

WELCOME

Disability Disclosure: How it Supports Reasonable Accommodations & Customized Employment

Presented by Lucy Gafford, M.S., CRC, CESP

Director, UNT-WISE

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This session is sponsored in part by



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Our Lives. Our Rights. Our Voices.



WHEN: Established in 2014 by Carissa Paschall & Jamie Butler

WHY: The Self-Determination group serves to:

Amplify the voices of people with disabilities to live a self-determined life – life as each person defines it

Advance the disability rights movement

AFFILIATIONS:

Texas Advocates



The Arc of DFW Area



STAY CONNECTED:

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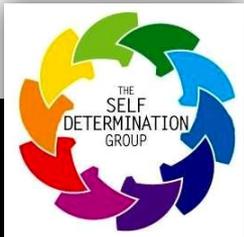
Facebook: @TheSelfDeterminationGroup



Session Facilitator

**Lucy Gafford, M.S., CRC, CESP,
Director, UNT-WISE**

Lucy is a Certified Rehabilitation Counselor with a master's degree in Rehabilitation Counseling from UNT. She was previously employed by the state VR agency in Texas for 11.5 years where many of her job duties centered on serving transition aged youth. During her tenure with the state, she participated in many committees and task forces to improve services for youth with disabilities. This led to creating various programs to help students gain valuable skills as they transitioned into independent living and employment such as summer camps in conjunction with REACH independent living services, specialized employment placement programs with various local employers, and collaborations with many community partners to increase social skills. As the current director of UNT WISE, she coordinates various transition programs including residential summer camps for students with disabilities to teach IL, Social and Vocational skills; Transition summits that offer students with disabilities the opportunity to gain insight into life after high-school; and ENGAGE services to help neurodivergent UNT students be successful in academics and employment.



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The IN's and OUT's of Disclosure & Self-Advocacy:

And How this leads to Reasonable
Accommodations and customized
Employment

What is Disclosure??

- ▶ Disclosure is a very personal decision, and takes thought and practice.
- ▶ Disclosure is when an individual reveals, releases or provides personal information about their self for a specific reason.
- ▶ Disclosure should provide information about:
 - ▶ 1) how your disability affects your capacity to learn and perform effectively,
 - ▶ 2) the environment, supports, and services you will need in order to access, participate in, and excel in your job, school studies, and community.

Different Types of Disclosure

Social

- ▶ Sharing information about your disability with a friend or peer that you know in order to receive support from them.

Employment

- ▶ Sharing information about your disability with your hiring manager, supervisor or co-worker in order to receive support and accommodations at work.

School

- ▶ Sharing information with your principal, teacher or professor in order to receive support or accommodations at school.

Community

- ▶ Sharing information with a director or employee at a center, or park, or swimming pool, etc. in order to receive support while you are engaged in activities.

But REMEMBER...

You are NOT legally required to disclose your disability on your application, resume' or cover letter, to a school official or to any business. There is no “best” time to disclose...it is an individual decision. The key thing is that YOU control how that information is delivered.

Advantages and Disadvantages of Disclosure



► *Advantages*

- It allows you to receive supports and reasonable accommodations so that you can pursue work, school, or community activities more effectively.
- It provides legal protection against discrimination as specified in the ADA and other related statutes.
- It may reduce stress, since protecting a “secret” can take a lot of energy.
- It improves your self-image through self-advocacy.

► *Disadvantages*

- It may lead to the experience of exclusion.
- It can cause you to become an object of curiosity.
- It may cause others to treat you differently than others.
- It may impact your self-image.
- It might cause you to lose an opportunity or friend.

Advocacy and Disclosure are Partners in Crime

▶ What is Self-Advocacy?

- ▶ Advocating for oneself and speaking out for what one believes in.
- ▶ Knowing your rights and responsibilities under the law!
- ▶ Believing in yourself!

How to Become a Great Self-Advocate

▶ Know Yourself!

- ▶ What are your biggest strengths?
- ▶ What are your biggest weaknesses?
- ▶ What does being self-aware mean to you?

▶ Be assertive!

- ▶ (a) stand up for their personal rights;
- ▶ (b) express their thoughts, feelings, and beliefs in a direct, honest, and appropriate way;
- ▶ (c) show respect for themselves and others; and
- ▶ (d) leave room for compromise

▶ Know Your Rights!

Your Rights and Responsibilities

As a person with a disability, you have disclosure protections as well as significant responsibilities to yourself and to your employers.

