



# Getting and Keeping a Job in a Recession

by Jeanette B. Herting

## Summary

If you have epilepsy, looking for a new job and keeping your current job are bigger challenges than for people of the same skill set without epilepsy. In an economic recession, these challenges become ever greater.

This article discusses:



- Industries and jobs that are a good fit, or not, for people with epilepsy.
- Questions to ask during the recruitment, application, and interview process to ensure that the job is suitable to your specific medical situation.
- Whether or not you choose to disclose your epilepsy and why.
- How to answer questions your potential employer may have (from a candidate's standpoint, not a lawyer's standpoint).
- Analyzing the benefits package with your epilepsy in mind.
- Cities with good public transportation options, for readers willing to relocate.

This article is not intended to provide legal or labor advice. It is intended to provide a pragmatic view of the employment landscape today and to help prospective and current employees with epilepsy to gain understanding of how best to navigate that landscape. First and foremost, this includes a look at epilepsy, and people with epilepsy, from an employer's viewpoint and provides templates so that, whenever possible, the person with epilepsy is the one to propose the win-win solution.

## Evaluation of Jobs and Industries

It is tempting when you have epilepsy to focus on jobs you cannot do, particularly if you cannot drive or if you are medically unstable. Keep in mind that there are almost no blanket prohibitions against performing certain jobs. The issue is whether the individual can perform the essential functions of the job with or without an accommodation. People with epilepsy can succeed in any sector of business, government, education, and philanthropy. Ignore well-meaning people who discourage you from pursuing particular careers. It is true that employers facing severe budget constraints may be reluctant to hire someone who cannot cross-train across disciplines. However, while you will not be able to perform every job in every industry, neither will a person without epilepsy. You will find a suitable role if you are persistent and highlight your strengths.

With or without epilepsy, high achievement in the workplace requires a strong work ethic, team spirit, and the vision to succeed despite obstacles. By facing the challenge of your epilepsy head-on and devising the necessary workarounds, you are already ahead of many job candidates in disciplined follow-through and creative problem solving. These are attributes desirable to any employer.

### Think driving

If you cannot drive, any job with the word "field" in the title (e.g., Field Service Technician, Field Development Specialist, etc.) is a red flag. Positions in sales, marketing, business development, customer support, and vendor relations, among others, often require extensive travel by car. Verify that the job is "inside" (meaning, in the office). However, similar jobs with an overseas clientele may be suitable when business travel is by air and public transportation is readily available.

### Think flexibility

If you have difficulty keeping regular work hours because of your epilepsy, seek out employers

with clients or suppliers in different time zones from yours and request an adjustment to your workday accordingly. Can you telecommute? Can you work a split weekend or an accelerated work week, particularly if you need time off for medical appointments during business days? Can you job share? Position your request as a business advantage and explain how it will save the company money.

### Think stress

Consider how you might manage extreme highs and lows during your work day. For example, a trader on the floor of the New York Stock Exchange could avoid driving by taking the subway to work, but might risk a stress-induced seizure from the volatility of the markets. If your seizures are well managed, this might be a non-issue; if you are medically unstable, it might be a mistake.

### Think benefits

Read Fortune Magazine, "Top 100 Best Companies to Work for 2009" at <http://money.cnn.com/magazines/fortune/bestcompanies/2009/> to find out which benefits top employers around the country are offering. Government employees and teachers in some school districts tend also to have generous benefits packages.

### Think perspective

The viewpoints and life experiences of people with epilepsy can be especially useful in the fields of health policy, education, medical research, science writing, philanthropy, and community evangelism, either grassroots organizations or social networking on the Web. Consider these disciplines during your job search.

