



Workplace Disclosure Strategies for Individuals with Asperger's Syndrome & Nonverbal Learning Disorder

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THE AMERICANS WITH DISABILITIES ACT

Clients often ask my opinion about whether they should disclose their Asperger's Syndrome to an employer. My reply is, "It depends." Disclosure is a personal decision. Whether it is the right option for you depends on the nature of your job, your overall performance, specific challenges that you face, whether you have had a disciplinary action, and your comfort level with disclosing a disability.

In the United States, the Americans with Disabilities Act (ADA) prohibits employers from discriminating against individuals with disabilities. Some of my clients who were in danger of losing their jobs received accommodations that enabled them to meet performance expectations. The risk is that a job offer could be rescinded, a promotion denied or a job lost, without the real reason being stated. It can be difficult, expensive and time consuming to prove discrimination.

The ADA states that employers must provide equal opportunities to *qualified* individuals in hiring, firing, promotions, compensation, training and development, benefits and other employment practices. A qualified individual is someone who meets the employer's requirements for education, skills, experience and work performance.

This is an important point to understand. Employers do not have to lower their standards of quality or productivity for an employee who is disabled. Let's suppose that all customer service representatives are expected to enter a minimum of 30 orders per hour. Because of Asperger's Syndrome, your processing speed is slower; you can only enter 22 orders. You would be considered unqualified for the job.

Disclosing does not guarantee that you will receive a job offer or continue in your current employment. The law does not compel an employer to hire someone *because* he has a disability. It says that disabled individuals cannot be denied opportunities to obtain and maintain employment.

What an employer is compelled to do is make reasonable accommodations for qualified individuals with disabilities. An accommodation is a modification or adjustment that allows a person to participate in the interviewing process, or to perform the essential functions of their job. The modification must be realistic and cannot cause an undue hardship for the employer.

The definition of what is reasonable depends on your job and the company. For Susan, a data entry clerk, requesting written instructions was reasonable. Ken, however, worked as a financial analyst. His supervisor explained that Ken's job required judgment. It was not possible to provide written instructions about how to address every possible situation.

An undue hardship at a company with 25 employees might not be considered an undue hardship at one with 10,000 employees. Modifications that would incur significant cost or disrupt an aspect of the business would be considered an undue hardship for the employer.

Here are examples of workplace accommodations that my clients have asked for and been granted:

- Use of laptop for note-taking during meetings
- Meeting notes taken by a colleague
- Weekly meetings with supervisor to clarify expectations and identify priorities
- Written instructions for tasks and procedures
- Lobby television turned off during shift
- Non-essential scheduling tasks reassigned to co-worker
- Permission to take breaks when overly stressed
- Requests from staff members submitted in writing
- Interview questions submitted in advance
- Switch to a technical job, from a management role
- Move to a quiet workspace
- Use of headphones to block out noise

A further protection for employers is that an employee with a disability must be able to perform the essential functions of their job, or they can be fired. Essential job functions are the core tasks and responsibilities for which you are hired. For an accountant, using standard accounting software would be considered an essential function. If you have visual-spatial problems that make it impossible for you to use spreadsheets, you would be considered unqualified for the position. However, if you are a copywriter, entering budget information into spreadsheets once or twice a year may not be an essential function of your job. You can request an accommodation for tasks involving spreadsheets be reassigned to someone else.

There is a difference between accommodation and basic job readiness. A person with a disability can request a modification in work hours, if, for example, he must use public transportation to travel to work. However, an employer does not have to excuse someone who arrives late to work because he has difficulty managing his time.

Employers do not have to accommodate employees who pose a direct threat to the health or safety of themselves or others, or those who engage in serious misconduct. Losing your temper at work can be considered a direct threat. Jack's work situation deteriorated over several months. He would frequently storm out of department meetings, muttering under his breath about procedures he didn't like.

He exploded at one meeting, yelling at his co-workers about his Asperger's Syndrome and why it made it hard for him to interact with others. When his boss denied Jack's request to use vacation time, Jack sent him a threatening email. He was promptly fired.

