workplace Issues and Cancer

CANCERCARE CONNECT® BOOKLET SERIES



WWW.CANCERCARE.ORG



The Cancer*Care* Connect<sup>®</sup> Booklet Series offers up-to-date, easy-to-read information on the latest treatments, managing side effects and coping with cancer.

Founded in 1944, Cancer*Care*<sup>®</sup> is the leading national organization providing free, professional support services and information to help people manage the emotional, practical and financial challenges of cancer. Our comprehensive services include case management, counseling and support groups over the phone, online and in person, educational workshops, publications and financial and co-payment assistance. All Cancer*Care* services are provided by master's-prepared oncology social workers.

Cancer*Care* relies on the generosity of supporters to provide our services completely free of charge to anyone facing a cancer diagnosis. If you have found this resource helpful and wish to donate, please do so online at www.cancercare.org/donate. You may also mail a check, payable to Cancer*Care*, to Cancer*Care*, Attn: Donations, 275 Seventh Avenue, New York, NY 10001.

Thank you.

Cancer*Care®* National Office 275 Seventh Avenue New York, NY 10001 Toll-free 800-813-HOPE (4673) Fax 212-712-8495 Email info@cancercare.org Web www.cancercare.org

The content of this booklet is independent, non-promotional and free of commercial influence and bias.

### Understanding Workplace Issues and Cancer

#### **TABLE OF CONTENTS**

Introduction	2
Workplace Laws	2
Managing Side Effects.	6
Communicating With Your Health Care Team	
CancerCare's Free Support Services and Programs	
Frequently Asked Questions	
Resources	

#### **EDITOR**

**Sheila Zablow, Esq.** Senior Staff Attorney, Legal Health, New York Legal Assistance Group (NYLAG)

© 2021 CancerCare®. All rights reserved. 2/21 All people depicted in the photographs in this booklet are models, used for illustrative purposes only. For many, work life doesn't stop after a cancer diagnosis. This booklet contains information you should be aware of should you continue to work during treatment.

# Workplace Laws

As a person being treated for cancer, it is important for you to understand the laws that serve to protect you in the workplace.

**The Americans with Disability Act (ADA).** The ADA prohibits discrimination against people with disabilities. Employers with 15 or more employees must follow ADA guidelines. To qualify for ADA protection, you must:

- Meet the ADA definition of a "disabled person"
- Be able to perform the essential functions of the job
- · Not pose a risk to your own or others' health and safety
- Not cause "undue hardship" to your employer for any accommodations you might need

Here are some of the most common accommodation options under the ADA:

- Flexible work hours to meet treatment schedules and medical appointments
- Periodic breaks or a private area to rest or to take medication

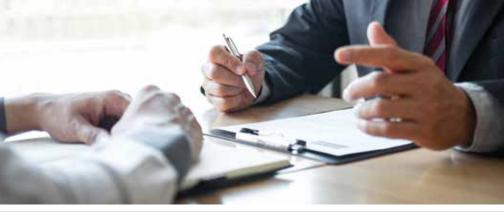
- Approval to work at home
- Modification of office temperature
- Reallocation or redistribution of marginal tasks to another employee

Although the ADA does not require that an employee disclose a specific diagnosis, informing your employer that you have cancer may be necessary when requesting a reasonable accommodation. Be aware that employers have the right to offer alternative accommodations; the law requires an "interactive process" of discussion.

If you are seeking employment, you have the following rights under the ADA laws:

- Prior to making a job offer, an employer cannot ask if a job applicant has or had cancer or ask about their treatment related to cancer.
- 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. There are exceptions: the employer may ask the applicant to confirm their ability to perform the essential functions of the job, and employers are also permitted to ask applicants to describe or demonstrate how they would perform a job task.

Most states have passed anti-discrimination laws that provide expanded protections. For more information, call 1-800-514-0301 or visit the ADA website at www.ada.gov.



**The Family and Medical Leave Act (FMLA).** The FMLA enables people dealing with a serious illness to take unpaid leave for up to 12 weeks within one calendar year. The FMLA applies to employers with 50 or more employees within 75 miles. Employers must continue to provide health benefits during the leave. The FMLA also applies to certain family members of people with serious illnesses.

