

Disclosing an invisible impairment at work:



Many employees with invisible impairments are confused about when they should disclose their impairment at work. They're scared to tell their immediate supervisors and co-workers about their impairment for fear of being excluded. The decision to disclose isn't easy at any time, whether it's during the interview process, after being hired, or down the road during your employment.

If you're unsure what to do, think about why you would choose to disclose and what outcome you'd hope for. Before you disclose, it's imperative to know whether or not your specific invisible impairment is covered under legislation and what that even means. The Technical Assistance Guidelines on the Employment of Persons with Disabilities (TAG) is clear regarding the concepts persons with disabilities, reasonable accommodation as well as the criteria to be covered under the applicable legislation. You cannot be fired for having an invisible impairment covered under legislation — but you have to be able to do the job you were hired to do. If you can't, your employer is required to (1) take part in a dialogue process to make reasonable accommodations to help you succeed in your job or (2) find a lateral move within the company to a vacant job you're qualified for. If there's no opening at an equivalent level, they are allowed to demote you to another open position. If neither a lateral move nor a demotion is possible or it doesn't work out, a company may be legally allowed to let you go, in line with the principles explained in legislation.

You may only disclose to Human Resources if you prefer. In my opinion, it may be better to include your manager/supervisor as well. In other words, this part is entirely up to you and might depend on your manager/supervisor and the specifics of your situation.

Disclosing your invisible impairment is a nerve-racking experience. According to the White Paper on the Rights of Persons with Disabilities 2015 (WPRPD 2015), persons with invisible impairments are required to provide more information about their specific impairment. A Functional Report from a registered health professional will bring clarity about the functional impact of your impairment and will add value to the reasonable accommodation process.

Identify yourself as a person with an impairment. Say that you're requesting reasonable accommodation under disability legislation. Describe the functional barriers as well as the specific job tasks that are problematic. Describe your ideas for reasonable accommodations. Ask for your employer's input on accommodation options. Attach medical documentation that includes a Functional Report.

"Reasonable accommodation refers to necessary and appropriate modification and adjustments, as well as assistive devices and technology, not imposing a situation, where needed in a particular case, to ensure persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms" (WPRPD 2015)

"Reasonable accommodation ensures that persons with disabilities enjoy, on an equal basis with others, all human rights and fundamental freedoms. The Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA, Dept of Justice) includes 'denial of reasonable accommodation' as a form of unfair discrimination. Reasonable accommodation support tends to be individual and impairment specific, and includes measures to:

- Make the physical environment accessible;
- Provide persons with disabilities with access to information and communication;
- Redress stress factors in the environment;
- Accommodate specific sensory requirements such as those relating to light, noise and spatial stimuli;
- Improve independence and mobility of persons with disabilities;
- Guarantee participation and supported decision-making by persons with disabilities; and
- Provide access and participation to quality education and work." (WPRPD 2015)

"Reasonable accommodation measures are therefore inclusive of assistive devices, assistive technology, personal assistance, adaptations of the built environ, signage, captioning, text available in audio, loop systems, FM systems, alerting/alarm systems for evacuation procedures, dedicated sms lines to all emergency service call centers, adaptation of (for example) work arrangements and the implementation of flexibility within the workplace to accommodate persons with disabilities." (WPRPD 2015)

If you want to request accommodations, for example, schedule modifications and adjustments, assistive devices and technology, work from home, etc. your employer is permitted to ask you for a Functional Report. This is a report from your health professional confirming that you have an impairment covered by the Act and that you need certain reasonable accommodations.

If you have a dispute with your employer around what falls under "reasonable accommodations", contact

a legal advisor with expertise in the field of Disability Legislation, as well Technical Experts in the field of your specific impairment/disability for guidance.

Disclosing an invisible impairment at work is difficult and can crush your confidence in your abilities.

Whatever you decide to do and however you decide to go about it, it's essential to remember that just because you have an impairment, doesn't mean you're not good at your job.

Disclosure and Reasonable Accommodation is a Human Rights issue. Remind yourself of the strengths that you bring to the workforce.

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