



## Autism, Disclosure, and Workplace Accommodations

**A presentation by Melanie Whetzel on September 13, 2023**

0:00

Take it away.

0:01

All right. Thank you. Thank you. I'm happy to be here.

0:05

I'm just going to jump right in. I wanted to describe myself just briefly.

0:09

I am an older Caucasian woman, I have brown hair that's quickly turning silver, and I have on a bright red top this morning.

0:20

So, just a few little facts about JAN, for those of you who may not be familiar with the Job Accommodation Network, or JAN, for short. JAN was established in 1983, as a national free service. So, we've been around a long time, we have a lot of experience with a lot of consultants, who have been with JAN, almost from the beginning. I've been there for 15 years. We specialize in job accommodations and the employment provisions of the Americans with Disabilities Act, or, you heard me say, in the ADA.

0:49

We assist with the interactive process, and that can be at any stage in the process.

0:54

We give targeted technical assistance.

0:56

If we can't help you, we do provide resources that can help you.

1:03

Because we have job, I think, in our title, we get calls from all types of people with all kinds of questions that we don't answer. We have a very specific mission.

1:13

And that is to help employers, mainly, to help employers understand the ADA, and how to hire and retain people with disabilities by talking about accommodations and what accommodations might work.

1:27

We maintain confidentiality. And I think that's one of the most important things about our service. It gives people the option to talk openly. Get the information they need without any fear that the information is going anywhere. We communicate via telephone, chat, e-mail, social networks.

1:43

Our chat, live chat feature has become very popular with the big red employer button, and that's probably the quickest way to get your question answered.

1:54

Sometimes we're all busy on the chat, That's our busy area. So you might have to have somebody and get back to you. But we want to work as a partner in making model employers.

2:03

All right. So I want to talk about autism and neurodiversity. Neurodiversity has become a really big topic.

2:10

A lot of people now, with autism, refer to themselves as neurodiverse. So we just wanted to talk a little bit about that.

2:21

And neurodiversity is the range of differences in individual brain function.

2:25

It's usually regarded as a normal variation in the human population, and it includes learning, information processing, thinking, and behavior traits. Because I was a special ed teacher. Maybe that's why I became a special ed teacher, brain injury specialist, I've always been interested in how the brain works, how people think. I loved working with kids and seeing how kids think.

2:46

And so, I want to talk more a little bit about these, these topics here, just so we can understand how varied it is when we talk about everyone being neurodiverse, to a degree. So, first, let's talk about learning. Learning is the activity or process of gaining knowledge or skill.

3:05

And you do that by studying or practicing or being taught, or it's experiencing something or a combination of all of those. So how we learn depends on how we process information, and I want you to think about all the information that comes at you on a daily basis.

3:24

How the different ways people absorb information, information processing is how we take in those facts that we receive in the course of the day, and it's how we remember those facts.

3:36

And that information is based on what interests us, whether we have something in our memory to link it to, how we're able to organize it and then retrieve it.

3:46

There's a multitude of ways that people process that information and how they learn. So, on the job, it's going to be the same thing. There's a lot of variation in that.

3:55

So we're going to look about thinking, taking the act of knowing, or using your mind to consider something.

4:02

Now, that's the definition, but what does it really mean?

4:04

Well, it means that you have the ability to pay attention, concentrate, to process and understand information, to remember, communicate, plan, organize, reason, problem solve, and make decisions and judgements now.

4:19

That's a lot going on all at one time so you can easily see how we all think differently and how that process can be different in different people.

4:28

So, what about behavior traits?

4:31

You know, they're important and as varied as the process of learning and thinking. We have people who are sensitive and reserved and shy, as opposed to people who are more assertive and impatient and gregarious. There are introverts or extroverts.

4:47

People are resilient. People are cautious. People are more flexible than others, some are more rigid or logical, we have people who are very courageous. Those are all behavior traits. So, again, you can see the different variations in the normal population. And these ranges in brain function are regarded as normal, and really applies to all of us to some degree.

5:10

Neurodiversity is generally described, as, when the brain function goes beyond the ranges that are considered difficult, OK.

5:19

So, although the term neurodiversity is especially used in the context of autism spectrum disorders, other cognitive neurological disabilities can be included.

5:29

And those are attention deficit, hyperactivity disorder, mental health conditions, and intellectual and learning disabilities.

5:36

And those are also frequently common with someone who's on the spectrum. There's a lot of anxiety that goes with someone being autistic.

5:48

Lot of ADHD that goes along with that as well.

5:53

OK, so, at JAN, we talk to our, like I said earlier, our main goal is to speak to employers, and help them understand the ADA, and how to help people with disabilities on the job retain their job, get the job done.

6:06

We talk to whoever context is, basically, that's parents of adult children. We talk to adult children, who are trying to help their parents. I had a call here before Christmas.

6:18

It's been a while now, but it was a neighbor call. And I thought that was really cool, that she was concerned about her neighbor, and he didn't have anyone to really help him. And we get calls from medical professionals who are trying to write documentation. How do we do that? What's the best way to do it?

6:31

Job coaches, service providers. And so we have a wide range of people that we talk to.

6:37

And so we feel like we have a really good background of information to provide, but also those different perspectives, and how we can present information and look at accommodations.

6:48

And these are the common limitations that we see based on the calls that we get, other contexts that we have, and those are difficulties with social skills, organization, concentration, sensory issues, and let me just say that generally it's an overloaded, sensory, you know, too much noise, too much activity going on too many distractions, but it can also work the other way where people have, under, they're under sensitive, which means they can be hurt.

7:21

Because they don't know that they don't feel that.

