

FOR
**HEALTHCARE
PROFESSIONALS:**

A GUIDE
TO HELPING
PATIENTS MANAGE
**CANCER
& WORK**

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cancerandcareers*org

I. INTRODUCTION

Healthcare professionals are uniquely positioned to help patients navigate between cancer and work. You are the most visible—and, given the proper resources, the best equipped—source to provide the essential information patients need to continue working during and/or after treatment.

The goal of this manual: *For Healthcare Professionals: A Guide to Helping Patients Manage Cancer & Work* is to give you the direction and tools you need to answer questions, provide resources for referrals and support your patients who work.

The guide consists of four sections that parallel those originally presented in our four-part teleconference/webinar Educational Series for Healthcare Professionals held March 26, April 23, May 28 and June 25, 2009, and made possible by a generous grant from the Avon Foundation. The sessions are archived and available for listening and viewing at CancerandCareers.org. The website also provides a wealth of additional information and resources for you, your patients and their employers. Highlights include individual career coaching, patient checklists and workbooks—all free of charge.

This guide focuses on the most common concerns a person working through cancer faces, including:

- How to Balance Cancer and Employment (pages 6-13)
- Medical Developments and Issues to Consider (pages 14-19)
- Legal and Insurance Matters (pages 20-25)
- Re-entering the Workforce after Short and Long Absences (pages 26-31)

CANCER AND CAREERS:

WHO WE ARE AND WHAT WE OFFER

In 2001, the Cosmetic Executive Women's Board of Directors had a startling realization: Five out of 40 board members had been diagnosed with cancer. Some had told their colleagues at work. Others had not. But all had continued to work during or following their treatment and had encountered similar dilemmas. Their questions are probably similar to those your patients ask every day: How do I tell my boss? What will my co-workers think? How do I balance work and treatment? What are my legal rights?

Cancer and Careers is the only program of its kind—solely dedicated to changing the face of cancer in the workplace by providing a comprehensive website, free publications and a series of support groups and educational seminars for employees with cancer and their employers, healthcare providers and co-workers. Our mission is to bring together all of the resources, sources of support and information available and make them accessible on our website, in doctors' offices and through educational events, so that every employee with cancer can find the critical information he or she needs to continue to work.

Our *Living and Working with Cancer* workbook, available free of charge in English and Spanish, has been distributed to more than 70,000 cancer survivors in all 50 states and internationally. CancerandCareers.org, also in English and Spanish, informs more than 130,000 visitors per year, providing interactive tools and essential information for employees with cancer. In addition, our Managing Through Cancer Pioneers program helps employers face the challenge of cancer in the workplace. Member companies enhance their own workplace culture, while also demonstrating their commitment to setting a standard of support for all employees battling the disease.

Cancer and Careers is a program of the CEW Foundation, the charitable arm of Cosmetic Executive Women, Inc., a New York-based non-profit trade organization of 4,000 executives in the beauty, cosmetics, fragrance and related industries.

II. HOW TO **BALANCE CANCER AND EMPLOYMENT:**

PRACTICAL ADVICE AND TOOLS

In the days and weeks following their cancer diagnosis, your patients will need your help to navigate a host of issues and questions about their work and future careers, as well as their relationships with supervisors and co-workers. This section will provide tools and information that will help you guide your patients through:

- Sharing their Diagnosis at Work
 - To tell or not to tell
 - What to tell
 - Who to tell
- Preparing for Changes in Appearance
- Deciding Whether to Work or Take Time Off
- Creating a Workable Schedule
- Modifying the Work Environment
- Getting Back to “Normal”
- Resources

SHARING the Diagnosis at Work

– To TELL or not to tell

It is often very difficult for patients to make a decision that is best for their particular circumstance. Therefore, it's often your role as a healthcare professional to help guide them in deciding whether or not to disclose their diagnosis at work. The major points to consider are:

- 1) Will diagnosis or treatment interfere with their ability to perform the essential duties of their job? If your patient is able to maintain productivity levels, then, ultimately, the decision of whether or not to disclose a cancer diagnosis is entirely up to them. But if the degree of the disease and the course of its treatment are so severe, telling the employer is often a necessity in order to gain legal protections (see section IV. for details).
- 2) What is their workplace environment and culture? Some workplaces are more receptive settings where personal information is readily embraced. It may feel “safe” for the patient to reveal a medical situation. In these cases, having a discussion early on with the employer may prove beneficial to the employee in the long run.

