

Preparing for Cancer Treatment - **Balancing cancer and work**

Work is an important part of many people's lives. After a cancer diagnosis, it can be difficult to decide if you want to continue working, take a break or retire. Whether you continue working during treatment will depend on your personal situation. Things to consider:

WORK DEMANDS

Discuss the physical and mental demands of your job with your health care team. Ask how much time off you may need, or whether you can work during your treatment and recovery.

TIMELINE AND SIDE EFFECTS

Consult your health care team to learn all you can about your treatment options, the timeline and possible side effects you're likely to experience. Ask about how side effects may impact your job.

YOUR COMPANY POLICIES

Check with your workplace about your health insurance benefits, company policies and process for requesting time off or reasonable accommodations. Ask whether your company has an Employee Assistance Program to help employees and their families with personal and work-related problems.

STATE AND FEDERAL LAWS

Working people with cancer may be protected under state and federal laws. It's important to understand your rights to ensure you are not discriminated against and you get access to any accommodations or leave time you may be entitled to.

AMERICANS WITH DISABILITIES ACT (ADA)

The ADA helps employees or job seekers coping with cancer. However, they must be qualified for the job and the job must be either with a local or state government, or with a private company with 15 or more employees. Additionally, the employee must have a disability, which is defined under the ADA as "a physical or mental impairment that substantially limits a 'major life activity.'" With cancer patients, often the side effects of the treatment (e.g., nausea, fatigue, neuropathy, concentration/memory problems or depression) cause the disability rather than the disease. Employers are required by law to provide "reasonable accommodations" to qualified individuals with disabilities, unless doing so would cause the employer undue hardship.

"Reasonable accommodations" are changes to a job, the work environment or the way things are usually done that enables a qualified person with a disability to perform the essential functions of his or her job. Examples of accommodations include modified work schedules, reassignment to a less physically demanding position or a certain type of chair or piece of equipment. For help, contact the Job Accommodation Network (JAN) at askjan.org or **1-800-526-7234**.



We are committed to bringing you the resources you need to enhance your life throughout your time as a cancer patient.

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FAMILY AND MEDICAL LEAVE ACT (FMLA)

FMLA may give you the right to take time off due to illness. This law guarantees eligible employees:

- can take up to 12 weeks of unpaid leave, which can be used all at once or in increments as short as a few hours at a time, depending on the employer.
- maintain their health insurance benefits while out on leave.
- who return to work will be reinstated to his or her previous position or an equivalent job with the same salary, benefits and other conditions of employment.
- are protected from being retaliated against for taking FMLA leave.

To qualify for FMLA, you must have worked for your employer for at least 12 months, including at least 1,250 hours during the preceding 12 months. The law applies to government agencies, schools and private companies with 50 or more employees within 75 miles of each other. For more information, visit the U.S. Department of Labor's FMLA web page, at www.dol.gov/whd/fmla.

REHABILITATION ACT

Prohibits discrimination on the basis of disability, such as cancer, in programs run by the federal government and to private and other public employers who receive federal funds. For more information on the Rehabilitation Act, visit www.hhs.gov or www.dol.gov.

STATE LAWS

Many state laws provide even more protection than federal laws. For a list of legal resources by state, visit Triage Cancer's State Resources page, at www.triagecancer.org/resources/stateresources.

HELPFUL RESOURCES

Cancer Legal Care

651-917-9000 • <https://www.cancerlegalcare.org/>

Cancer and Careers

cancerandcareers.org