7:23

You know, some people have really sensitive skin and they can't wear certain clothing with tags or seams or something.

7:30

Sometimes somebody that's under sensitive and I'm not sure that's the exact right word but they can be cut or injured burned on their skin and not know it because they don't, they don't feel that. Issues of change, that's a big thing for people on the spectrum. It's a big thing for people with disabilities and really I think, face it, none of us like change.

7:52

We like things to go on the way they are. There is a saying that "change is OK, as long as everything stays the same," right? But issues of change can be very difficult for someone with a disability.

8:03

Time management is difficult.

8:04

Stress management, co-worker interaction. There's those social skills. Knowing what to say, how to say it.

8:12

And also, speaking and communicating.

8:17

So just, just briefly, since we've been getting a lot of questions about neurodiversity, and the ADA neurodiversity right now, is an umbrella term, is not a diagnosis. It could be a diagnosis of autism. It could be a diagnosis of bipolar disorder. It could be ADHD, but, right now, it's not.

8:35

And so if an employer requires diagnosis, because they have the right to ask, if the person's medical condition, or disability meets the ADA requirements, then they can most likely get a diagnosis. Neurodiversity is not going to be a diagnosis. Some employers are fine with that. Some aren't.

8:56



Some people have diagnosed themselves and said, you know, I, I, I understand now why I've have these characteristics all my life.

9:05

I believe that I am on the autism spectrum, but I don't need a doctor to tell me that. And so they have no medical documentation.

9:13

And so, if you have been diagnosed with autism or ADHD, or mental health, you would have that diagnosis to give to your employer, and sometimes you don't. I had a call yesterday where the person did not want to go that route of medical documentation. They said they thought the employer should trust them, and the employer said, well, we do trust you, but we have that

9:38

right, to ask for the documentation, because what you're asking for, something that we don't see, or we don't understand. So just real briefly, what is the definition of disability? And we talk about impairments, and that's because that language isn't the definition.

9:53

So the definition is, if a person has a physical or mental impairment that substantially limits one or more major life activities, substantially limits is not a high bar to me. It means you're more limited than the average person. And major life activities include things that most of us do every day, that we don't really think about.

10:11

That can include a body's systems as well can. It can include a neurological system, can include digestive system.

10:21

Reproductive system.

10:23

It can also include things like concentration, um, thinking, sleeping, standing, sitting, walking, eating.

10:31

All those types of things that are major life activities.

10:35

Have a record of such an impairment. You may have a record of, of an impairment that you had needed accommodations for.

10:42

Everything was going fine, something in the job changed or something about your disability changed.

10:48

And now, you need accommodations regarded as having an impairment is when your employer or somebody regards you as having an impairment, when you don't, and that is not covered under the ADA. You can file a complaint about that, but you're not title to accommodations. Just because someone thinks you have an impairment. And we get a lot of calls from employers who will say, you know, we think there's something going on with this employee, but we're not really sure what it is. We don't know if it is, maybe autism, we don't know if they may have a learning disability, or they may have a mental health condition. What do we do?

11:25

And the first thing we talk about is, you don't regard somebody as having an impairment, if they have performance issues, or if they have conduct issues, you want to address that the same as you would for anybody else and not bring any kind of impairment disability, medical condition into it until the person themselves discloses that information.

11:45

Documenting a disability, the EEOC, which is Equal Employment Opportunity Commission. They're the enforcing agency of the ADA, and they say that an employer can expect to have documentation that comes from the appropriate professional. Well, that depends on what the disability is, can come from a medical doctor or psychiatrist or psychologist.

12:03

Nurse or physician's assistant, Physical occupational therapists, speech therapist, vocational rehab professional, licensed mental health professional, educational, professional, if you are going to be diagnosed with autism, ADHD, learning disabilities, that's going to come from a psychologist. A neuropsychologist, educational psychologist, may have been done when the person was in school. And that's OK usually if the testing is done at age 18 or older. It's considered current.

12:31

It doesn't have to be done that big testing doesn't have to be done again.

12:35

There's usually a report, um, that has a page, it'll have all the testing in there, that's really not going to be helpful to an employer, because you don't know how to interpret that, but there would be a page of recommendations for accommodations or modifications. That would certainly be helpful.

12:53

So, disability disclosure, I think because I'm on the cognitive neurological team, that's probably one of the biggest questions we get.

13:01

And I think it's because the disabilities that we talk about that are on our team are mainly unseen disabilities, and you're going to have to disclose that, because the employers are generally not going to see those. They may have hints of things, but they're not going to know for certain until the employee discloses that. And so disclosures, when you give out specific personal information about your disability, not required to do that, to you need an accommodation generally speaking.

13:28

And that could be, if, if, in that job hiring process, the application process, let's say you need to take a test, and you need extended time on that test. You can ask for an accommodation for that. And you would have to disclose that you have a disability. That's why you're asking for the accommodation.

13:46

It could be for an interview where you'd like to have questions ahead of time so that you're not caught off guard by what those questions are, and you're in an interview situation, and you're nervous and may not be able to think on your feet as, as quickly in that type of situation. It could be the first day on the job. Sometimes people don't know what they need till they're on the job. Sometimes people don't need accommodations till years down the road. I mean, we talked to people who manage their disability themselves, and then something has changed.

14:16

Covid for one thing changed everything, and we found a lot of people needed some help on the job with accommodations, because of the things that Covid did to our world and our lives.

14:28

So, when, when we're talking about disclosure. It's important to provide the nature of the disability. Some people don't want to give a diagnosis out at first.

14:36

The employer may have the right to have that diagnosis, but you can start out more general. You could start out with neurodiversity. You can start out with a mental health condition without giving that specific diagnosis.