In cases that are a little more complicated it may be helpful to ask patients some leading questions to assist them in their decision making process. For example:

- How long has the patient been employed at their company?
 - This may help determine comfort level, what legal protections they are entitled to and their familiarity with the work culture over time. It may also help gauge their trust level, which is often the key in disclosure scenarios.
- What are their work relationships like?
 - Is it a close-knit working environment that is centered on teamwork? Do they trust and respect their boss and vice versa? Help your patient understand the dynamics at play.
- How has their work performance been evaluated until the diagnosis?
 - This is an important point. Perhaps the cancer patient has had a poor performance history prior to the diagnosis and they fear that disclosing the cancer would be the final straw for the employer. It is helpful for patients to be realistic and truthful about their work standing.
- Have they witnessed other people in a similar circumstance at work? Was the experience positive or negative with the company?

(To **TELL** or not to tell...)

3) What is their individual personality and how does that impact sharing their diagnosis? It is important to assess the emotions your patients may be struggling with in the decision to disclose at work. Commonly, patients are most concerned about:

- Control: Patients may feel they are unable to control the disease course, but they may feel able to control their workplace and the amount or type of information that is shared. It may provide them with a sense of power during a time when they have a very limited sense of control.
- Pity: Patients often say they fear that once they reveal their cancer diagnosis, they will become only a cancer patient in people's eyes. Your patients may want to avoid being seen in this light in their workplace, where they have an established role and image. They may fear discrimination—that people will interpret their illness as a diminishment of their abilities and treat them differently.
- Vulnerability: By disclosing in the workplace, your patients open themselves up to other people's stories, comments and connections to cancer. They are then forced to deal with their own emotions as well as their co-workers' emotions, which can be overwhelming.

— **WHAT** to tell

Encourage your patients to get as much information as possible from their doctors—including the exact explanation of the diagnosis, the expected treatment, the outlook and the timetable—before sharing the diagnosis at work. Gently remind your patients that this information is very fluid—anything can change at any time. The treatment, for instance, may take longer (or less time) than predicted or a different treatment plan may be adopted midcourse. Knowing this ahead of time can help your patients cope if any “curve balls” come their way.

Suggest that your patients include this information in their conversations with supervisors, HR representatives and perhaps co-workers, if they desire:

- An explanation of the diagnosis and prognosis
- Expected course of treatment
- Any expected leaves of absence

Then, if possible, a plan for how their work will get done:

- What projects are outstanding
- Who will cover for them
- Or how they will complete the work themselves

(**WHAT** to tell...)

Having a plan of action can help on two fronts:

- It will help your patients feel more in control.
- It will help alleviate concerns their supervisors might have about getting work done.

Besides sharing basics about their diagnosis and expected treatment plan, timeline and return to work, your patients can suggest to their supervisors the best way to communicate with them during work absences.

One solution is to name a “point person” who can help your patients manage interactions with the office when they are out of the office and keep co-workers informed about their treatment and recovery.

– **WHO** to tell

- Supervisor: Suggest to your patients that telling their immediate supervisor is a good start. Many patients discover that their bosses turn out to be far more than just managers. They can be sources of strength, hope and encouragement, far outside the professional realm.
- Human Resources department: Remind your patients that HR people are fonts of information, with valuable knowledge about their company’s policies. Most HR departments will have had experience with cancer survivors and can offer advice on how to tell co-workers and what to expect.
- Colleagues/co-workers: When talking to their peers, suggest that your patients let them know what to expect, such as fatigue or hair loss. Then focus on how they plan to cope.

Preparing for **CHANGES** in Appearance

Dry skin, weight fluctuations, hair loss—a whole new set of challenges face men and women with cancer when it comes to maintaining an image at work during and after treatment. Encourage your patients to seek out help from the experts: hairdressers and barbers can offer help with wigs and hair loss; local department stores and support organizations like Look Good...Feel Better (see Resources at the end of this section) can advise on makeup; dermatologists can help with skincare. Another tip: encourage your patients to buy clothes to accommodate any weight gain or loss they experience. Ill-fitting clothing is a constant reminder of the changes that are happening.

Deciding Whether to **WORK** or Take **TIME OFF**

As treatment begins and progresses, help your patients to identify and predict their response patterns, such as periods of fatigue and times of normal productivity. With this information, help patients map out a realistic plan to continue to work or return to employment. Encourage your patients to gather the facts before making their decision. Some questions they should consider are:

- How will treatment affect their work and schedule?
- What are their job demands, both physical and mental?
- What are the new barriers, if any, to getting to work? Is it uncomfortable, for instance, to catch the bus or the subway now? How many hours, realistically, can they put in now or upon return?
- What other areas of their life—cooking dinner, helping children with homework, tending to aging parents—take up substantial hours and may need to be delegated at least temporarily?
- If they delay a return to work, what would the downsides be—financially, emotionally and in any other ways? What are the rewards, including financial and emotional? Do the rewards outweigh the downsides right now?
- How is their identity connected to their work?
- What parts of the job might be more difficult during or after treatment? For instance, if a patient has to lift heavy boxes or equipment, can an accommodation be made?
- How flexible is the work environment?
- Can other accommodations be made?