## Navigating the Interview Process



### Recruitment

If you are being recruited by corporate head-hunters or competitors in your industry, congratulations! This means that, even in a recession, you are a sought-after employee and any prospective employer is willing to work more

closely on your requirements. However, these considerations come at a price. The more time and money the employer spends recruiting you, the more disappointed the organization will be if you, because of your specific life situation with epilepsy, are not a fit for the role they want to fill in their organization, even with maximum accommodation. If you are not a fit, identify that early on and propose a different role that would be a better fit, explaining how your skills and experience could better serve the employer there. Alternatively, refer the recruiter to a trusted and qualified job seeker. Either way, you are solving a problem for the employer, which will be valuable currency in the industry later.

### Application

If you have epilepsy, your resume may contain gaps. Be prepared to explain them. If you decide not to disclose your epilepsy, you can use the blanket "medical treatment" or "family responsibilities"—but be aware that mentioning medical treatment might raise questions about disability. If during the timeframe in question you also did volunteer work, raised a family, and/or wrote a book, feel free to explain it that way. If you do disclose your epilepsy, use it as an educational opportunity. Surely you have acquired skills in research (for treatments), negotiation (with insurance companies), even lobbying (elected officials regarding disability issues or universal health care). Demonstrate how you turned your forced leave of absence from the workplace into a learning, skill-building opportunity. Volunteer for an epilepsy event or charity, speak to schools and media outlets about epilepsy, or become a community advocate at your local foundation chapter.

### Interviews

Use Google Maps or MapQuest to determine exactly where the interview will be located and, if you cannot drive, how you will get there via public transportation. If possible, do a dry run another day at the same time. This will help you understand how long your commute really will be, the potential cost, and whether the areas on either side of your commute are safe.

Ask whether a business consolidation or office relocation is in the works. Due to the economic downturn, companies are consolidating offices and moving their headquarters to less expensive areas. Soon, you may be asked to relocate into an area not transit or medically friendly.

## Reference checks

Whether or not you have epilepsy, be suspicious of any employer that does not check your business and personal references. You can count on that same employer to neglect due diligence in other aspects of business.

Ask your references for permission to use them beforehand and give them notice when requests for their feedback are forthcoming. Be sure to mention when, via what communication method (e.g., email, cell phone, online request form), and from whom these requests will come.

If you have decided not to tell your prospective employers about your epilepsy, be aware that your references may inadvertently “out” you, unless you warn them. This can happen particularly with close colleagues of many years, or personal friends, any of whom might mention your epilepsy in passing as a highly complimentary example of your ability to deal with difficult situations, or your willingness to volunteer in your community. If your epilepsy is common knowledge at your current job but you would rather your prospective employer did not know about it, simply ask your references to provide their comments proactively in writing.

You do not want your potential new employers to hear about your epilepsy from anyone but you. If they hear about it from another source, they will wonder what else you are hiding.

## Job offer

You should receive a formal offer letter detailing your terms of employment, including job title, start date, job location, compensation, and benefits. Do not consider starting a new job without one. Be sure all agreements are in writing. Although in some circumstances verbal agreements may be considered binding, consult an attorney regarding your specific employment opportunity. Keep a copy of the letter and return the original by mail, return receipt.

## Disclosing Your Epilepsy (or Not)

There is no right answer to the question about whether to disclose your epilepsy to your prospective employer. Every person, every job, and every medical situation is different. What works for you may not work for the next person.

## Whether to disclose

Depending on the job, you may be asked whether you hold a valid driver’s license and insurance. This is a legitimate question if the job requires you to drive a commercial vehicle, for example, or if a government agency requires this of the employer as a condition of a contract. Saying that you do not hold a driver’s license without explaining why may lead the prospective employer to believe that either your license was revoked due to a DUI or reckless driving conviction, or that you are not working in this country legally. Either assumption is far worse than having epilepsy and is one argument for telling the truth.

Safety is another consideration. If not disclosing your epilepsy could potentially put your co-workers or the public in danger, you must disclose. In some cases, omitting this information on your job application is grounds for termination, lawsuits and/or criminal penalties.