14:48

The limitations, or how the disability affects the capacity to learn or perform the job effectively, is really more important to me.

14:56

I see that it's really more important than a diagnosis.

14:59

You can have three employees with autism.

15:02

You can have three employees with depression and they may not need the same accommodations, it depends on how their disability affects them in the job that they're in. And it may be at this current time, maybe later they don't need those same accommodations.

15:16

And so, you can't make generalizations about, well, "we had an employee three years ago with autism, and this is what he needed." Because somebody else may not need that. They may need something different.

15:26

So, for the employer, the knowledge of those limitations is really helpful.

15:32

Let's say, for instance, that the employer, having information that the employee has difficulty with concentration in a busy setting, has a lower processing speed and has difficulty with interpersonal skills in large groups, will have a better understanding of the accommodations needed, rather than just saying the employee is on the autism spectrum.

15:55

And then you can always suggest accommodations that you need in order to do the job.

16:02

You don't have to do that. As some employers will say, "we're not, we're not going to discuss this if the accommodation ideas don't come exactly from the doctor." And that's not really required, either. The doctor's role is to provide the medical documentation can certainly help with accommodations, but the accommodation process is really between the employer and the employee.

16:22

The employee knows the disability, hopefully knows what they need, but knows what difficulty they are having on the job. And then the employer is the one who knows the job.

16:30

It can help with that discussion. So why disclose? There are three main reasons why people disclose. The first one is to ask for job accommodations. We're gonna have a lot of examples of that coming up here in the next few minutes.

16:43

And then to receive benefits or privileges of employment. Employees with disabilities are entitled to the same benefits and privileges of employment, that other employees, similarly situated employees, are entitled to as well.

16:56

And then to explain an unusual circumstance. Sometimes, something comes up that someone has to disclose a disability when they weren't planning to.

17:10

All right, so, we're gonna talk here about accommodations for hiring. These are a list of things that, that we've come up with that we find are most helpful and the most common questions we get from interviews. Fewer interviewers, demonstration of skills, questions provided in advance, instruction sheet, or a card to help.

17:29

I'm going to explain all these. A job coach, or a parent as support, informational interview first by phone, and then an optimal time for an interview.

17:38

So, our first example here is for fewer interviewers. A job applicant for a position in a prison working directly with the inmates asked to have the interview questions sent to him

so he could submit the answers in writing in lieu of participating in an interview with multiple people.

17:52

Well, because he was going to be working in a position directly with inmates counseling them, the employer said, "You know, we can't do that. We need to evaluate your skills in person to see how you relate to people, since that's going to be an essential function of the job. What we can do is lower the number of interviewers." So they lowered the number of interviewers from 3 to 2.

18:12

And then they also said, "we can't send you the questions out because of security reasons. We can't send those questions out ahead of time, but if you can come here an hour early, we'll let you have those questions, and you can look over them."

18:28

Here, we have a demonstration of skills. Syd was interviewing for a job of camera operator, was asked many abstract questions during the interview that he consider irrelevant to his skill level, and qualifications for the job. He asked if he could, instead, show the interviewer or the employer his skills at using the camera. And I think this is a great idea.

18:48

I think a lot of employers are not quite ready for this, and he asked, right at the time, so kind of threw everybody off.

18:57

They weren't prepared for that. The interviewer said, "okay, let's put. Let's put this on hold for a few minutes. Let's see if that's possible."



19:03

"We know, we want to try to, to do it, to see if this would be more helpful for you to show us your skills."

19:09

So I think, you know, if, if you could talk to the employer ahead of time and say, "hey, I really think, you know, a demonstration of my skills would be really helpful. Can we work that into the interview. Or can we do that instead of some of those questions." Because some of those questions are very difficult to answer. And really don't relate to the job performance.

19:29

So, questions provided in advance, but we get a lot of questions about that. People have difficulty in social situations.

19:37

An interview situation can be very stressful for all of us. And if you have a disability, any kind of difficulty with social skills, thinking on your feet, that kind of a situation and interview situation can cause people to freeze up. And so here we have an example, Hailey's applying for jobs and finds herself having difficulty.

19:56

When interview questions require abstract thinking of scenarios, she can recall from past employment experiences. She requested a list of interview questions in advance and for extended time during the interview, to give her more time to process the information while formulating a response. And another thing that we would suggest is, is, is asking for questions ahead of time, that, that, some employers are happy to do that. Some say they really can't, due to the nature of the job.

20:23

And if, if it's essential to the job that the candidate has to be able to think on their feet and answer questions. Let's say a firefighter has to be able to respond immediately to a situation.

20:34

And there, the interview is to evaluate the ability to do that. They wouldn't have to provide those questions in advance. But what we would suggest to do, is, is looking at different sites where they have common accommodations. I'm sorry. That's something I say a lot. Common interview questions. Where you can look at those interview questions, you can see what, what are the most common ones and kind of practice those.

20:56

Not practice them to get like a robotic kind of an answer but to have a really good feeling about what they're going to be and what types of, of answers that you could come up with.

21:09

So here an instruction sheet or notecard. This example here always makes me laugh. This was Sylvia. She was a programmer, and she tended to tell too much information about herself and her love for computer languages.

21:21

And so when the, when the interviewer said, "tell us a little bit about yourself." She said she just went overboard, she could see her eyes glass over and she knew she'd gone too far. And so, she, we, this was a conversation that we had.

21:35

We've talked about writing a brief biography and even in bullet points, that would include education experience with programming. And she carries that with her.

21:45

During interviews, so she doesn't get too wordy and off track.