Creating a **WORKABLE SCHEDULE**

Begin by helping your patients get a general idea of how their treatment will affect their work.

- Suggest they first identify specific hours and/or days of the week they feel best versus when they experience the most fatigue.
- Identify what medication is needed and the side effects. Determine if this medication can be taken at night if it produces uncomfortable side effects or affects cognition and energy levels.
- Alert patients about which days are typically most difficult after treatments so this information can be factored into the plan.

Once your patients have a better picture of how productive they can be, and when, they will be more prepared to approach their employers to devise a reduced, altered or more flexible schedule. Some of the strategies that they might suggest include:

- **Working from home, part- or full-time:** This can eliminate a draining commute and enable patients to lie down when necessary.
- **Flexible hours:** Perhaps they could implement a full-time but flexible schedule. For example, varying the start and end times of the work day or taking time out during the work day to go to appointments and making the time up by working earlier or later in the day or week.
- **Temporary part-time schedule:** Another strategy is to work a part-time schedule during all or part of treatment and recovery.

Modifying the Work **ENVIRONMENT**

Sometimes patients will need direction to make their workspace more comfortable and productive. Suggest that they take a look at their workstation or mentally recall the set up. They should think about whether it needs to be redesigned or fitted with equipment such as back support or other devices to increase comfort. You can help patients with this process by:

- Identifying physical limitations, temporary and permanent, the patient may not realize.
- Offering suggestions for modifying their workspace to minimize the amount of energy and effort needed to accomplish necessary tasks, such as reaching for the phone or retrieving files. Calling in a physical or occupational therapist to help, if necessary.
- Suggesting that a special chair might be more comfortable, depending on the patient's physical needs. You can provide a letter of medical necessity for chairs or other equipment for their supervisors to ease the process.

Getting Back to **“NORMAL”**

A natural goal and one that patients often voice is their wish to get back to “normal.” For some, that may be possible; for others there is a new “normal.” Either way the return to work is stressful for most. Some worry about productivity, others about being able to concentrate or being unable to cope with the stress. Suggest that your patients acknowledge the stress and plan to deal with it. A few recommendations for stress management you can offer:

- Advise your patients to use a journal or blog to express feelings of being overwhelmed.
- Encourage patients to take a brief walk or a 10-minute break to re-focus when stressed.
- Recommend that patients seek professional help such as a therapy session or support group if their stress levels become overpowering.
- Suggest they take time to organize and clean their desk or work area. It's amazing what the visual impact can do for the psyche. It gives patients a sense of control of their space.

RESOURCES

SUPPORT GROUPS AND SERVICES

- The American Cancer Society

www.cancer.org
1-800-227-2345

This national, community-based voluntary health organization provides multiple supportive services by telephone, online and in person. ACS can identify resources in your patients' communities.

- The American Counseling Association

www.counseling.org
1-800-347-6647

Encourage your patients to seek individual counseling. They can contact their insurance company for a list of in-network behavioral health benefits and providers.

- CancerCare

www.cancercare.org
1-800-813-4673

This is a national not for profit organization that offers free educational, counseling and financial support. Master's degree level social workers provide all services—in person, by telephone and online.

- Gilda's Club

www.gildasclub.org
1-888-445-3248

National cancer community based on the philosophy that emotional and social supports are an essential complement to medical treatment. There are many local "clubhouses" throughout the country, offering free lectures, workshops and social activities.

- Lance Armstrong Foundation

www.livestrong.org
1-866-673-7205

The national Livestrong program provides support materials, grant-assistance, online community forums and national visibility to motivate and educate anyone affected by cancer. English and Spanish.

- Look Good...Feel Better

www.lookgoodfeelbetter.org
1-800-395-5665

This free program helps women and teens cope with appearance-related changes resulting from cancer treatment. On the website there are step-by-step tips for skin care, makeup and hair care from experts; "before" and "after" pictures; and information on group workshops in all 50 states. English and Spanish.

- The Wellness Community

www.thewellnesscommunity.org
1-888-793-9355

Provides emotional support for those dealing with cancer and their caregivers, via centers nationwide. The website offers a Virtual Wellness Community with online support options on specific types of cancer, nutrition, mind and body topics, and more.

- Young Survival Coalition

www.youngsurvival.org
1-877-972-1011

Aimed at women under age 40 with breast cancer, it provides information in an easy-to-digest Q&A format on treatment, clinical trials, pregnancy and cancer, and more.

III. MEDICAL **DEVELOPMENTS** AND **ISSUES** TO CONSIDER

In this section, we will offer information on how to help your patients work with their oncologist and health care team to best manage their return to the office from a medical perspective.

