

## Disclosing to Employers

When seeking employment a common question is: “Should I disclose that I have mental health challenges?”

There is no one single right or wrong answer to the above question. However, there are factors to consider so that you can make the most informed decision possible.

Under the Americans with Disabilities Act (ADA) there are rules regarding what questions an employer may and may not ask a potential employee. For instance:

- An employer **MAY NOT** ask if the potential employee has a disability.
- An employer **MAY** ask if the potential employee has the skills and personality traits to succeed in the job.

While an employer may not ask specific questions about your disability, it is entirely up to you how much, if any, information you disclose to the employer. If you voluntarily disclose having a disability, the employer **MAY** ask if you will need any reasonable accommodations as defined by the ADA.

The following is a list of questions to consider when making a decision on disclosure:

1. **Do you have a large gap in your employment history, and are older than 22-25 years of age?**
2. **Do you think your mental health challenges will likely be apparent during a job interview?**
3. **Is it likely that the employer probably already knows that you have mental health challenges?**
4. **If you are hired, will you need reasonable accommodations, as defined by the ADA, so that you can do the job successfully?**

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If your answer to #1 is **YES**, you should be prepared to explain this employment gap. You may choose only to say something like, “I have had some personal issues I needed to address. I have now done that, and I am ready to return to work.” This would address the employment history gap, but, at the same time, puts a positive emphasis on your being willing and eager to return to work.

If your answers to #2 **or** #3 is **YES**, then the decision to disclose or address your disability is still up to you. This may depend on what you know about the employer and what your comfort level is around disclosing. It is important to consider if addressing the issue openly is in your best interest.

If your answer to #4 is **YES**, you may choose to disclose your mental health challenges to assess the response of the employer and to decide if this will be a supportive work environment. You may discuss reasonable accommodations you will need during the interview, or after being offered a position.

If you answer, **NO** to all of the above questions, it may be a good idea that you **NOT** disclose your disability during the interview process. This can help avoid potential discrimination during the hiring process. Also, if you do not disclose prior to hiring, the employer cannot revoke the job offer should you decide to ask for a reasonable accommodation after you are hired.

*This material is based on a peer-delivered employment services and supports approach developed by Jo-Ann Sowers, Ph.D. and Rollin Shelton of the Regional Research Institute at Portland State University.*