21:49

And I think, I don't know why an employer would have any kind of an issue with somebody having a little card to refer to. A lot of people will take their resumes in and you know, to refer to dates and experiences that they've had. And so a notecard to help somebody stay on track or to limit, kind of limit what they might say too, would be totally acceptable.

22:12

So, job coach or parent as support, that's another question we get a lot. Can a job coach go to an interview? Can a parent as a support person go to an interview?

22:23

Here's an example: Matthew is a candidate for a new job. He asked that his dad be allowed to support him in the interview, not as a mouthpiece, but to help him feel more comfortable in an unfamiliar situation and location so that he can respond in ways to better communicate his knowledge and experience. And isn't that what an employer wants?

22:41

They want the best knowledge of the person and their experience.

22:45

Excuse me.

22:47

In this case, it was the employer who called and said, "we feel like we may have done the wrong thing. We had a request for someone to bring in their parent as a support person, and we told them, no, that we don't allow any outside people in an interview. And we feel like maybe that was not the right thing to do." And so we discussed it, and I think it's a great idea to have a job coach or a parent as a support person, now, not as somebody who's going to answer the questions. No.

23:12

That's up to the employee to do that, but an employee can feel so much more comfortable with that familiar person with them, that they're at ease, and they can give out a lot more, better information about themselves. And so, this employer said, "you know what. We're gonna call him back. And we're going to talk about that and say, you know what? We welcome your dad to come. Let's just talk about the parameters of what your dad's going to be doing when he's there."

23:38

And here, informational interviews first, by phone. I think a lot of employers aren't really sure about informational interviews, what those really are. But it can be really helpful to somebody with a disability to find out as much about the job as possible. Now, we'll tell people, find out about the company.

23:55

You know, look at the, uh, the uh, inner, what's called the o-net.

24:03

The handbook. I'm sorry. I just totally went blank. There's a handbook of jobs, Occupational Outlook Handbook of jobs. Lists jobs, what the, what the tasks are, what kind of money you

can expect to get, working conditions. That's a really good thing to look up jobs to find out as much as you can. Are these job tasks? Is this environment good for me? Is this something I would really want to be doing? And find out about that company as much as possible.

24:28

In an informational interview, you could find out what those working conditions are like.

24:35

And so in this example, in order to help him analyze the work environment, Joshua asked for an informational interview by phone to help him determine if the job might be a good fit. Before he went further in the process. He said, "I can't work in an open space. If it's a big, open space."

24:49

"I can't do that, and there's no need to go into an interview and go, you know far into the process and waste my time in the employers, if it's a situation I'm not comfortable in."

24:58

And so, he could find that information in an interview. Find out more if this is going to be more suitable for me or not, before he goes to the actual interview. And I think it's also a great first step to help gain confidence and establish rapport before an in-person meet is required. Because for some people, it can be very difficult, that first in person interview.

25:21

So, here, we have optimal time for an interview.

25:24

This comes up frequently with people, of all types of disabilities. And I think people, without all of us, have times of the day, when we're at our best; there are times of the day when we're not. And in this example, a school psychologist was interviewing for a new position prefers an early morning appointment, where he can best represent himself as he has more energy and concentration at that time.

25:46

If given the choice of several appointment times, he may not have to disclose his disability at this stage and request an early time slot.

25:54

Sometimes employers say, "you know, we're going to have you come in tomorrow at two o'clock, or, October 10th at two o'clock." And you don't have a choice. That's the time you've been given. If a morning appointment is really better for you, then you're going to have to ask for that, and you can ask, and the employer may say, "sure, let's see what we have."

26:09

And they may say, "no." You know, That's the choice.

26:13

And so, if the employers can give more of an option of times, a more, you know, array of times that an employee applicant can pick from, it would be a lot more helpful to them.

26:25

And then another thing is public transportation. A lot of people with disabilities, particularly people on the spectrum, do not drive, and they depend on public transportation or somebody getting them to where they need to go. And they may be able to do that for a

job, but for an interview, you know, if it's a quick turnover, they may not be able to get someplace at a specific time because they don't have their own transportation. And so that would be really helpful for employers to, to provide ample times for people so that they can get there, based on their transportation needs.

27:00

Okay, we're just going to skip over that question slide there. They we're going to save our questions till the end.

27:06

Now here are some accommodation ideas for succeeding in advancing in employment. And those are mentoring support animals, working remotely, job restructuring, modifying policies, modifying schedules, reassignment, employee assistance programs, ensuring continuous feedback from managers, and then ensuring opportunities to participate in training.

27:29

I'm going to have examples of all of those. Here we have a mentor, job coach, or support person on the job.

27:36

In this example, Milly had a successful, her history of working in retail, but was turning to work after being out for many years due to disability. She requested a job coach, as she felt her social skills were lacking, not only due to her disability but also because she'd been at home for so long.

27:52

And so, her employer agreed to a job coach, no problem.

27:55

The job coach worked with Milly very successfully and then weaned herself off. And the employer, at that point, said, "You know what we're going to do? We're going to have, we're going to get a mentor for you."

28:05

"That would work in the same way that the job coach did. Somebody who you can work with, who you can go to and ask questions." And in Millie's case, it ended up being this younger woman who was fabulous at her job, that had really taken an interest in Milly. And, and so Milly was just really thrilled that this younger woman was willing to help her on the job.

28:24

Mentoring is, is a great way for people who are experienced in the job to share their, their skills and their knowledge. And maybe their little shortcuts and their expertise with new employees.