The issues we'll cover are:

- Communicating with the Healthcare Team
- Talking about Work-friendly Treatment Options
- Managing Side Effects of Treatment
 - Pain
 - Fatigue
 - Nausea and vomiting
 - “Chemo brain”
 - Hair loss
- Resources

COMMUNICATING

with the Healthcare Team

Remind your patients that good communication with their entire healthcare team improves health outcomes, as much research now shows. Suggest that your patients:

- Discuss concerns related to returning to work openly and honestly.
- Report treatment side effects, especially those that will have impact on their work ability.
- Tell the healthcare team what they do for a living, what hours are normally required and the pressures of the job.
- Discuss with the team their priorities about returning to work, specifically their re-entry plan, and explain why it's so important to them.
- Work out a treatment plan with the healthcare team taking all of these factors into account.

Talking about **WORK-FRIENDLY** **TREATMENT** Options

If your patients hoping to return to work are still undergoing treatment, talk with them about how the treatment program could be tailored to their work schedule if necessary—without compromising its effectiveness. Tell them:

- Treatment options have expanded greatly. By working with you and the oncologist, patients can find the treatment regimen that works best and also helps them maintain their lifestyle—including a return to their career.
- Chemo or other treatments can be scheduled around their work demands, at least somewhat. For instance, chemo can be done at the end of the week, giving them the weekend to rest.
- New combination treatments and at-home treatments can save time and energy. For example, oral chemotherapy can be taken at home so it requires fewer visits to the doctor or clinic.
- Not all treatment regimens can be adjusted; the goal is the most effective treatment, not the most convenient.

Managing **SIDE EFFECTS** of Treatment and Cancer

As your patients contemplate their return to work, managing side effects of cancer treatments typically becomes even more important to them. You can help a great deal by initiating a discussion on side effects—asking them the most typical ones they have experienced or explaining the potential side effects, if they are switching to a new treatment.

Then, you can talk about remedies one by one. Before getting specific, however, it's crucial to emphasize the importance of reporting any symptoms or side effects to you and their physician. Reassure them that while many side effects can be managed with lifestyle changes—including diet or exercise—others may require adjustments to treatment or additional medication to resolve.

Once patients know the importance of talking about side effects, you can cover the typical ones and suggested remedies. These include:

— **PAIN:**

Remind your patients that pain is a common side effect, caused by the cancer itself or by the treatment. Suggest that your patients:

- Keep a log of the pain, noting the time it occurs and what they were doing.
- Rate the severity of their pain on a scale of 1 to 10, the highest being the worst ever.

Then you and the physician can discuss options with the patient—such as medication or relaxation breathing or some combination—to make the pain more tolerable.

– **FATIGUE:**

One of the most common side effects, fatigue is also one of the most disturbing for those trying to work. It can affect concentration and memory as well as the ability to function, physically and emotionally. Suggest that your patients try these fatigue remedies:

- Rate their fatigue on a 1 to 10 scale (10 being worst) and report it to you if it reaches 4 or 5.
- Figure out any pattern to the fatigue so they can anticipate lower energy periods and plan around them. For instance, many patients say fatigue peaks a day after chemo, lasts for several days, then subsides. Fatigue after radiation, however, tends to be cumulative, becoming progressively worse as the number of treatments increases. Paying attention to the pattern can help with planning treatments and any needed time off work.
- Take short naps if possible, even at work. (Recommend your patients ask their supervisor to accommodate them by putting a cot in a quiet room.)
- Work smart. Curtail all but crucial travel, hold meetings on the Internet or phone and telecommute on the heaviest traffic days.
- Prioritize. Completing the most pressing work tasks first will reduce stress and increase feelings of productivity at the end of the day.
- Exercise or get some physical activity daily. Exercise has been shown not only to prevent fatigue, but also to decrease it once it has set in. The exercise can be as simple as a home-based, moderate-intensity walking program.

– **NAUSEA AND VOMITING:**

If your patients complain mostly of nausea and vomiting, remind them that:

- Many anti-nausea remedies are available and their doctor can recommend the best one for them. If one doesn't work well enough, another one may.
- Dietary changes can help keep nausea and vomiting at bay. Eating five small meals instead of three big ones can help with nausea (as well as fatigue). Staying well hydrated, eating small amounts of bland, room temperature food (crackers and pretzels are good) and eating easy to digest foods can help as well.
- Some non-medical mind-body approaches are worth investigating, including self-hypnosis, relaxation exercises, guided imagery and biofeedback, in combination with progressive muscle relaxation.

