

My Workplace Rights

Changes in memory and thinking can make it harder to do some jobs. Some people living with memory loss find new tools and systems that allow them to keep their jobs. Others change jobs or choose to retire.

Here is an interview about workplace rights with Robert Fraser, PhD, Director of Neurology Vocational Services Unit at Harborview Medical Center.



Robert Fraser, PhD

What rights do people with memory and thinking changes have in the workplace?

If you are diagnosed with mild cognitive impairment or dementia, you have the right to *reasonable accommodation*. This means your employer may change your work duties or your schedule to help you do the essential tasks of your job.

The Americans with Disabilities Act (ADA) requires that workplaces with 15 or more employees provide reasonable accommodation. But, the employer does not have to make changes that cause *undue hardship*. This means the employer does not have to make major changes that are too costly or disruptive, or that change the nature of the business.

What can a worker expect?

Here are 3 types of accommodation and an example of each:

- **Changes in job duties:** A manager can no longer handle the many demands of her job. She transfers to a job with less involved tasks where she does not need to manage staff.
- **Work station changes:** A man who works on bicycles is misplacing tools. He forgets the right order of some tasks and has problems finishing his work on time. A special tool holder is set up for him. Each tool is color-coded to match the shelf it is on and placed in the order it will be used.
- **Assistive devices:** A carpenter cannot remember detailed instructions or the right order of some tasks. He is given a binder that lists the order of tasks for each project. He also uses a voice recorder when his boss gives instructions.

How do I know whether to keep working or retire?

Answer the questions below to help you decide. Talk with your family, a vocational rehabilitation counselor, a neurologist, or a neuropsychologist about these issues:

- How quickly did your memory and thinking change? It may be easier to keep doing your job if changes are occurring slowly.
- Are your symptoms mild, or do they affect many areas of your life?
- What are your strengths and weaknesses with memory and thinking? Are you still able to do all of your job tasks?
- If your employer made some changes to the work you do or how you do it, could you keep doing your job?
- How do you feel about working at your current job? How does your job affect you physically?
- What is most important to you right now? How do you want to spend your time?

How can I get support with my job?

To learn more about reasonable accommodation, contact:

- A vocational rehabilitation agency. These services may be offered through a local medical service or your state's department of vocational rehabilitation. To learn about UW Medicine's Neurological Vocational Services, call 206.744.9130 or visit www.nvsrehab.org.
- An ADA center in your area. Visit the Northwest ADA Center website at www.nwadacenter.org.
- The Job Accommodation Network. Visit www.askjan.org.

If your employer is not making an effort to provide reasonable accommodation, contact one of these resources:

- The human rights commission for your state
- The U.S. Equal Employment Opportunity Commission
- An employment lawyer