## When to disclose

Disclose your epilepsy in person, never in your cover letter and never during a phone interview. (One exception is if you are applying for a job with an epilepsy-related business or foundation, in which case your personal experience with epilepsy is an asset.) If you are a finalist for the position, or are receiving a job offer, and are interviewing face to face with your potential manager and/or colleagues, that is the suitable time to discuss your medical situation and to ask for any reasonable accommodations that you may require. Familiarize yourself in advance with the Americans with Disabilities Act, specifically the ADA Amendments Act signed into law in September 2008. (An article discussing how the ADA Amendments Act impacts people with epilepsy can be found in the first issue of *Epilepsy: Insights & Strategies*, at <http://www.epilepsy.com/epilepsy/journal/issue1/ADAAA>.) The level of accommodation you require may dictate how soon you disclose your epilepsy in your job search. If you need significant accommodation that might well be afforded to a high-value candidate but is clearly in excess of “reasonable,” take care that the prospective employer does not feel deceived by not knowing this earlier.

## How to disclose

If you do decide to disclose your epilepsy, how do you go about it? Tell your prospective immediate

supervisor first; do not let him or her learn about it from office gossip or other sources. Inform colleagues, clients, and others with whom you interact, in a simple, matter-of-fact way, letting them know that you are in control of your epilepsy, not the other way around. The calmer you are, the calmer everyone else will be. Tell them what kind of seizures you have, how often, and what to expect if one happens at work. They will undoubtedly ask, “What should I do if you have a seizure?” Be specific. Use the opportunity to educate people in your workplace about epilepsy and the various kinds of seizures, not all of which are convulsive. If you never have convulsive seizures, or have seizures only at night, say so. If you are on medication and your seizures are well-controlled, say so. Show your MedicAlert jewelry, which you can order at <http://www.medicalert.org>, and explain what the information engraved on it means. Advise your employer whether or when to call 911 for an ambulance, although be aware that company policy (for liability reasons) may override your preference. For everyone’s peace of mind, decline office responsibility for workplace fire drills or first aid, even if you are certified.

## Answering an Employer’s Questions

### Legal Questions

Be informed about what interview questions are legal. Legal questions include your past job titles and work experience; your educational history, including copies of your diplomas; any job-related certifications you have obtained; languages you speak fluently, on which you may be tested orally or in writing; whether you have legal permission to work in the United States and the type of work visa you currently hold; and your willingness to relocate.

### Illegal Questions

Some questions are illegal to ask any job candidate. Go to your interview knowing in advance which those are. Illegal questions include your age, ethnicity, home ownership status, marital status, sexual orientation, whether or not you are pregnant, and—if you are a parent—what child care arrangements you have made. Other illegal questions include whether you have made any epilepsy-related claims against your previous employer’s health insurance policy or if you ever have been on epilepsy-related disability leave.

If you are asked illegal questions in an interview,

decline to answer and direct your job search elsewhere. Asking blatantly illegal interview questions means that the employer assumes the job candidate is either uninformed or will be reluctant to challenge the questions.

Note that human resources personnel are well-versed in asking perfectly legal alternative questions to get the same answers they would get from the illegal questions. For the top thirty such questions, see <http://www.hrworld.com/features/30-interview-questions-111507/>.

### Driving

There is no more emotional topic among people with epilepsy than driving (or not). Driving provides independence, a basic tenet of American society. Some people with epilepsy can obtain—or regain—their drivers’ licenses after a waiting period; others who have poorly controlled seizures may never be able to drive.

If you choose not to disclose your epilepsy, here are some humorous explanations that you can employ to deflect, in a friendly way, questions about driving:

“In this economy, our family scaled back to one car, just like the Europeans.”

“I’m living green and taking public transportation to save the environment.”

“Walking to work is saving me a cool \$100 a month on a health club membership!”