– “CHEMO BRAIN”:

You call it “cognitive dysfunction associated with chemotherapy,” but your patients know it as “chemo brain.” Remind your patients that it is common, with up to 30 percent of cancer patients undergoing chemotherapy experiencing this mental fog marked by lack of concentration, memory or thinking skills. Suggest to your patients that they:

- Get a full workup from their primary care physician. The evaluation may uncover other reasons for fatigue and cognitive problems, such as depression.
- Ask about medications that may help their “chemo brain.”
- Ask about simple remedies such as coffee (unless patients have a health reason to avoid it) to improve their daze.
- Pay attention to stress levels, which can worsen “chemo brain” symptoms. Ask about referrals for talk therapy, occupational therapy, biofeedback or relaxation training if necessary.

– HAIR LOSS:

Although there are no treatments that are effective in preventing the hair loss that occurs with many chemotherapy treatments, it will help your patients emotionally to prepare for it in advance. Talk to your patient about whether to expect hair loss with their treatment and if so, when it is likely to happen. That way they can be prepared psychologically and, if they choose, can get wigs or scarves in advance. Remind your patient that their hair WILL grow back.

Hair loss is a tangible reminder of the cancer. It exposes patients to the world and can make them feel very vulnerable and helpless. Going back to work can be particularly challenging when self-esteem and confidence are compromised. Preparing patients on how best to handle questions and comments about their health in the workplace may allow them to feel a sense of control.

RESOURCES

For more suggestions, you can refer patients to a variety of resources, including:

- Medscape

www.medscape.com

A source of exhaustive information on prescription drugs and medical articles aimed primarily at healthcare professionals, but accessible (with free registration) to consumers. The reports, mainly academic in format, require some familiarity with medical terminology.

- National Cancer Institute

www.cancer.gov

Provides loads of helpful information about treatments. A few specific pages for patients to check out:

www.cancer.gov/cancertopics/radiation-therapy-and-you

www.cancer.gov/cancertopics/chemotherapy-and-you

- National Comprehensive Cancer Network

www.nccn.org

Here patients can find the helpful "Cancer-Related Fatigue Treatment Guidelines for Patients."

- Oncology Nursing Society

www.cancersymptoms.org

The site includes many useful facts about cancer-related fatigue, as well as a section called "Managing Cancer Treatment-Related Fatigue in the Workplace Setting" (www.cancersymptoms.org/fatigue/workplace.shtml).

- PubMed

www.pubmed.gov

It's a free search engine for finding MEDLINE and other medical research journal citations. A service of the U.S. National Library of Medicine, it contains 18 million citations from more than 5,000 journals in the United States and 80 countries. Citations are added weekly.

- WebMD

www.webmd.com

Gives trustworthy, comprehensive information written for laymen on a variety of diseases and conditions, wellness and prevention, clinical trials and more. It features online tools for storing health info, drug records and searchable databases to help find doctors and health insurance.

IV. LEGAL AND INSURANCE MATTERS

Cancer patients can encounter various legal issues on the job—from possible discrimination and requesting needed accommodations to ensuring necessary medical leave. While your patients should seek the expertise of a legal professional to address these challenges, you can help by having a working knowledge of the relevant laws that apply to cancer patients and knowing where to refer your patients for further guidance.

In this section we will offer information on:

- Disability
- Discrimination at Work
- Federal Laws that Protect the Employee
 - Americans with Disabilities Act (ADA)
 - Family & Medical Leave Act (FMLA)
 - Health Insurance Portability and Accountability Act of 1996 (HIPAA)
 - Consolidated Omnibus Budget Reconciliation Act (COBRA)
 - The Federal Rehabilitation Act
- Resources

DISABILITY

While your patients can obtain detailed information on disability benefits from their company's human resources department, you can tell them the basics:

- Disability programs are generally divided into long-term—those illnesses or injuries expected to last 12 months or longer, or predicted to be terminal—and short-term, less than 12 months.
- The short-term plans are usually administered through the employer or the state, while the employer or the federal government oversees long-term plans.
- The definition of disability changes from program to program, so it's crucial to ask the administrators of a program how disability is defined.

For long-term disability, your patients should be aware of the “Big 5” questions they will be asked to determine eligibility for long-term disability payment:

- 1.** Is your patient working? If so, earnings limits increase each year and can affect eligibility. In 2009, the earnings limit is \$980 a month (\$1640 for blind workers). The Social Security Administration is the best source of information for your patients on this. (See: www.ssa.gov/pubs/10003.html).
- 2.** Is your patient's condition severe?
- 3.** Is it found on the list of disabling impairments? (The list is posted on the Social Security website www.ssa.gov/disability/professionals/bluebook/AdultListings.htm. Please note, it is meant for professionals, so you will want to help your patient decipher it and determine if they are included.)
- 4.** Can your patients do the work they did previously? If so, the claim will likely be denied.
- 5.** Can your patients do other types of work? If so, the claim will likely be denied.