Employers are prohibited from asking questions about medical condition or a disability during job interviews. After an offer of employment is made, an employer *can* ask medical and disability-related questions as long as they do this to everyone who is offered the same kind of job. Once you start work, an employer cannot ask disability related questions unless they are related to your job or are necessary in order for the employer to conduct business. Suppose your supervisor notices that you seem dizzy when you stand up. Your job requires you to operate machinery. In this case, the employer has a reasonable belief that you have a disability or medical condition that could pose a risk to your safety and that of others and can ask questions about your health.

You are under no legal obligation to disclose. If you choose to do so, your employer can request proof of your diagnosis from a qualified medical professional. They can also inquire about how, specifically, your disability impacts your job performance. Many companies have a form for your medical provider to fill out. You can, and should, control what information is given to an employer. It is not necessary, or desirable, to submit your full neuropsychological evaluation, or your entire medical history. Ask your medical professional to restrict comments to those items that affect your ability to perform your *current* job.

It is beyond the scope of this guide to fully describe the Americans with Disabilities Act and the criteria for being considered disabled. Readers are encouraged to visit the Web site of the Job Accommodation Network (JAN; www.askjan.org). JAN is a service of the U.S. Department of Labor's Office of Disability Employment Policy, and provides free information and consultations. If you believe that you have experienced job discrimination, consult an employment law attorney.

The ADA does not contain a list of specific accommodations. Instead, they are decided on an individual basis. Most employers are very willing to make adjustments that are reasonable.

DISCLOSING IN A SOLUTION-FOCUSED WAY

The ADA applies to all phases of employment, from submitting a resume or application, to interviewing, and job tasks and opportunities after you are hired.

If you disclose, it is important that you do so in a solution-focused way. Your manager and human resources representative may know little or nothing about Asperger's Syndrome. Making a general statement such as, "I have Asperger's and can't multitask," puts the burden of figuring out an accommodation on the

people who know the least about what you need. Proactively suggesting solutions greatly increases the likelihood that your employer will implement them.

Requesting accommodations is a *negotiation*. An employer does not have to comply with your request if it would cause an undue hardship, or interfere with productivity. A company is within its rights to offer an alternative accommodation that will address your need.

Do not approach this as a battle. Making demands, and threatening legal action if they are not met, puts the employer on the defensive, and usually results in a poor outcome. Be professional, and demonstrate a positive attitude and willingness to compromise. Do not act in an unreasonable manner.

I have developed a three-step process for planning a disclosure strategy:

Step #1: Determine *what* to disclose.

Step #2: Decide *how* to disclose.

Step #3: Choose *when* to disclose.

Step #1: Determine what to disclose.

Write down each challenge that you face, its impact on your performance, and the accommodations that you believe will solve the problem. Focus only on those challenges that impact you during the hiring process or at your current job. Do not list difficulties related to your personal life or schooling. Here are examples:

Challenge: Slower information processing makes it difficult to answer interview questions in real time.

Impact: Unable to organize thoughts, and communicate abilities to the employer.

Accommodation/s: Receive questions in advance of an interview.

Challenge: Learning new, multi-step processes quickly.

Impact: Overwhelmed by too much information; forget verbal instructions.

Accommodation/s: Shorter training segments; receive written instructions.

Challenge: Prioritizing tasks and projects.

Impact: Deadlines missed because time is spent on non-essential tasks.

Accommodation/s: Daily review of priorities with supervisor.

Step #2: Plan how to disclose.

Your disclosure statement should be short, simple and to the point. Do not launch into a long explanation of the history of Asperger's Syndrome, theories about its cause, or all of the potential difficulties. Avoid jargon or terms that will be confusing and raise questions about your ability to do the job.

Trevor received a job offer and was concerned that his difficulties with social interaction might impact his performance. He drafted a two-page letter to the hiring manager that included quotations from the *Diagnostic and Statistical Manual of Mental Disorders*, which is used by clinicians to make diagnoses. Not only did his letter contain many details that were irrelevant to the workplace, it is highly unlikely that his future supervisor would understand terms like "restricted repetitive and stereotyped patterns of behavior." The letter also described "weird things" that Trevor did, including stimming, which he was able to control in public. Since he could control his hand flapping, there was no reason to discuss it. "Weird" is a poor word choice, because weird behavior makes people nervous.