28:37

Okay, support animal let's, let this is a big thing; let's, let's talk about, there's no real guidance from the EEOC about service animals let alone emotional support animals. So, what we tell **\*\*video pause – no audio\*\***

28:59

Employers and employees alike is that you look at that as a non-automatic thing. You don't just show up at work with a dog. You ask can my service animal or my support animal work with me as an accommodation, and you go through that the same as if you were asking for telework or specialized equipment.



29:14

The difference is under Title one Employment, that's an accommodation. Throughout the community, it's different.

29:19

You can take your dog to the library, you can take your dog, you know, to the grocery store, but the employer has the right to go through that as the accommodation process, ask for medical documentation, that you have a disability. And so that's the process. So in this case, Jules requested to bring her new support animal to the office to help her with the stress associated with her recent position, or promotion, excuse me, to a new division with more advanced job duties procedures, and new co-workers. You know, you think about getting a new job, getting a promotion and everything becomes new.

29:48

And if you have some difficulties with stress managing stress, that's, that's the perfect storm there to have stress reactions. And so accommodations to help reduce that stress would be very helpful.

30:08

Okay, here we have, oh, I knew that was going to happen, okay.

30:15

Can you go back a slide there, please, to slide 23?

30:22

I can't because you're presenter, but just do the back arrow on your keyboard.

30:27

Well, my keyboard is not, it does not. Okay, let me take over and and do that.

30:32

Yes, thank you. Okay, no problem, I'm going to let go again.

30:36

Okay, alright, so in this example, we have modifying policies. Lea became overly stressed, when asked questions by her co-workers that she felt pressured to answer.

30:46

She often reacted with anger, usually slamming her fist on the desk and shouting for others to leave her alone, not a good thing in the workplace. So, after being pulled into a second disciplinary meeting with their supervisor, Lea disclosed and asked for assistance in handling her stress levels at work. Now, modifying policy means that an employer can change a policy for someone with a disability that they don't necessarily change for others. And in this case, they looked at, okay, what's causing the stress. The stress is these people coming to Lea for help. She was great at answering their questions and getting the problems solved but she wasn't great at dealing with the personal interactions. And so the employer decided, hey, instead of having people come to her, instead of even having a call her on the phone, let's do it by e-mail. Let's have everybody bring their problems to her,

31:35

well, not their problems, their work problems, the things that she could easily fix at work by e-mail. And then she would respond by e-mail.

31:44

And if she couldn't answer it right away or get the solution right away, she would e-mail them back and say, hey, it's going to take me two hours, or I may not know till tomorrow morning. And the employer loved this.

31:54

It was a really big bonus for them because they determined that then they had the written documentation of when problems came in, how long it took to get those solved, and then what that solution was.

32:09

So, alright. Next slide, please.

32:16

Okay, modifying schedules, I think this is one of the biggest modifying schedules and leave, are two of the biggest accommodation requests that we talk about for the autism,

32:27

mental health conditions, brain injury, learning disabilities, sleep disorders, the things that that we see on our team. And modifying schedules can mean anything that works for the employee.

32:38

As long as it works for the employer.

32:40

The employer doesn't have to provide a modified schedule that would cause a hardship.

32:46

But they can look. And, again, they can do this for someone with a disability that they don't do for others that can be that modified policy. I can modify a schedule as a modified policy. So, let's say somebody, you know, wants to work four 10 hour days instead of five, 8 hour days, if that works for the job.

33:05

That might be a great solution.

33:07

Some people need to work ten hours Monday and Tuesday, have Wednesday off for rest and kind of recuperation and work Thursday and Friday. Some people can work five 8-hour days no problem.

33:20

Some people may need to come in early and leave early, as some people may need to come in later and leave later, if that works. Some people like to take a long lunch and divide that up into shorter breaks, because they need breaks throughout the day.

33:34

Sometimes people want to take their lunch and combine it with their breaks so that they have a longer period at lunch if they need to exercise, go out for a walk, take a nap, they can do that. So, in this example, Nigel is a case manager who has difficulty getting his required documentation completed.

33:51

He works in a cubicle in a noisy, open area that limits his ability to focus and concentrate. With no private space available, he feels a change in the set office hours may help.

34:02

And so, he goes and talks to his supervisor who agreed, totally that the office is really busy and crazy when it's fully staffed. And so, his suggestion was, can I come in early two hours early, not only when there's no one there. But when I'm at my best mentally, I can get way more work done. When I'm at my best and when there's no one there. And so, the, the supervisor said sure, let's try that.

34:27

And it worked, it worked for Nigel he was able to keep up with his,

34:32

uh getting his cases documented, his notes done. And, you know, at JAN, we're really big proponents of trial or temporary accommodations. Trial accommodations can be very helpful to

34:45

kind of assess if the accommodation is going to work or not. Sometimes employers aren't really sure

34:49

if this is going to work or not. Hey, let's try it. Let's tell the employee.

34:54

This is a, a trial accommodation, it may not last forever and really no accommodation lasts forever.

34:59

You know, jobs change, disabilities change, but it may not be a long-term accommodation. We're going to try this for a couple of weeks. We're going to try for six weeks, however long

the employer thinks they need in order to see how effective that's going to be, and try it and see, and for Nigel, it worked.

35:19

Alright. Next slide, please.

35:26

Alright, here we have the accommodation of reassignment. Now reassignment is generally considered an accommodation of last resort, but it doesn't have to be. It can be done when the employer and the employee agree.

35:39

And it's usually done when an employee can no longer be accommodated in the position they're in or if the accommodations create a hardship.

35:48

And so how that works is the employer looks for an open position that the employees qualified for. Now, they don't have to create a position. They don't have to boot someone else out of theirs. They look for what's open and what the employee is qualified to do.

