

ADVICE ON NAVIGATING THE JOB SEARCH FOR YALE LAW STUDENTS WITH DISABILITIES

Americans with Disabilities Act (www.ada.gov)

Some key features:

- The ADA defines disability as a “physical or mental impairment that substantially limits one or more major life activities.”
- You are not required to disclose your disability, and an employer may only ask questions regarding your ability to perform the essential functions of the job. If you have not disclosed your disability and your employer notices your disability, the employer can only ask whether you will need an accommodation to perform the functions of the job.
- You have a right to a reasonable accommodation unless it will cause undue hardship for the employer.
 - Do research to understand your needs and likely costs. In contemplating the type of accommodation you may need, ask yourself how your disability impacts the main tasks of your job and what you most need as far as support, equipment, or changes in order to perform these main tasks well.
 - Accommodation examples: computer and speech recognition software; redesign or adjustment to work space; adaptive technologies such as screen reader; more frequent reminders of projects and due dates; more frequent short breaks; flexible work schedule or work from home; white noise machines.
- If you request an accommodation, your employer may request certain medical documentation. However, the ADA requires that your employer keep your medical condition and history confidential.

Considerations Regarding Disclosure of Your Disability

- Consider whether you will need a reasonable accommodation and whether your disability is visible or otherwise evident.
- Potential advantages to disclosure:
 - Access to services, support networks, accommodations.
 - May relieve stress to communicate and you may find that others are understanding and supportive.
 - For organizations involved in disability advocacy or who clearly articulate the goal of expanding their hiring of people with disabilities, your disability could be an asset.
- Potential disadvantages to disclosure:
 - Concern about being judged or otherwise treated differently after disclosing.
 - Concern about being overlooked for advancement opportunities.
 - *It's important to note that either of the above concerns, if realized, could constitute unlawful discrimination.*
- Timing of disclosure:
 - If your disability is visible or otherwise evident (a speech impediment, for example):
 - You may wish to disclose prior to an interview to prepare the interviewer. You could leave a voice message or send an email stating that you wished to make them aware that you have a speech impediment (for example) but will need no accommodation for the interview.
 - Or you may wish to disclose the visible or otherwise evident disability during the interview. If so, be sure to focus on your credentials, and how you will be able to perform the functions of the job. If you are asked a question about your disability unrelated to your ability to perform the essential functions of the job, you may wish to direct that questions towards how you will be able to successfully perform the job. Speak with a CDO counselor if you face this situation.
 - Once you have decided to work for the employer, if you have not yet disclosed your disability, you may wish to disclose your disability as part of requesting an

accommodation. Under the ADA, employers must make reasonable accommodations for known disabilities.

- If your disability is not visible or otherwise evident:
 - You may reasonably decide not to disclose during the interview process.
 - Once you have decided to work for the employer, you may wish to disclose your disability as part of requesting an accommodation. Under the ADA, employers must make reasonable accommodations for known disabilities.
 - If you commence work without having disclosed your disability, a time may come when you are in need of an accommodation. At that point, it is better to disclose your disability and discuss accommodations than to allow the situation to negatively impact your work.
- What to disclose:
 - You are free to disclose only general information about your disability without sharing specific medical information or even naming your disability precisely. Some people prefer to share more specific information. It is up to you. Your goal is to demystify your disability to create a comfortable dialogue with the interviewer/employer.
 - Example: I have a condition that affects my walking (instead of sharing that you have MS).
 - Example: I have a chronic illness that I am able to manage, although I may need to take some short-term disability leave (instead of sharing that you experience depression or other mental illness).
 - Keep the conversation positive. Share how your disability and other life experiences can positively impact your work performance.
 - Be clear with yourself about what you wish to disclose and your reasons for disclosing prior to sharing so that you can control the direction of the conversation.

Additional Advice for Navigating Disability Issues in the Job Search Process

EEOC Job Applicants and the ADA

www.eeoc.gov/facts/jobapplicant.html#potential

EEOC Reasonable Accommodations for Attorneys with Disabilities Fact Sheet

<https://www.eeoc.gov/facts/accommodations-attorneys.html>

JAN – Job Accommodation Network

<http://askjan.org/>

U.S. Department of Labor Disability Resources

www.dol.gov/general/topic/disability

Yale University Resources

Yale University Student Accessibility Services (SAS)

<https://sas.yale.edu/>

Yale Accessible Transit Van

<https://your.yale.edu/work-yale/campus-services/yale-transit/shuttle/accessible-transit-van>

Associations for Students with Disabilities

ABA Commission on Disability Rights

<https://www.americanbar.org/groups/diversity/disabilityrights/>

ABA Commission on Disability Rights Mentor Program

https://www.americanbar.org/groups/diversity/disabilityrights/resources/mentor_program_mentee_information/

National Association for Law Placement (NALP) – Articles & Research on Lawyers with Disabilities

https://www.nalp.org/lawyers_with_disabilities

ADA National Network – Information, Guidance, and Training on the ADA

<https://adata.org/>

Disability Rights Bar Association (DRBA)

<http://disabilityrights-law.org/>

Disability:IN (formerly USBLN) – Business Partner for Disability Inclusion

<https://disabilityin.org/>

National Alliance on Mental Illness (NAMI)

<https://www.nami.org/>

National Association of Attorneys with Disabilities

www.facebook.com/NAADattorneys

National Association of Law Students with Disabilities

www.facebook.com/NALSWD

Federal Government Hiring

U.S. Office of Personnel Management Disability Employment:

www.opm.gov/policy-data-oversight/disability-employment/

Schedule A Hiring Authority for individuals with disabilities in the federal government:

- www.eeoc.gov/eeoc/publications/abc_applicants_with_disabilities.cfm
- www.opm.gov/policy-data-oversight/disability-employment/getting-a-job/#url=Schedule-A-Hiring-Authority

Internship Opportunities

ABA Business Law Section Diversity Clerkship Program

www.americanbar.org/groups/business_law/initiatives_awards/diversity.html

American Association of People with Disabilities (AAPD) Summer Internship Program

www.aapd.com/summer-internship-program/

Jobs Ability – Job Postings & AI-Based Job Search for Individuals with Disabilities

<https://jobsability.com/>