When Lee disclosed she explained, "I have Asperger's Syndrome, a neurological condition that makes it hard for me to remember verbal instructions. During training, I need to make notes, and practice the steps in order."

Step #3: Choose when to disclose.

There are pros and cons to disclosing at various stages of the employment cycle. The best time to disclose depends on your situation. Here are benefits and risks to consider:

DISCLOSING IN A COVER LETTER/ JOB APPLICATION

Generally, I do not advise disclosing at this stage, because doing so puts the focus on potential problems, rather than your qualifications. In many organizations, there is still apprehension about hiring people with disabilities. One concern is that the individual will require an inordinate amount of training or supervision. Another is that accommodations will cost a lot of money, even though according to a JAN study, more than half of accommodations cost nothing, and the rest cost \$500 or less.

A third concern is that the company will be sued for discrimination, if an employee cannot meet performance requirements and is terminated.

However, if you need assistance submitting an application or with the interview process, you must let the employer know beforehand. Ann had significant difficulty making eye contact, remembering to smile, and making any type of small talk. Trying to appear neurotypical on interviews caused her so much stress that she couldn't focus on answering the questions.

Ann disclosed her Asperger's Syndrome in the cover letter that she submitted with her resume. She had been referred to the hiring manager by the friend of a family member. With Ann's permission, the friend mentioned to the hiring manager that Ann has Asperger's Syndrome. Ann's cover letter mentioned her disability briefly, and put it in a positive light. It read in part, "Please be assured that my disability will not interfere with my ability to do this job, and in some ways, will actually be an asset. I am very reliable, and am driven to do an extremely good job. I urge you to speak with my former supervisor... ."

During the interview, Ann addressed her difficulties with making eye contact and remembering to smile by saying, "I don't show a lot of emotion because of the Asperger's Syndrome. However, I am very enthusiastic about this position and brought a summary of successful projects to discuss." The summary was a bulleted list of achievements in her past positions. It helped her remember points about her qualifications that she wanted to make during the interview. She was hired on a 3-month trial basis.

Another reason to disclose Asperger's Syndrome at the application stage is when it offers a distinct advantage. If you are applying for a position with an autism association, for example, your personal understanding of Asperger's could be helpful in the development of programs or educational materials. Even so, Asperger's should not be the main focus of your cover letter and resume – skills and experience should be.

DISCLOSING DURING A JOB INTERVIEW

Generally, I do not advise disclosing at this stage, either. The purpose of an interview is to demonstrate your capabilities and explain how you can contribute to the company's success. Disclosure can get in the way of this by focusing attention on your limitations and on potential problems.

However, if your challenges are so noticeable that not offering an explanation will disqualify you from consideration, disclosure is a viable strategy. Slow processing speed meant that Allison needed several seconds to organize her thoughts before responding to questions. This could make Allison appear "spacey" and unprepared. She decided to tell employers, "Because of my Asperger's Syndrome, I need a few seconds to organize my thoughts in order to answer your questions."

DISCLOSING WHEN YOU RECEIVE A JOB OFFER

The purpose of disclosing is to request an accommodation. If you believe that you can meet the employer's performance expectations, there is no reason to

disclose Asperger's Syndrome. You can always disclose after you are on the job, if you realize that you need a modification.

It is advisable to disclose if you know that you will need a significant accommodation immediately. In the United States, an employer cannot rescind a job offer because you disclose a disability. An employer could understandably feel deceived if you wait until your first day to ask for a modification. It begins your working relationship in an atmosphere of distrust. Finding the right moment to disclose would also be awkward. The employer would be prepared to get you started on the job, not to modify your workspace or reassign non-essential tasks.

Dan's technical skills were outstanding, but he had a history of job loss, and wanted to try a new approach after his latest termination. He identified his problem areas and accommodation needs. Then, after receiving a verbal job offer, but before signing an employment agreement, Dan told his would-be manager that he has Asperger's Syndrome. He described how Asperger's affects his ability to understand body language and how he can sometimes appear rude to people. He mentioned that he would need help with prioritizing and estimating how long a project should take to complete. It turned out that his supervisor had a family member on the autism spectrum. Dan was able to focus on learning the job, instead worrying about what to do first and by when.