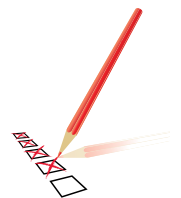
“My fantasy has always been to have a <expensive luxury car> and a chauffeur.”

Some companies offer a flexible car benefit or monthly parking. Ask to substitute those benefits for a monthly transit pass, or another benefit of equivalent value that would be useful to you.

## Analyzing the Employment Package

### Job Location

This is particularly important if you are unable to drive. Is the workplace accessible by public transportation? How frequently? How long is the commute? (Do not take the transit schedule at



face value; try the commute in person yourself with a stopwatch, counting your end-to-end commute, including transfer times.) In inclement weather, is there a warm and dry place to wait? If stairs or escalators are a problem, are elevators available? Is it safe after dark?

Another important question to ask, if the company has multiple sites in the same metropolitan area, is whether you will have an official office in one location but actually work a majority of the time in another location. Public transportation schedules tend to maximize the “spokes in the wheel” commute: from the suburbs into the city, or the reverse. It tends to be a poor point-to-point option. Distances of only ten miles can take upwards of two hours during non-commute hours on public transportation. Is it practical only with a car? Will the employer pay for taxi service?

### Telecommuting

Employers today realize that, while salary continues to be the most important factor in attracting qualified candidates, flexibility and quality of life considerations also rank very high. Companies initially resistant to the idea of telecommuting have found that it, in



fact, makes their employees more, rather than less, productive, which is key during a recession when a company must produce at the same level with fewer employees. If you anticipate traveling a large percentage of your time on business and your home is closer than your office to a major airport, this may be an additional time/cost consideration for the employer. Capitalize on this fact. Present it as a business advantage to the employer, but also let it work for you in giving you additional flexibility to manage your epilepsy.

### Relocation Expenses

In a recession, employers may eliminate relocation entirely, or offer it only for certain executive or hard-to-fill positions. However, always ask whether your relocation costs will be reimbursed. Relocation benefits vary widely, but can include costs such as plane tickets and accommodations for interviews and

subsequent house-hunting trips; packing, storage, and moving of your household items; and assistance in finding schools for your children. Consider whether there are any additional relocation costs you might incur as a result of your epilepsy (e.g., an extra round-trip airfare back home for medical appointments).

### Insurance

If you choose not to disclose your epilepsy to your prospective employer, you can obtain a great deal of information on your own by finding out the names of the employers various insurance providers and inquiring directly about their terms of coverage. Simply say to the employer that health insurance is an important factor in your decision process for any new job and you would like to “compare apples to apples” with your current plan.

### Health

Some health insurance plans do not cover preexisting conditions at all; others require a waiting period of anywhere from three months to two years. Be sure to confirm so that you can time your transition between insurance providers with no gap in coverage. Also, when considering the salary, calculate what it will cost you to pay for double coverage during the waiting period.

Other questions to ask include: Will the prospective employer’s health insurance allow you to choose your own physician locally (or even cover your existing physician “out of network,” normally with a lower reimbursement percentage), or must you choose a physician within their plan? What is the deductible?

Remember that many plans have a separate, additional deductible for prescription drugs. There is a movement toward generic drugs to reduce health care costs, so if your doctor feels only the brand-name drug is appropriate for your treatment, you may have to petition this with your insurance provider. Therefore, if you are required to change physicians, be sure to get this prescription requirement in writing from your current doctor.

### Disability

Find out whether the employer offers disability coverage, should you become unable to work, or have an accident, due to your epilepsy. Again, verify preexisting conditions clauses. Occasionally, when filling out forms for disability coverage after starting a

new job, you might be asked in writing whether you have made a disability claim during the past n years. If you have any doubts about the legality of this request, consult an attorney before submitting the forms.