36:02

Now, sometimes, it's not as easy there, if they don't have a lot of open jobs, or if an employee is no longer able to do the tasks, at a certain level, the employer can offer a lower level job, and that could include a lower paying job, and a lot of people aren't really open to that, but we like to tell people that hey, you know, if you're not really qualified for the job you're in any longer, then let's look at at a lower job, because you still have a job. You still have a paycheck. You can move into another position

36:32

that may be better for you at a later time.

36:36

But in this example, this is really a good example, and this comes up once a week, at least, for me.

36:43

Due to communication issues related to her disability, an employee had difficulty getting along with her supervisor and requested a reassignment.

36:51

The employer asked JAN how to determine if this would be the best solution.

36:55

We see this a lot because there are communication issues and things start to kind of start to snowball and the employee feels like, I gotta get out of here. The employer isn't, the supervisor, excuse me.

37:09

The supervisor is not helpful, the supervisor doesn't like me.

37:13

I need a new supervisor. And really the the problem could be that the lack of communication or the difference in communication. And so we would suggest looking at modifying a supervisory method before looking at a reassignment.

37:27

Because if there's an issue with communication difficulty, you want to get that cleared up before you move somebody to a new position, because the same thing could happen again.

37:36

I talked to an employer once who said, we've moved this person four times, and now they're requesting to be moved again, and, we're beginning to understand that it's, we need to do some accommodations for this employee to keep them in the place that they are right now.

37:50

So, it's really important to look at those, what, what are the specific issues drill down, what are the specific issues with the supervisor? What can be fixed?

38:00

Or maybe not fixed, but what can be accommodated? Can a new supervisory method help?

38:04

Sometimes there's supervisors who are just loud and boisterous, and people take that as as a, too aggressive and yelling at me. Can the supervisor modify how they address people, how they talk to people? Some people want less interaction with their supervisor. That may be possible.

38:20

Maybe they can have more interaction by e-mails, that kind of thing. Now, some people want to have absolutely no contact with the supervisor, I don't think that's probably ever going to work.

38:30



So, there's probably always going to be a supervisor or manager over somebody giving direction to some extent, but that may be able to be modified to written instructions and directions, and not in person, which could reduce. Now, sometimes people with a learning disability or reading difficulties will say, I have trouble managing all these e-mails. I'd rather have more interaction personally, get verbal directions.

38:58

I'm great at listening, remembering, it's way better than reading. So, it really depends on the situation, and the person. Alright, next slide, please.

39:08

Thank you. Alright, here we have an example of an Employee Assistance Program, an EAP and how that can be really helpful. They can provide free counseling sessions.

39:17

They can provide other supports. Find community resources.

39:23

They can then refer somebody to counseling.

39:28

So, in this example, JJ had difficulty handling change in the workplace and had punched his arm through a wall several times when he hadn't been warned ahead of time that adjustments would need to be made.

39:38

Remember, I said that people have a hard time adjusting to change. Some people really do. This was not an appropriate way to handle it.

39:46

He asked for written notification of changes at least 24 hours in advance.

39:50

Well, he went through the interactive process with his employer's, the employer liked how he did work, didn't like how he reacted when there was an issue with change. But they wanted to keep them, and so they said, here's what we're gonna do. We're gonna give you written notification of changes, at least 24 hours in advance, for the times that we can. Sometimes we can't, sometimes things happen quickly, and you're going need to adjust to that, but we want to help you adjust to that. We want to help you learn how to do that.

40:16

We want to help you learn to manage your anger a little bit more when those changes occur, and how you can more easily adjust to that change.

40:26

And so, he was referred to their EAP program and also was provided accommodations.

40:33

Alright, next slide, please.

40:36

Alright, This is about ensuring continuous feedback from a manager. Sometimes that's really important. A manager sometimes have a hands off approach. Leave you alone, let you do your thing and for some employees it doesn't work, they need more direction.

40:50

And in this example, Ty was very skilled at resolving IT problems, but he had difficulty with organization and remembering multiple tasks and information gained in meetings, as he began to take on a lead role he knew he needed assistance. And so, he talked to his supervisor about having more meetings, and they agreed to having a meeting on Monday mornings and a meeting on Friday's, at first, and see how that went.

41:15

Maybe they wouldn't need to continue that every week.

41:19

But the meeting on Monday helped him get set up, look at what he needs to do, and then also, having a meeting on Friday, how did the week go? Sometimes, it may be necessary to do that earlier than Friday, you know, here's your list, here's what we want you to be looking at. Let us know if you have any issues. And sometimes employees don't do that.

41:37

They're kind of overwhelmed. They might be intimidated by going back to a supervisor, to say, hey, you know, I think I had this problem.

41:45

And so, it's good to set up an informal meeting to get that feedback. Especially in the beginning, when somebody starting a new position has been promoted or when new job duties have been added.

41:57

Alright. Next slide, please.

42:01

Alright. So ensuring opportunities to participate in training and what's important about this is to participate in training in a way that's best for the individual. We all don't absorb information in the same way and I may need something from training that is different from this example here, Dom.

42:18

Dawn requested the ability to participate in the upcoming mandatory in person training sessions from home as being enlarged group is difficult for him. And hamper his ability to pay attention and more.

42:30

The employer saying, Hey, mandatory everybody comes, in person, everybody's gonna do it, And here's where modified policy come into play to, they need to assess and consider what's best for this employee. Can he do the training from home?

42:46

Will that be effective?

42:47

And if it, if it's going to allow him to have a better training experience, get more information, retain more information than that, that would be a good accommodation for Dawn. Now, it may not work for everybody, and then we have to provide that to everybody. They can say, everybody else needs to come to the office.