To qualify, the employee must have worked with their employer for at least one year. Part-time employees are covered if they worked a minimum of 1,250 hours during the year. The leave does not have to be taken all at once but can be taken in blocks of time (intermittently).

To learn more, visit the U.S. Department of Labor's website at www.dol.gov and search for FMLA.

**Equal Employment Opportunity Commission (EEOC).** The EEOC is a federal agency that enforces the provisions of the ADA and FMLA and helps people who have been discriminated against in the workplace.

For more information, or if you feel you are being treated unfairly, call 1-800-669-4000 or visit www.eeoc.gov.

### The Importance of Clinical Trials

Clinical trials are the standard by which we measure the worth of new treatments and the quality of life of individuals as they receive those treatments. For this reason, doctors and researchers urge people with cancer to take part in clinical trials.

Your doctor can guide you in making a decision about whether a clinical trial is right for you. Here are a few things that you should know:

- Often, people who take part in clinical trials gain access to and benefit from new treatments.
- Before you participate in a clinical trial, you will be fully informed as to the risks and benefits of the trial, including any possible side effects.
- Most clinical trials are designed to test a new treatment against a standard treatment to find out whether the new treatment has any added benefit.
- You can stop taking part in a clinical trial at any time for any reason.

# Managing Side Effects

All cancer treatments can cause side effects. It's important that you report any side effects that you experience to your health care team so they can help you manage them. Report them right away—don't wait for your next appointment. Doing so will improve your quality of life and allow you to stick with your treatment plan.

Some side effects may occur across treatment approaches. This section provides tips and guidance on how to manage these side effects should they occur.

### **Managing Digestive Tract Symptoms**

#### Nausea and vomiting

- Avoid food with strong odors, as well as overly sweet, greasy, fried or highly seasoned food.
- Eat meals that are chilled, which often makes food more easily tolerated.
- Nibble on dry crackers or toast. These bland foods are easy on the stomach.
- Having something in your stomach when you take medication may help ease nausea.

#### Constipation

• As hydration is important to avoid constipation, make sure to drink plenty of fluids. Also, limit your intake of caffeine and alcoholic beverages, as they can cause dehydration.

- Include foods high in fiber in your daily diet, such as fruit (especially pears and prunes), vegetables and cereals. If your health care team approves, you may want to add synthetic fiber to your diet, such as Metamucil, Citrucel or FiberCon.
- Be as physically active as you can, after checking with your health care team on the level of physical activity that is right for you.
- If your doctor has prescribed a "bowel regimen," make sure to follow it exactly.

#### Diarrhea

- Drink plenty of water. Ask your doctor about using drinks such as Gatorade which provide electrolytes. Electrolytes are body salts that must stay in balance for cells to work properly.
- Over-the-counter medicines such as loperamide (Imodium A-D and others) and prescription drugs are available for diarrhea but should be used only if necessary. If the diarrhea is bad enough that you need medicine, discuss it with your doctor or nurse.
- Choose fiber-dense foods such as whole grains, fruits and vegetables, all of which help form stools.
- Avoid food high in refined sugar and those sweetened with sugar alcohols such as sorbitol and mannitol.





### Managing Loss of Appetite

- Eating small meals throughout the day is an easy way to take in more protein and calories, which will help maintain your weight. Try to include protein in every meal.
- To keep from feeling full early, avoid liquids with meals or take only small sips (unless you need liquids to help swallow). Drink most of your liquids between meals.
- Keep high-calorie, high-protein snacks on hand such as hard-boiled eggs, peanut butter, cheese, ice cream, granola bars, liquid nutritional supplements, puddings, nuts, canned tuna or trail mix.
- If you are struggling to maintain your appetite, talk to your health care team about whether appetite-building medication could be right for you.

### **Managing Fatigue**

Fatigue (extreme tiredness not helped by sleep) is one of the most common side effects of many cancer treatments. Here are a few tips that may help reduce fatigue:

- Take several short naps or breaks during the day.
- Take short walks or do some light exercise, if possible.
- Try easier or shorter versions of the activities you enjoy.
- Ask your family or friends to help you with tasks you find difficult or tiring.
- Save your energy for things you find most important.