DISCLOSING AFTER YOU HAVE STARTED WORK

This is the stage where most of the individuals I coach make a disclosure. Usually, the precipitating event is negative feedback from a supervisor, conflict with a co-worker, receiving a disciplinary action, being put on a Performance Improvement Plan (PIP), or having two week's notice to improve, which almost always means that you are going to be fired.

It might also be in your interest to disclose if: your work is consistently late or has to be redone; you receive feedback about the same performance problem three times or more; you are confused about expectations or cannot perform an aspect of the job. Figure 8.1 is a rating scale that can help you determine whether to disclose.

The wrong time to disclose is in a moment of panic because you made a mistake or had an argument. Melissa nearly talked herself out of a job when she blurted out to a human resources manager that Asperger's Syndrome made it hard to remember faces, multitask and deal with interruptions: all basic skills for a receptionist!

Disclosure Need and Action Scale

How Serious is the Problem?	Possible Action Steps
<p>Level 3: Immediate Action Required</p> <p><input type="checkbox"/> Formal disciplinary action; probation or 2 weeks' notice to improve</p> <p><input type="checkbox"/> Formal meeting with supervisor about performance problems; written warning; placed on Performance Improvement Plan</p>	<p><input type="checkbox"/> Disclosure and formal accommodation request</p> <p><input type="checkbox"/> Engage a professional to intervene on my behalf</p> <p><input type="checkbox"/> Other:</p>
<p>Level 2: Corrective Action Needed</p> <p><input type="checkbox"/> Same performance problem has been mentioned more than twice</p> <p><input type="checkbox"/> I am consistently re-doing assignments</p> <p><input type="checkbox"/> Assignments are late on a regular basis</p>	<p><input type="checkbox"/> Disclosure and formal accommodation request</p> <p><input type="checkbox"/> Talk to supervisor about difficulties; suggest solutions without formal disclosure</p> <p><input type="checkbox"/> Ask a co-worker for ideas about improving performance</p> <p><input type="checkbox"/> Evaluate whether this is the right job or career</p> <p><input type="checkbox"/> Other:</p>
<p>Level 1: Needs My Attention</p> <p><input type="checkbox"/> Working very long hours</p> <p><input type="checkbox"/> Confused about what is expected</p> <p><input type="checkbox"/> Continually re-checking work; forgetting steps</p> <p><input type="checkbox"/> Told that I am asking too many questions/should know what to do by now</p> <p><input type="checkbox"/> Anxious and unsure about performance</p>	<p><input type="checkbox"/> Ask a co-worker for ideas on improving performance</p> <p><input type="checkbox"/> Meet regularly with supervisor to clarify priorities and expectations</p> <p><input type="checkbox"/> Use checklists; make notes</p> <p><input type="checkbox"/> Request additional training</p> <p><input type="checkbox"/> Find ways to manage stress and anxiety</p> <p><input type="checkbox"/> Other:</p>

DO'S AND DON'TS OF DISCLOSING

It is possible that problems can be addressed without disclosing a disability. Developing a repertoire of explanatory statements may be enough to “neutralize” unexpected behaviors and smooth over misunderstandings. You could explain: “I’m hyper-sensitive to office noise and wear headphones so that I can concentrate;” or “I need to write the steps down in order to remember them;” or “I tend to be literal; let me know if I am missing the point.”

Asking to see a sample of what a completed project should look like, or to review priorities each week with your supervisor, will not be seen as unusual requests in most cases.

If your requests are treated as preferences, and not taken seriously, formal disclosure may be necessary. Even if you have been treated badly, or blamed for a misunderstanding, approach disclosure in a professional manner. Dramatic proclamations that you have been abused, tortured or persecuted can make you appear mentally unstable and immature. It is imperative that you speak to your supervisor and human resources representative when you are calm.

Be certain that what you need is an accommodation, and not a different type of job. Sean wanted me to speak with his employer about accommodations. He worked in a warehouse and had received a written warning about his performance. He frequently forgot one or two steps in the process of sorting and moving shipments. He was also not keeping pace with the other workers. As we discussed the situation in more detail, Sean said that the noise and activity in warehouse were very distracting. He described himself as “thorough and slow moving.”