▶ *You are entitled to:*

- ▶ Have information about your disability treated confidentially and respectfully;
- ▶ Seek information about hiring practices from any organization;
- ▶ Choose to disclose your disability at any time during the employment process;
- ▶ Receive reasonable accommodations for an interview;

▶ *You have the responsibility to:*

- ▶ Disclose your need for any work-related reasonable accommodations;
- ▶ Bring your skills and merits to the table; and
- ▶ Be truthful, self-determined, and proactive.

Adopted from:
<https://www.dol.gov/odep/pubs/fact/ydw.htm>

Your Disclosure Script

- ▶ Sample: *"I have (preferred term for your disability) that I am recovering from. Currently, I can/have (the skills required) to do (the main duties) of the job, but sometimes (functional limitations) interfere with my ability to (duties you may have trouble performing). It helps if I have (name the specific accommodations you need). I work best when (other accommodations)."*
- ▶ You could also add the following information:
 - ▶ *"Sometimes you might see (symptoms or behaviors associated with symptoms). When you see that, you can (name the action steps for the employer). Here is the number of my (employment specialist, doctor, therapist, previous employer, JAN, etc.) for any information that you might need."*

Reasonable Accommodations

- ▶ Required Under Title I of the ADA, unless it poses an undue hardship*
- ▶ Modification** or adjustment to a job to:
 - ▶ Ensure equal opportunity in the application process
 - ▶ Enable a qualified individual with a disability to perform the essential functions of a job
 - ▶ Make it possible for an employee with a disability to enjoy equal benefits and privileges of employment
 - ▶ Productivity Enhancers NOT Special Treatment
- ▶ Require your Disclosure and Self-Advocacy

*Undue Hardship can be difficult to define

**Modification is not the same in FAPE as it is in ADA

Reasonable Accommodations continued

▶ Examples

▶ Physical changes

- ▶ Installing a ramp or modifying a rest room
- ▶ Modifying the layout of a workspace

▶ Accessible and assistive technologies

- ▶ Ensuring computer software is accessible
- ▶ Providing screen reader software
- ▶ Using videophones to facilitate communications with colleagues who are deaf

▶ Accessible communications

- ▶ Providing sign language interpreters or closed captioning at meetings and events
- ▶ Making materials available in Braille or large print

▶ Policy enhancements

- ▶ Modifying a policy to allow a service animal in a business setting
- ▶ Adjusting work schedules so employees with chronic medical conditions can go to medical appointments and complete their work at alternate times or locations

▶ Job Accommodation Network

- ▶ <https://askjan.org/>

Customized Employment

- ▶ Competitive Integrated Employment (typically for an individual with a significant disability)
- ▶ Based on an individualized determination of strengths, needs and interests
- ▶ Designed to meet the specific abilities of the individual AS WELL AS the business needs of the employer
- ▶ Carried out through flexible strategies such as:
 - ▶ Job Exploration
 - ▶ Working with an employer to facilitate placement
 - ▶ Customize a job description
 - ▶ Representation by a professional chosen by the individual
 - ▶ Provision of services and supports at the job location
- ▶ Resources:
 - ▶ http://www.leadcenter.org/system/files/resource/downloadable_version/Supported%2BEmployment%2BCustomized%2BEmployment%2BMatrix.pdf
 - ▶ <https://www2.ed.gov/rschstat/eval/rehab/essential-elements-of-customized-employment-for-universal-application.pdf>
 - ▶ <https://www.dol.gov/agencies/odep/topics/customized-employment>

Customized Employment continued

	Competitive/Demand Employment	Customized Employment/ Self-Employment
Natural Supports and Reasonable Accommodation only	<i>I. There are job seekers who will not need either SE or CE to become employed and to stay employed</i>	<i>II. There are job seekers who will need CE to become employed but will not need SE to stay employed</i>
Supported Employment and Natural Supports	<i>III. There are job seekers who will not need CE to become employed but who will need SE to stay employed</i>	<i>IV. There are job seekers who will need both CE to become employed and SE to stay employed</i>

- ▶ **Competitive Employment** is defined as demand employment from employers in the form of pre-existing job descriptions referenced by job titles for which job seekers compete with others to obtain and for which employees must meet the demands of the job descriptions. This definition also includes market-driven self-employment.
- ▶ **Customized Employment** is defined as a set of pre-employment activities that result in a negotiated relationship between employers and job seekers that focuses on discrete workplace needs and specific productivity not defined by an existing job title. This category also includes customized, self-employment. **Addressing Competition*
- ▶ **Supported Employment** is defined as a set of pre and post-employment activities and supports that provide job seekers the additional support necessary to successfully perform the responsibilities of a competitive job. **Addressing Independence*
- ▶ **Natural Supports and Reasonable Accommodations** refer to both the existing supports on job sites typically available to all employees as well as the legal protections and benefits available to all workers with disabilities.

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Thank You