43:05

They don't have to explain at the others either that, you know, that information's totally confidential. Somebody says, I don't understand why Dom didn't have to come to the office. And I did, you know, the employer can talk at that time, about, you know, people

have different needs in the workplace, and, if you have a need, let us, now. But we don't talk about what different people need in the workplace, because that's confidential information. If you came to us with a discussion, we would keep that information confidential, as well.

43:34

But this way, then, Dom could do the training from home where he had fewer distractions, and it would be a better experience for him.

43:41

All right, next slide, please.

43:45

Alright, here, we have just some resources for medical documentation.

43:50

We have "Documentation of a Learning Disability", "The Mental Health Providers Role in a Client's Request for Reasonable Accommodation", "Practical Guidance for Medical Professionals"-

43:59

This is "...Providing Sufficient Medical Documentation", and then "Who Can Provide Medical Documentation for ADA purposes".

44:06

Those are all good resources for looking at what is needed,

44:11

“What do I need to provide to my employer?”, “How do I help somebody provide that information to the employer?” Next slide, please.

44:21

All right, and here are the, the, the jan resources, I think, that are most helpful.

44:25

What I pulled from to do this. We have an “A to Z of Disabilities and Accommodations” on our website.

44:31

If you're not familiar with our website, that's askjan.org, There's an “A to Z” tab, and when you pull that up, you get an “A to Z of Disabilities”. You get by limitation, by topic.

44:43

You can look up by agency of disability.

44:46

You can look up “Autism”, you can look up “depression”, you can look up “bipolar” or “brain injury”, “learning disabilities”, “intellectual disabilities”.

44:55

If you look at limitations, you can look up memory or concentration. “What are the accommodations, just for memory?”, “What are the accommodations for attention?”, “What are the accommodations for managing stress?”

45:06

And then by topic, you can lookup "Disclosure", you can look up "Service Animal". You can look up "Family Medical Leave" or whatever kind of a topic that is, is what you're looking for.

45:17

And then we also have the "Accommodation and Compliance:Autism Spectrum".

45:21

I used that for this. And then, we have two EEOC guides that we use, especially on our team, that we use daily, multiple times. The first one here is "Applying Performance and Conduct Standards to Employees with Disabilities".

45:36

(It) talks about employees can be held to the same standards as other employees when it comes to performance and conduct. (It) gives really good examples.

45:45

Really helpful.

45:47

Next slide, please.

45:49

All right, questions?

45:53

Fantastic, thank you so much, Melanie. That concludes the presentation portion and begins the Q and A session of today's webinar. As a reminder, you can submit your questions

through the questions pane on the control panel. Because our time is limited, we may not be able to address all the questions. If there are any questions that we do not get to today, we will try to get back to you by e-mail.

46:13

So, Melanie, our first question is, "what best serves", sorry, "who best serves as a mentor or job coach? Can a parent do that?"

46:24

OK, yes, a parent can do that. I would want to say, you want to be careful about that, because I've seen some really bad experiences of parents trying to help.

46:32

Some parents are not the best job coach or support person for their adult child who is working.

46:42

There are professional job coaches.

46:44

If you are a client of a Vocational Rehabilitation, they can provide you with a job coach. And those are professional job coaches that can come in and help.

46:54

That can be a great idea, because they have training, they have skills, You may not know them. And that may be a downfall. Sometimes people are more comfortable with somebody they know coming in to help, and I think it depends on the skill level of that



person. "What is it in the job that the person needs a job coach for?" And "has the parent done that before?"

47:15

"Is the parent wanting the child, adult child, employee to learn?", "are they wanting to hover over them and protect them?"

47:23

I've seen that, and sometimes that doesn't work very well because the job coach or the support person is there to help that employee do the work, not do it for them.

47:34

(They are to) help be a transition, when they first start, or when they get new tasks.

47:38

So, certainly, a parent or family member can be a job coach, or a support person, or you can find a professional one that might be helpful, too.

47:51

Ok. Our next question is, "Given that statistics suggest that the majority of neurodiverse, autistic people do not want to disclose due to stigma and stereotypes, what can employers do to circumnavigate the disclosure process?"

48:08

Well, I think one thing employers can do is try to provide as many accommodations as possible, overall, to everyone, and that's a lot of flexibility in the workplace. Allowing people to work from home, if possible, as much as possible. You know, you may need to be in the

in the office to do certain things, but can you work from home at other times? That can be very effective.

48:29

For people on the spectrum who have sensitivities to noise and light and are easily distracted, maybe (they) have better times at certain times of the day, so a flexible schedule could work. And, you know, flexible s schedule works for all of us. We have, not just people with disabilities.

48:46

And so, if an employer can provide it to everyone than an employee with disabilities, doesn't have to disclose, and say, "Hey, you know, I need to work from 8 to 4 instead of 9 to, you know whatever. And that way, the, there's no disclosure involved.

49:01

And I think employers who do try to provide as many flexible benefits and accommodations... Some employers will say, "Hey, you know, we provide accommodations to anybody who asks, as long as they're inexpensive and they're quick to do, and we don't ask for medical documentation."

49:20

"Now, if it gets more involved, then it becomes expensive, sometimes like a stand-sit desk can be, maybe, let's say, \$2000, we're not just going to provide those to everybody. We may require some medical documentation for that."

49:33

But we want to try to provide what people need. And I don't want to say, "we want our employees to be happy", I don't mean that. But if employees are comfortable and have

what they need, they're going to be more productive. And that, you know, that benefits, not just the employee, but benefits the employer. So, I think looking at those flexible policies and providing as much as an employee needs as possible - all employees across the board.