I asked Sean what accommodations he needed. He wanted to wear headphones during his shift, and to work at a slower pace. The headphones were a problem because Sean needed to hear when a forklift was behind him. Instructions were often called out to workers by the supervisor. Slowing his pace wasn’t an option since everyone needed to work at the same speed to move materials efficiently.

It was apparent that the warehouse position was simply not a good match for Sean. He was unable to meet the requirement for speed, or to consistently follow verbal directions. He agreed that he needed to find work that matched his abilities.

A disability is not an excuse for disruptive behavior. Matt was placed on a Performance Improvement Plan (PIP) for losing his temper and cursing at a co-worker. “I can’t help it if Asperger’s Syndrome makes me explosive,” he said. Although I agreed that low frustration tolerance is common among people with Asperger’s Syndrome, Matt still needed to control his temper in the office. One condition of his PIP was that he receive coaching to learn how to lower his stress level and manage frustration.

You must be willing to follow through when you agree to change an unacceptable behavior. By the time Matt was placed on the PIP, there had been two other inappropriate outbursts. Matt's employer made it clear that he needed to change his actions, or he would lose his job.

It can be helpful to offer your supervisor and human resources representative a brief article about Asperger's Syndrome. Do not expect them to read a book about the subject. The Employer's Guide to Asperger's Syndrome is a free guide from Forward Motion Coaching that briefly describes the strengths and challenges associated with Asperger's. Request a copy at www.ForwardMotion.info.

When you disclose, mention the things that are going *well* on the job, and state your commitment to excellent performance. Be sure to emphasize your expertise and abilities. There are a number of strengths associated with Asperger's Syndrome that are benefits in the right job. They include:

- Attention to detail and sustained concentration
Benefits: ability to spot errors; accuracy; not distracted from the task at hand
- Excellent long-term memory
Benefits: recall facts and details others have forgotten
- Tolerance of repetition and routine
Benefits: perform the same tasks without getting bored or burned out
- Strong logic and analytic skills
Benefits: ability to see patterns/draw connections in data; objective view of facts
- Vast knowledge of specialized fields
Benefits: develop in-depth knowledge and expertise
- Creative thinking
Benefits: different way of processing information can lead to novel solutions
- Perseverance
Benefits: stick with a job until it is done
- Honesty and loyalty
Benefits: not afraid to tell the truth; stay with an employer long term

It is preferable to have a discussion when you disclose. If you are absolutely unable to explain your situation verbally, you can do so with a written letter. It is prudent to follow up verbal disclosure with a written document. It should summarize what was discussed in your meeting and what everyone agreed will happen next.

Disclosing to your supervisor and human resources representative does not give them permission to tell other people in the company about your diagnosis. You control who has access to this information. If you want it kept confidential, state this clearly. If there are other people in the company whom you want to know about your Asperger's Syndrome, state specifically who those individuals are. Check that disclosure information is kept in a separate file from your general personnel records. That way, if you leave your current employer for any reason, the information will not follow you to another company.

EXAMPLES OF DISCLOSURE STRATEGIES

The following examples illustrate different disclosure strategies. They underscore the importance of a "custom-crafted" approach that addresses the needs of the individual as well as the demands of the job.

Cindy

For nearly 10 years, Cindy was a successful sales manager at a high-end vacation community. Despite her Asperger's Syndrome, she did well working one-on-one with clients and training junior sales people. Her group often ranked number one or number two in quarterly sales.

After the company was acquired by a much larger firm, Cindy's job became less structured. She received conflicting instructions from various executives in the organization. The new regional vice president said that Cindy asked too many questions, and gave too much detail in her presentations. At weekly team meetings, Cindy appeared chronically unprepared to answer questions from the executives.

Concerned about her performance, Cindy decided to disclose her Asperger's Syndrome to her supervisor and human resources representative. Her accommodation requests included a written agenda one day in advance of the team meetings. She also asked that managers submit their questions to her in writing, and give her 24 hours to respond. These accommodations addressed auditory processing problems that made it hard for her to follow group discussions. They also mitigated her slow processing speed, which made it impossible for her to respond immediately to questions from managers. After implementing the changes, she was able to participate in the meetings and provide the responses the management team needed.