DISCRIMINATION at Work

Discrimination in the workplace can be subtle, and your patients may have difficulty determining if their cancer history is being used unfairly against them. Here is what you can tell them:

- Be observant, especially of “red flags.” If someone clearly less qualified is promoted or your patients hear disparaging comments about them and their cancer, those are worrisome signs.
- Suggest that they document any examples of potential discrimination in a journal or keep a running list of communications and incidents. This way—whether they choose to pursue legal action or simply to approach their supervisor or human resources department to discuss their concerns—they will have concrete examples to reference.
- Advise your patients to speak, calmly, to a supervisor to discuss the potential discrimination before jumping to conclusions or taking legal action. Your patients may discover they misunderstood, or the supervisor’s intent may have been to help the patient by lessening the workload, for instance.
- Encourage patients to think through any legal action before going further. Be sure they know taking legal action can be time consuming and costly, and that the outcome could be unfavorable.

If the situation still seems discriminatory, suggest your patients seek legal advice, either from their own lawyer or through other legal avenues such as the local bar association or cancer support organizations. (See Resources at the end of this section.)

FEDERAL LAWS that Protect the Employee

– Americans with Disabilities Act (**ADA**)

Be sure your patients know that the ADA:

- Prohibits discrimination against people with a disability or a history of a disability—and that includes cancer—whether they work for a private company or for the government.
- Applies to employers with 15 or more workers. (Please note that many states have fair employment laws that cover employees working in companies with less than 15 workers. Encourage your patients to reach out to their state’s fair employment agency for details on how state law may protect them from discrimination.)
- Defines a disabled person as one who has a physical or mental impairment (including cancer) that substantially limits one or more major life activities—such as working, walking, talking, seeing, hearing or learning.
- Requires that covered employers make “reasonable accommodations” for a medical condition—including modifying work schedules, reassigning the worker to another position, allowing telecommuting—when a worker discloses the disability and asks for the accommodation.
- Defines a “reasonable accommodation” as one that doesn’t cause the employer undue hardship—such as carrying substantial expense or leading to lowered work quality.
- Ensures that employers treat all employees equally.
- Was strengthened with the Americans with Disabilities Act Amendments Act of 2008, which
 - Creates a second list that expands on disabilities to include, for instance, problems with the bowel or bladder, as well as the circulatory, respiratory and other systems.
 - Emphasizes that the definition of “disability” should be interpreted broadly.
 - Says that “mitigating measures” to help the person cope with the disability—except such things as ordinary eyeglasses or contact lenses—won’t be factored when assessing if the person has a disability or not.

(**FEDERAL LAWS** that Protect the Employee...)

– FAMILY AND MEDICAL LEAVE ACT (**FMLA**)

Your patients should know that FMLA:

- Covers workers who have worked at least 12 months, or 1,250 hours, at a company that employs 50 people or more.
- Grants workers up to 12 weeks of unpaid leave, which can be taken all at once or in increments as small as a few hours at a time until the maximum is exhausted.
- Workers will keep their medical coverage during any 12-month period for a serious medical condition.

– HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (**HIPAA**)

Your patients should know that HIPAA protects the rights of workers in group health plans. It:

- Protects a worker's medical privacy, including a cancer diagnosis and treatment.
- Guarantees access to health insurance and the ability to carry it over to another job, despite the cancer diagnosis.
- Prohibits discrimination based on health status.
- Prohibits an employer from disclosing health information without the worker's permission, and, even then, limits the information that can be disclosed.

– CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (**COBRA**)

COBRA is the federal law that allows patients to continue the same health insurance coverage that they had through their employer for an additional 18 months after leaving a job. Key things to note about COBRA:

- Your patients are responsible for paying the full premiums.
- It applies to employers with 20 or more employees.
- Because it's the same policy, your patients don't have to worry about changing doctors or providers.
- It requires that individuals actually elect COBRA coverage within 60 days of a qualifying event (e.g. losing a job).

– THE FEDERAL REHABILITATION ACT

Similar to the ADA, this act prohibits employers from discriminating against employees because they have cancer. This act only applies to employees of the federal government, as well as employers who receive public funds.

RESOURCES

You can guide your patients to numerous sources of information, ranging from the very specific to more generalized. Here, resources to help your patients deal with the range of insurance and legal issues—some devoted just to cancer, others more general:

- Bar Associations

Especially in larger cities, bar associations typically coordinate pro bono work. A call to the local bar association or getting the contact information for a specific region online or through the telephone directory is an excellent starting point. Some associations even have special projects or sections. For instance, the New York City Bar Association has a cancer advocacy project, in which volunteer attorneys provide 30-minute consults for cancer patients with work discrimination issues. For more information visit: www.abcnyc.org/CityBarFund/CommunityOutreachLawProgram.htm#caring

- Cancer Legal Resource Center
www.CancerLegalResourceCenter.org
1-866-843-2572

Provides free and confidential information on cancer-related legal matters, including discrimination and disability issues, health insurance, access to health care, navigating managed care, employment, estate planning and disability insurance.

