

## Tips to Resolve Employment Issues

Internet version of this handout with active resource links at: <http://cancer-help.me/work>

**Determining whether to tell your employer that you have been diagnosed with cancer is a very personal decision.**

**Factors to consider when deciding whether to disclose are:**

- Whether the cancer or side effects from cancer treatment will impact your ability to do the essential job duties
- Whether you will need accommodations or extended time off
- The culture of your work environment

**If you choose to disclose, here are some tips to consider:**

- Different managers may be more or less supportive of your situation. If you are uncomfortable discussing your issue with your supervisor, read your personnel manual or employee handbook or speak to a human resources staff member.
- To decrease the likelihood of misinterpretations from supervisors, it is best to give supervisors ample notice to arrange for accommodations and/or needed coverage
- Consider sharing with them when and why you may be late for work, need to leave early or changes in your ability to concentrate or changes in your mood.
- Ask human resources staff or supervisors about all company benefits or services that could help, such as donated Paid time off, flex-time, job-sharing, working from home, short and long term disability, employee assistance funds, etc.

**Know Your Rights –**

**The Americans with Disability Act (ADA)**

- Protects eligible people living with a disability from

discrimination in the workplace

- Requires eligible employers to make “reasonable accommodations” to allow employees to function properly on the job
- Ensures that employers must treat all employees equally

To be eligible the employee must:

- Disclose they have a “major medical illness” to a manager or HR
- Be employed by an employer with 15 or more employees
- Includes cancer or a history of cancer in its definition of disability

**Federal Family and Medical Leave Act. (FMLA)**

- You can ask employer for a copy of the FMLA or download from the internet using the link below.
- The law requires a covered employer must grant an eligible employee up to 12 work weeks of unpaid leave in a 12-month period to care for an immediate family member (spouse, child or parent, but not in-laws) with a serious health condition without loss of job security or health benefits.
- The law permits you to use, or your employer may require you to use, any accrued paid leave, such as vacation or sick leave, for some or all of the FMLA leave period.
- Employees are eligible to take FMLA leave if they:
  - have worked for their employer for at least **12 months**, and have worked for at least **1,250 hours** over the previous **12 months**
  - work at a location where at least 50 employees are employed by the employer within 75 miles

Adapted from: <https://www.cancer.gov/about-cancer/coping/feelings/relaxation> and <https://www.cancer.net/coping-with-cancer/managing-emotions/managing-stress>

### Legal Rights Links:

- [Americans with Disabilities Act \(ADA\)](#)
- [US Equal Employment Opportunity Commission, Q&A about Cancer in the Workplace and the ADA](#)
- [LAF, Free Legal Assistance for those living in poverty in Cook County Illinois](#)
- [Triage Cancer, Beyond Diagnosis](#)

### Resources for Additional Information:

- [CancerandCareers.org](#)
- [American Cancer Society, Working During and After Treatment](#)
- [LiveStrong, Employment Issues](#)
- [US Department of Labor, Family and Medical Leave Act \(FMLA\)](#)
- [Social Security Disability Benefits](#)
- [National Cancer Legal Services Network](#)
- [Leukemia & Lymphoma Society, Balancing Work](#)
- [American Cancer Society, Keeping employer-sponsored health insurance coverage](#)
- [Cancer Support Community, Employment and Cancer](#)

### Información Española

- [American Cancer Society, El trabajo durante y después del tratamiento](#)