Cindy also requested an extra week or two to learn new processes. Her supervisor began giving her written directions, specific examples, and more of his time to answer her detailed questions. Instead of telling Cindy something vague like, "Take the numbers and run with it," her supervisor states specifically, "Write a 10-minute presentation, based on this quarter's the sales reports, that will explain where we can increase revenue."

Tina

Tina is a receptionist for a large financial firm. One of her duties is to make sure that visitors have the proper security clearance before exiting the lobby area and entering the building. One particularly busy day, Tina issued a visitor badge to someone she thought she recognized as he rushed through the checkpoint and quickly flashed an ID. Concerned about the possible security breach, Tina reported the incident to her supervisor, who issued Tina a written warning.

Tina explained to human resources that Asperger's Syndrome affects her short-term memory, and her ability to recognize faces under stress. Her employer agreed to turn off the television in the lobby during Tina's shift, because the sound is distracting to her. Employees were instructed to send written, not verbal, visitor requests to Tina in advance, so that she will have more time to process them. Signs are now posted in the lobby informing visitors that they must check in with the receptionist and show appropriate identification.

Todd

Todd contacted me as he was having an employment crisis. Employed in a director-level job for two years, his literal interpretation of instructions and difficulty seeing the big picture were frustrating his colleagues. Todd's supervisor expected him to assume "a leadership role," a directive that was completely bewildering to Todd. When we met Todd, had been given two weeks to improve his performance or be fired.

Todd disclosed his Asperger's Syndrome and, over the next three months, Todd, his manager and a human resources representative decided accommodations and set clear performance expectations. Then an opportunity arose for Todd, at his own request, to give up his director position and become a senior manager instead. He realized that as a manager, he would utilize his considerable technical ability, and off-load the troublesome leadership and people management duties. By acknowledging his strengths and limitations, Todd's status changed from about-to-be-fired to valuable member of the company. (He didn't have to take a pay cut, either.)

Adam

A final example is that of Adam, an extremely bright program manager at a major, international conglomerate. He was consistently praised for his extensive knowledge of supply chain management, and his organization's systems. Like many people with Asperger's Syndrome, Adam is a perfectionist and can be impatient with those who don't share his knowledge and very high performance standards. Easily frustrated, he regularly engages in heated debates about minute points.

Adam was upset to learn that his acerbic communication style and detail focus had raised doubts about his ability to work with others and to think strategically. He was denied a promotion, and started coaching to learn how to give feedback

without alienating his colleagues. He continued to struggle with inter-department politics and strategic thinking. At issue is whether he can meet the demands of a director-level job. He elected not to disclose his Asperger's Syndrome to his employer.

Sometimes, despite disclosure and your best effort, you lose your job. If this happens, or has happened, to you, treat it as a learning experience. Try to find out specifically what went wrong, and what you need to improve. Research other industries or professions where you can transfer your skills. Do not become discouraged. With determination and practice, virtually everyone can learn new skills, gain insight into strengths and limitations, and improve their personal presentation. This increases the odds of finding satisfying employment.

About Barbara Bissonnette and Forward Motion Coaching



Barbara Bissonnette is a certified coach and the Principal of Forward Motion Coaching (www.ForwardMotion.info). She specializes in career development coaching for individuals with Asperger's Syndrome and Nonverbal Learning Disorder.

She is the author of the award-winning *Complete Guide to Getting a Job for People with Asperger's Syndrome*; the *Asperger's Syndrome Workplace Survival Guide: A Neurotypical's Secrets for Success*; and *Helping Adults with Asperger's Syndrome Get & Stay Hired: Coaching Strategies for Professionals and Parents of Adults on the Autism Spectrum*.

Barbara offers consultations for parents and professionals. **Getting a Job When You Have Asperger's Syndrome** is a weekend workshop for individuals that describes every step of the job search. **Finding Employment that Works for Individuals with Asperger's Syndrome** is a seminar for career counselors, vocational rehabilitation specialists and transition specialists.

Prior to coaching Barbara spent more than 20 years in business, most recently as Vice President of Marketing and Sales. She earned a graduate certificate in Executive Coaching from the Massachusetts School Professional Psychology and is certified by Institute for Professional Excellence in Coaching.

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