EMPLOYMENT RIGHTS – ADA and the EEOC

The Americans with Disabilities Act and Section 504 of the Rehabilitation Act prohibit discrimination on the basis of current disability status, history of a disability or chronic condition, or perception these things. This includes recruitment, hiring, promotions, pay, training, social activities, as well as other employment privileges. Employers must make reasonable accommodations for qualified individuals for the essential functions of a job. The Equal Opportunity Commission (EEOC) enforces these standards for companies with 15 or more employees, but this does not mean that smaller companies will not comply. More information can be found at:

http://www.eeoc.gov/facts/ada18.html

If you need to pursue a grievance beyond discussions within your workplace, a complaint can be filed with the EEOC within 180 days:

http://www.eeoc.gov/laws/types/disability.cfm
(800) 669-4000 (Voice) or (800) 669-6820 (TDD)

DISCLOSURE WHEN APPLYING FOR A JOB

It is not necessary to disclose disability status when applying for a job, unless you need accommodations to participate in the application process. Disclosure is necessary to request reasonable accommodation on the job and medical documentation may be required. Minor adjustments can often be handled informally – non-disabled people request changes in the workplace too! Deciding whether, when and how to disclose depends on your comfort, your needs and expectations, workplace culture and the expectations of potential employers.

SMITH CAREER DEVELOPMENT OFFICE

The CDO is available to consult on searching for, securing, and navigating a job with a disability.

www.smith.edu/cdo
(413) 585-2582 (Voice)
cdo@smith.edu

STATE VOCATIONAL REHABILITATION

Vocational rehabilitation is a federally funded state service aimed to assist in the process of finding and securing employment for people with disabilities. JAN has contact information by state if you want to see what resources they can offer in your area:

http://askjan.org/cgi-win/typequery.exe?902

ACCOMMODATIONS FOR TESTING – LSAT, MCAT, GRE etc.

Accommodations for post-graduate tests like the GRE, LSAT, and MCAT are available much like accommodations through Smith. All accommodations require advanced registration and documentation of previous accommodation, psycho-educational testing, or a letter from a qualified doctor or specialist. Keep copies of your documentation for your own records! Deadlines and details can be found at:

GRE:
http://www.ets.org/disabilities
(866) 387-8602 (Voice) or (609) 771-7714 (TDD)
(609) 771-7165 (Fax)

LSAT:
http://www.lsac.org/jd/lsat/accommodated-testing.asp
(215) 968-1001 (Voice)
(215) 504-1420 (Fax)

MCAT:
https://www.aamc.org/students/applying/mcat/accommodations/
(202) 828-0690 (Voice)
Applying for Social Security Income - SSI or SSDI

Social Security Income may be available to people unable to work due to disability or long-term medical conditions.

The Social Security Administration defines disability for SSDI eligibility as a) having a medically diagnosed condition that is either permanent or expected to last for at least 12 months, and b) being unable to pursue any type of “substantial gainful activity.” However, there is a list of conditions and standards of severity that automatically qualify.

If disability status is accepted, Social Security Disability Income will be available for all applicants, providing they (or their parents, if under age 22) have sufficient prior work history, while SSI is available to individuals with very limited income and less than $2000 in assets. If you are approved for government health insurance through SSDI, you will automatically be enrolled in Medicare, and if you are approved for SSI, you will be enrolled in Medicaid.

For more information, see the SSD Resource Center: http://www.ssdrc.com/

To apply online, go to: www.ssa.gov

Or make an appointment:
(800) 772-1213 (Voice) or (800) 325-0778 (TDD)

Applying for Health Insurance

Maintaining health insurance after graduation is an important consideration. If you are currently covered under a family plan you may be able to stay on your parents plan until you are 26. You may seek health insurance through a new employer. If you are not employed, you may apply for health insurance through state and federal programs, such as Social Security and Medicaid. Barriers to new health insurance coverage do exist, such as exclusions for pre-existing condition or higher premiums, and it is important to get accurate information about what is available in your state.

The Affordable Care Act makes Pre-Existing Condition Insurance Plans available to adults denied coverage from private insurers for pre-existing conditions. As part of this legislation, affordable new health insurance options will also be offered to adults in 2014, no longer limited by discrimination based on pre-existing condition.

To apply, see: https://www.pcip.gov

Educational Loan Deferment for Health Reasons

If you are experiencing financial hardship for health reasons, it may be possible to defer payments on educational loans, provided you are not more than 270 days behind in payment. In rare cases of acquired disability, a cancellation of educational loans may be possible. To pursue deferment, forbearance, or cancellation, it is necessary to contact the holder of the loan and follow through with their procedures.

Disability Law Centers

Disability law centers provide legal representation and other advocacy services to people with disabilities. They are federally mandated organizations, and they generally operate with a system of priority in taking on cases, but services are available to all disabled people. For a list of disability law centers by state, see JAN:
http://askjan.org/cgi-win/TypeQuery.exe?560

Independent Living Centers (ILC)

ILCs are cross-disability, “consumer-controlled, community-based, nonresidential private nonprofit service and advocacy agencies,” run by a majority of people with disabilities, both in staff and board. Centers for Independent Living provide Peer counseling, Information and referral, Independent living skills training, Individual and Systems advocacy. To find a center near you, see:

Self-help and Consumer-Run Support and Advocacy Groups

There is an incredible variety of support and advocacy groups run by people with disabilities, for people with disabilities. These tend to be organized by disability type, and vary by location. Contacting your local Independent Living center or search disability.gov for resources:

www.disability.gov

Mental Health Self-Help

Mental health self-help organizations are run by mental health consumers, for mental health consumers, to make available resources, service directories, trainings and support meetings for use in self-care and self-advocacy. To find resources near you, a good starting point is the Mental Health Self Help Clearinghouse:
http://mhselfhelp.org/about/index.php
(800) 553-4539 (Voice)
info@mhselfhelp.org

Web Resources

There is an amazing array of online resources, blogs, chat rooms, internet communities, and information about disability geared toward making connections, building community, and finding resources for everything from employment to education, recreation, civil rights, sexuality, family life, health information, arts and culture.

https://www.disability.gov/community_life

We hope these resources are helpful as you transition from Smith. Please feel free to contact us if we can be of any assistance.

We are always glad to hear from you!