There are also prescription medications that may help. Your health care team can provide guidance on whether medication is the right approach for your individual circumstances. Fatigue can be a symptom of other illnesses, such as anemia, diabetes, thyroid problems, heart disease, rheumatoid arthritis or depression. Be sure to ask your doctor if they think any of these conditions may be contributing to your fatigue.

It can also be beneficial to speak with an oncology social worker or oncology nurse to help manage your fatigue. These professionals can work with you to manage any emotional or practical concerns that may be causing symptoms and help you find ways to cope.

### Managing Flu-Like Symptoms

The fever and aches that may occur with treatment can be managed with a combination of rest and medication. Acetaminophen (such as Tylenol) is often a doctor's first choice to treat these symptoms. Nonsteroidal anti-inflammatory drugs (NSAIDs) can also help, but should be taken only if recommended by your doctor, as they can cause other side effects. NSAIDs include aspirin, ibuprofen (Motrin and others) and naproxen (Naprelan, Midol, Aleve and others).

It may be helpful to keep a daily log (on paper or in a digital format) of any side effects that you experience. The log should include:

- The specific side effect
- The time the side effect occurred
- The activity you were engaged in when the side effect occurred
- How strongly you were affected, on a scale of 1 to 10
- Any relief measure you might have taken and its effectiveness

This log will make it easier to share information with your health care team. Together, you can find effective strategies to manage these side effects.



### Communicating With Your Health Care Team

As you manage your cancer, it's important to remember that you are a consumer of health care. The best way to make decisions about health care is to educate yourself about your diagnosis and the members of your health care team, including doctors, nurses, nurse practitioners, physician assistants, dietitians, social workers and patient navigators.

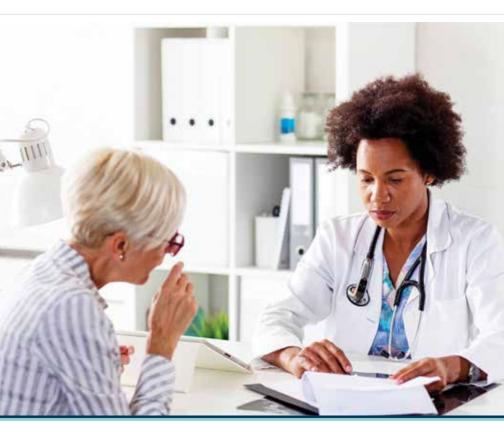
Here are some tips for improving communication with your health care team:

**Start a health care journal.** Having a health care journal or notebook (either on paper or in a digital format) will allow you to keep all of your health information in one place. You may want to write down the names and contact information of the members of your health care team, as well as any questions for your doctor. Keep a diary of your daily experiences with cancer and treatment. You can separate your journal or notebook into different sections to help keep it organized.

**Prepare a list of questions.** Before your next medical appointment, write down your questions and concerns. Because your doctor may have limited time, you should ask your most important questions first, and be as specific as possible.

**Bring someone with you to your appointments.** Even if you have a journal and a prepared list of questions or concerns, it's always helpful to have support when you go to your appointments. The person who accompanies you can serve as a second set of ears. They may also think of questions to ask your doctor or remember details about your symptoms or treatment that you may have forgotten.

Write down your doctor's answers. Taking notes will help you remember your doctor's responses, advice and instructions. If you cannot write down the answers, ask the person who accompanies you to do that for you. If you have a mobile device, like a tablet or smartphone, ask if you can use it to take notes. Writing notes will help you review the information later.



**Record your visit if your doctor allows it.** Recording the conversation with your doctor gives you a chance to hear specific information again or share it with family members or friends.

#### Incorporate other health care professionals into your team.

Your medical oncologist is an essential member of your health care team, but there are other health care professionals who can help you manage your diagnosis and treatment:

- Your primary care physician should be kept updated about your cancer treatment and any test results.
- Your local pharmacist is a great source of knowledge about the medications you are taking. Have all of your prescriptions filled at the same pharmacy to avoid the possibility of harmful drug interactions.
- Make sure your oncologist knows of any other medical conditions you have, or any pain you are experiencing, so that they can consult with your primary care physician or your specialist if needed.
- Ask your oncologist to send a summary of your visits to your primary care physician and all doctors involved in your care.

Remember, there is no such thing as over-communication.