- LawHelp.org
www.lawhelp.org

Built by Pro Bono Net, a New York-based nonprofit organization, this website provides basic legal information to people with low incomes. Links to resources in every state, on a state-by-state basis, are included.

- National Coalition for Cancer Survivorship
www.canceradvocacy.org/resources/publications/employment.pdf

A survivor-led advocacy group, the coalition's website includes information on employment rights, advocacy and other information.

- Workplace Fairness
www.workplacefairness.org

This nonprofit organization is dedicated to preserving and promoting employee rights. Information on workplace rights, including protection against discrimination, can be found here.

ADA RESOURCES

- State websites

Patients should visit their specific state's website for information on individual state laws that prohibit disability-based employment discrimination. Some state laws specifically spell out cancer as a disability.

- U.S. Department of Justice's ADA home page
www.ada.gov

This page includes information on how ADA helps cancer survivors return to work.

- The U.S. Equal Employment Opportunity Commission
www.eeoc.gov/facts/cancer.html

Basic information about how the Americans with Disabilities Act protects against discrimination.

DISABILITY RESOURCES

- U.S. Department of Labor
www.dol.gov/esa/contacts/state_of.htm

On this page, patients can find out if their specific state has a short-term disability program.

- U.S. Social Security Administration
www.ssa.gov/pubs/10029.html

Information on Social Security disability plans is located here.

FEDERAL REHABILITATION ACT RESOURCE

- The Federal Rehabilitation Act
www.usdoj.gov/crt/ada/cguide.htm#anchor65610

Contact the Access Unit, Civil Rights Division, Department of Justice.

FMLA RESOURCE

- U.S. Department of Labor
www.dol.gov/esa/whd/fmla

This guide provides information to better understand the law from guidelines, to forms, to applicable rules and regulations.

HIPAA RESOURCE

- U.S. Department of Health and Human Services
Office for Civil Rights
www.hhs.gov/ocr

The site offers consumer information sheets on HIPAA.

V. RE-ENTERING THE WORKFORCE AFTER SHORT AND LONG ABSENCES

After medical leave has ended, the next challenge for your patients is making their return to work as comfortable as possible. For cancer survivors, returning to work often brings mixed emotions: relief, anxiety, hope and, perhaps, awkwardness. Even if your patients are confident in their ability to return, these mixed emotions may be present to some degree.

In this section we will provide practical suggestions for smoothing the transition from cancer patient back to valued employee, including:

- Deciding Whether to Return to the Same Job/Company or Start Anew
- Seeking New Employment
 - Creating an effective resume
 - Interviewing effectively
- Preparing to Return to Work
 - Returning to the same job
 - Starting a new job
- Resources

DECIDING Whether to Return to the Same Job/Company or Start Anew

Whether your patients are going back to the same company or starting over at a new company or in a new field, encourage them to focus on their skills, not their cancer history. Suggest they ask themselves: “What are my skills and abilities and how can I best apply them to find satisfying work?”

Taking the time to do this—even writing down the skills or asking colleagues or loved ones to give their input—will help your patients to make work decisions and to write more effective resumes. Thinking through their skills will also serve as “dress rehearsal” for upcoming interviews—whether at a new company or, perhaps, a different role in their existing company.

It’s natural for your patients to think about starting over and getting a new job—in their field or an entirely new one. Reassure your patients that this is normal, but also urge them to think through all the aspects before they make a decision. You can aid the process by suggesting they address the following questions:

- What are my financial needs?
- Will my new career path require additional training or education?
- Can I afford training and the time off it may require, or to take an entry-level job in a new field?
- What is my energy level and is it sufficient to finish the required training?
- How long will it take me to reach the level I desire if I train for a new career?
- Are my dreams of a new career realistic?

Seeking **NEW EMPLOYMENT**

Whether your patients decide to find a job at a different company in their current field, or to seek a position in an entirely new field, encourage them to:

- Review specific job descriptions for positions they are seeking and confirm they can perform the necessary and basic functions of the position. You can help them to determine what type of “reasonable accommodations,” such as flex hours, they may need to do so. (See additional information on this topic in section I.)
- Seek employment with large companies or government agencies. Due to the size of their workforce, a larger company may be more likely to have experience and knowledge about a person with cancer. Larger companies are also more likely to offer an extensive benefits package.
- Network with colleagues or others in their field or in the field they are hoping to enter.
- Seek advice, if necessary, from a professional Career Coach. For more information, see: <http://cancerandcareers.org/career-coaching/>

– Creating an **EFFECTIVE RESUME**

When updating their resume, have your patients take into account the length of their work absence. If your patients seeking employment have been away from the workforce less than a year, they can follow a traditional chronological resume format, eliminating the months and listing only the years of work history.