50:00

Alright now, "what steps do you recommend if an employer does not allow an accommodation? Example, coach at an interview, or getting questions ahead of time?"

50:10

I would say, you would want to ask why. You know, "Can you tell me why that accommodation is, is being denied." And go back and say "This is why it would be effective for me; this is how effective it would be. If I had those questions ahead of time, I would be able to answer those a little bit more thoroughly. I would be more at ease, and I think you're gonna get a better idea of who I am, and my qualifications." The same with, with a coach, or a support person.

50:35

"That person is really going to put me at ease, and I'm going to be better in an interview, and you're going to have a better idea of my experience and my qualifications." And I think talk about "the person is there to support me. They're not going to speak out, they're not going to be talking to you about me. I'm going to be doing my own talking. You're going to be interviewing me." Because I think sometimes, like the one in the example, employers just don't understand. "Oh, wait, they're bringing someone with them. What does that mean? They can't, they can't speak for themselves?" No, it doesn't mean that at all, they can totally speak for themselves. It's just that, they're very nervous,

51:10

Anxious in social situations and having that person with them can really help. And I think sometimes the employers just don't understand that.

51:17

So go the next step and say “why was that”, “can you tell me why that was denied?”, and “here's why it would really be helpful”. You can also do that in writing, and then you have documentation, if you want, of why that accommodation was denied.

51:33

OK, “are there certain industries or jobs that you believe are unable to be made accessible for people with neurodiversities, or do you think that all jobs in some form can be adjusted?”

51:48

Well, that's a good question. I think, generally speaking, all jobs can be adjusted.

51:54

But I think that because there's such a wide range of differences in people who are neurodiverse, that it really depends on the person in that job.

52:03

Here's an example from a couple of weeks ago, (a) person said, “I really have to work from home. I can't do a job, where I can't work from home.” But they took a job working in a lab, where they have to be in the lab, and the employer,

52:18

You can't expect the employer to say: “Oh, ok, we can just set up the lab at your home.” You know, that's not going to be reasonable.

52:25

So, if you cannot work in a lab situation, that's probably not the best job for you.

52:31

If you can't work in an open environment, you need to find that out. You know, like, a lot of employers are going into those open areas, where it's not good for a lot of people, it's not good for a lot of people. It just wrecks concentration and focus for many, many people.

52:46

But, I, don't want to say, there aren't jobs that, that, generally speaking, aren't good, but, I think, each individual needs to look at what I'm good at, what really, I'm not good at/makes it impossible for me to do a job. And then look at what, what are those jobs that I could do.

53:07

Here's an example, and this is not neurodiversity, but there was a person with a phobia of snakes that took a job in an irrigation system. Now, to me, that, that must have been the only job available, because that is, like, the worst match ever.

53:21

So you want to look at what my abilities are, what my tendencies are, what I'm comfortable with, what I'm not comfortable with.

53:29

And then look at the job in that way, because not every job can be, can be accommodated to meet that.

53:35

If you're needing to work in an irrigation ditch, you're gonna, that's where you're gonna need to work. And there's probably going to be snakes there because it's outside and it was in Florida and there's water involved. So that's not going to be a good match.

53:49

And so you want to look at those types of things in any job. Because I think there's a wide range of jobs that lots of people can do.

53:59

Alright. It looks like we have one more question before we close. "When is the best time to disclose a disability, and how should that be done?"

54:09

Oh, that's a really good question.

54:11

That's a personal decision. If you need accommodation for an application process or interview, you probably need to disclose and ask for that. Now, you might just say, "hey, I really do better if I have questions in advance" and not have to disclose anything, and the employer may not ask you to.

54:29

We advise people to, to, (a) lot of times go that route: "here's how I work best." And sometimes employers will make those accommodations without even knowing that there's a disability involved, but if you need to disclose, we would say at the time you need it, you need an accommodation. You don't want to wait too late.

54:46

If you're having conduct or performance problems because an employer can get to a point and say, "you know what, we talked about this three times, and you never brought it up, it's too late now because we're ready to terminate you." So when an employer comes to an employee and says, "hey, you know, we've been, we've noticed you're not getting reports done on time."

55:05

That may be a good time to disclose, if your disability is getting in the way of getting those reports done, or, "hey, we've noticed that, you know, you've been having these outbursts in the workplace and we can't, we can't allow that that can't happen anymore." That's a good time to disclose.

55:20

"I have overwhelming stress, and when this certain thing happens, it causes me to have an outburst."

55:26

Those are good times to disclose when, when you first realize, or when the employer brings it to your attention, that you're having difficulties that you relate to your disability. And that can be done at that moment, when the employer, supervisor, whoever brings that to your attention. Or you can put that in writing, we suggest putting it in writing. If you, if you're called into a meeting, and you disclose, you didn't really know you were going to do that, it's fine to do it verbally, and then we would say, follow that up in writing. You'd want to have documentation of when you disclose, when you asked for an accommodation, just for your own records and for that process to keep track of the process.

56:08

Wonderful, thank you so much, Melanie, and thank you, everyone, for joining us today. If you found today's event helpful, we encourage you to register for OAR's next webinar event: "Lost in Translation: What's Missing in the Strengths-Based Approach for Autistic Workers," on September 21st, 2023, at 1 PM Eastern Time. Once you close out of today's event, you will receive an exit survey. We would appreciate it if you would complete that and provide your feedback. Everyone will receive a follow-up e-mail today with their certificate of attendance. On behalf of the Organization for Autism Research. Thank you for joining us and have a great rest of your day!