## Cancer*Care*'s Free Support Services and Programs

It can be very difficult to receive a diagnosis of cancer, and adjusting to the necessary changes in your life can be challenging.

Cancer*Care*<sup>®</sup> can help. We are a national nonprofit organization providing free, professional services to anyone affected by cancer. Our licensed oncology social workers can provide support and education, help in navigating the complicated health care system, and offer information on support groups and other resources.

To learn more about how Cancer*Care* can help, call us at 800-813-HOPE (4673) or visit www.cancercare.org.

You will likely also build your own personal support network composed of family and friends. In doing so, it's best to take some time to think about the people in your life and how they are best suited to help. Match the task to their strengths—ask a family member who loves to shop to pick up something for you at the store; ask a friend who's a good listener to come over for a chat.



# MORE ABOUT UNDERSTANDING WORKPLACE ISSUES AND CANCER

### Frequently Asked Questions

## **Q: I am unable to work. What are my options for health insurance?**

A: If you are unable to work due to your cancer diagnosis and/or treatment, there is help. Options for health insurance include:

- Medicare and Medicaid. Medicare is a government-provided health care plan for people 65 and older and those who have been receiving Social Security Disability Insurance benefits for a minimum period of two years. Medicaid provides health care services for people whose income falls under a certain level. Contact the Centers for Medicare and Medicaid Services (CMS) at 877-267-2323 or visit www.cms.hhs.gov to find out whether you are eligible for either of these programs.
- **COBRA.** If you have left a job recently and were covered by an employer's health insurance, you may be able to continue your coverage under COBRA (the Consolidated Omnibus Budget Reconciliation Act). This law requires employers to make health insurance coverage available through their plan to former employees for a minimum of 18 months after employment has ended. Beneficiaries are required to pay the premiums plus an additional administrative fee. Visit the U.S. Department of Labor website (www.dol.gov) to learn if you are eligible.
- Social Security. Social Security Disability Insurance or Supplemental Security Income may be able to help with the cost of health insurance and other living expenses. For eligibility requirements, call 800-772-1213 or visit www.socialsecurity.gov/disability/.

**On a related note:** Unemployment Insurance may be an option if you lose your job. Typically, however, you must be well enough to work to qualify for unemployment insurance. Speak to your human resources office regarding health insurance options as well as short-term and long-term disability options, if any.

# Q: Are there any specific discussions I should be having with my health care team about my work or my workplace?

A: In addition to the general guidance provided for improving communication with your health care team, here are specific tips related to your workplace.

- Let your doctor know if work is a priority for you throughout treatment.
- Describe your work hours and what your job entails. It's also important to include any unique workplace circumstances that may cause difficulty for you during treatment.
- Ask your health care team what to expect during treatment and how treatment may affect your job performance.
- Be prepared for treatment side effects and ask your doctor how you can best manage side effects, both during and after work hours.
- Ask 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.

#### Q: What is a treatment summary and why is it important?

A: Keeping your own records up-to-date in the form of a treatment summary can be helpful, as it allows you and your family members to have instant access to the specifics of your cancer diagnosis and treatment. A treatment summary should include:

- Your name and date of birth
- Date of diagnosis
- Prescribed therapy/therapies, including dates started and stopped and dosages when appropriate
- Dates and types of baseline and post-diagnosis testing and the results of these tests
- · Other medications and supplements you are taking
- Names, affiliations and contact information of all members of your health care team

Ask the members of your health care team what they suggest be included. Take your personal record with you when you visit any doctor, not just your oncologist.



### Resources

CancerCare® 800-813-HOPE (800-813-4673) www.cancercare.org

American Cancer Society 800-227-2345 www.cancer.org National Coalition for Cancer Survivorship (NCCS) www.canceradvocacy.org

Cancer Financial Assistance Coalition www.cancerfac.org

Medicine Assistance Tool www.medicineassistancetool.org

Cancer and Careers www.cancerandcareers.org

Patient information from the American Society of Clinical Oncology 888-651-3038 www.cancer.net

Cancer.Net

**Cancer Support Community** 

888-793-9355 www.cancersupportcommunity.org

National Cancer Institute 800-422-6237 www.cancer.gov



WWW.CANCERCARE.ORG 800-813-HOPE (4673)