If your patients have been out of work longer than a year, suggest that they write a “functional” or skills-focused resume. Here’s how:

- List all career skills at the top of the resume.
- Under each of those headings, include three to six bullet points that will summarize their core skills. At the bottom, briefly list the companies worked for, titles and dates. Omit the months and include only the years.
- If employment gaps span multiple years, another option is to list experience and skills but not present the information with chronological dates. Follow this example: “Six years of customer service work,” “Two years of managerial work in customer service.”
- Highlight achievements off the job. Include volunteer or community work, as well as describe responsibilities involved in raising children and caring for aging parents. Show how these experiences translate to job skills such as multitasking or being better organized.

(Creating an **EFFECTIVE RESUME...**)

This section might provide a natural way to talk about their diagnosis. For instance, if they cared for a family member with cancer, they may note briefly that they now know how to handle a chronic medical condition from both the patient and caregiver perspective—and that seeing both sides of a situation is a valuable skill for most workers and especially for supervisors.

- For more advice, you can suggest your patients check out Cancer and Careers' career-coaching center at <http://cancerandcareers.org/career-coaching/>.

– **INTERVIEWING** Effectively

Interviews are always a challenge, but your patients may be especially anxious about appearing competent. Suggest that they:

- Rehearse for a job interview ahead of time by role-playing with colleagues, family or friends. They can practice answering questions about any gaps in their work history.
- Think through the employer's needs and compile examples of past work that show that they can address those needs. Be ready to tell short stories that illustrate their success.
- Know that most prospective employers won't even think to ask about a cancer history but that they should stay positive if it becomes necessary to discuss their cancer with the interviewer. Example: "I was dealing with health issues, but the issues are resolved and I am healthy and ready to work."
- Remember that, legally, their potential employer's questions must pertain to the potential employee's ability to perform the job's essential duties.
- Focus on their ability to do the job, not their cancer diagnosis.

PREPARING to Return to Work

Whether your patients are going back to the same workplace or starting anew, it's crucial they gain confidence in their work abilities once again. How you can assist:

- Help your patients decide if they are ready to go back full-time or part-time.
- Help your patients consider what accommodations are needed, if any, to be successful.
- Recommend your patients go to workshops or seminars to refresh skills if necessary.
- Suggest your patients read up on trends in their industry.
- Advise your patients to join associations and networking groups in their chosen field.
- Encourage your patients to investigate training programs at local community colleges, trade schools or their state unemployment offices, if eligible.

– Preparing to Return to the **SAME JOB**

Your patients may wonder and worry about how they will be perceived by co-workers—with skepticism or support? Suggest that they:

- Remember another colleague who returned after cancer treatment and consider how that person was treated and handled the situation. They can then imitate the things the colleague did that elicited support and avoid the things the colleague did that evoked criticism or skepticism.
- Keep in mind that their approach to the situation will set the tone for their co-workers' reactions. If they are positive and expect support, their colleagues will likely follow suit.
- Resume their former style of interaction. If they are the talkative, sharing type, they can update colleagues on their recovery. If they are more private, they can simply choose to say, "Everything's good. And I'm ready to get back to work."
- Resume routines to feel productive as soon as possible. Even tackling a mountain of mail or email or returning telephone calls, as tedious as the tasks are, can help your patients feel like they are back in the swing of things.

– Starting a **NEW JOB**

In some ways, starting a new job may be less stressful—your patients don't have to live up to old reputations and work patterns. But advise your patients who are starting a new job to:

- Prepare for the potential stress of learning new procedures or skills.
- Think positive and expect success. Their positive outlook and demeanor will not go unnoticed.
- Remember those work habits that made them feel successful or appreciated. This may be as simple as returning telephone calls promptly or never arriving at meetings late. They can vow to follow these habits on the new job as well.
- Consider searching for a mentor, such as an older colleague who has also recovered from cancer or another serious health condition, once they are on the job.

RESOURCES

- Cancer and Careers

www.cancerandcareers.org

Includes articles on workplace re-entry and a free online career coaching center where professional coaches field questions from individuals about topics ranging from rewriting resumes and going on interviews to rethinking career goals.

- U.S. Department of Labor One-Stop Career Centers

www.careeronestop.org

1-877-872-5627

Offers general information on topics like resume writing and interviewing successfully, as well as a directory for local walk-in centers.

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cancerandcareers*org

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