### Life

Although this issue is far from our minds most of the time, the reality is that we with epilepsy, when compared to others similar to us in age, health, and life situation, have a somewhat higher risk of premature death. Although sudden unexpected death in epilepsy (SUDEP) is rare, it can happen. Also, we are at a higher risk for accidents, including falls that can result in injury or death. Be sure that you have adequate life insurance to provide for your loved ones' needs, whether through your new employer plan or purchased separately.

### Keeping Your Current Job

The current recession makes job retention a priority for everyone, more so for people with epilepsy, who have higher rates of unemployment in general. If you belong to a union, the information in this section may not apply to you because you have a work contract and union representation. However, if you are an at-will employee, read on.

### If your job title and/or responsibilities change

A change in job title and/or responsibilities may imply a pay cut and/or a change in benefits. Verify—ideally, in writing—specifically what those changes are and on what date they become effective. Pay cuts are fairly straightforward—you get a smaller paycheck—but find out whether this is a temporary or permanent cut. Some employers are asking employees to make sacrifices in the short term to keep business doors open until the economy stabilizes. Find out whether you will have the future opportunity, through your individual performance or the performance of the company as a whole, to return to your previous salary and benefits.

This change also may imply that you are now expected to do not only your job, but also the job of one or more former colleagues who have been laid off. Consider how this might affect your ability to manage your epilepsy, particularly if your shift or work hours change dramatically. Stress and fatigue are common seizure triggers.

### If you are required to relocate

Mandatory relocations can be a major challenge for someone with epilepsy, particularly if you cannot drive and/or require proximity to a major medical center. Usually, the employer is consolidating offices to conserve costs, or the company has been sold, and the alternative to refusing the relocation is a layoff.

If your employer has field offices around the United States, make a list and determine which are the most epilepsy-friendly. Determine whether your current job could be done from one of them or whether you could obtain an internal job transfer to make that possible. Formulate a proposal for your employer that explains why your plan has a cost savings equal to or better than your employer's plan and how you can be even more productive to the company in your new role/location.

Propose a telecommuting solution. Rather than ask, "Is telecommuting an option?" present your employer with a plan that demonstrates cost savings to the company. Many employers facing financial strain move to smaller office buildings; it may help them greatly to have fewer employees occupying that smaller space. If you have a high-speed Internet connection at home, that is a plus.

Reassure the employer of your commitment to a full work week, availability by phone and email during business hours, and willingness to travel to the office for occasional in-person meetings. If you have young children, state that your child care arrangements will remain unchanged. If your employer is reluctant, counter what the employer may imagine with a win-win business plan for telecommuting.

### Relocation and public transportation



If you cannot drive, New York City, Boston, Chicago, Philadelphia, and Washington, D.C., are the top five American cities for public transportation. All have extensive Metro systems, including connections to bus and rail

systems and access to airports and Amtrak.

The San Francisco Bay Area has the Bay Area Rapid Transit (BART) Metro system, MUNI trams within the city, bus/Amtrak connections, and local Caltrain

service to the southern suburbs. However, the budget deficit in California is already negatively impacting public transportation and that trend will continue for the near future. Atlanta and Portland both have good quality but localized public transit; ensure that your job and home fall within the service area. Seattle has a bus/rideshare system, with a one-line north-south light rail and a new airport connection as of summer 2009.

Inquire whether accessible transit for people with disabilities is available in your new city. However, note that these services often are not routinely scheduled but are available within a time window, typically one to two hours. Request the accommodation to relax your work start/end times.

A car is necessary to live and work in Los Angeles and its environs, as well as in Denver, Phoenix, Charlotte, Memphis, and every major city in Texas.

### **Relocation and epilepsy treatment**

If you prefer to—or must—continue treatment with your longtime neurologist, you may want to consider a city that is a major airline hub, from which flights will be less expensive. [http://www.airlineroutemaps.com/USA/airline\\_hubs.shtml](http://www.airlineroutemaps.com/USA/airline_hubs.shtml) is a comprehensive nationwide resource, with information in both table and map formats.

If you are open to relocating, ask your current physician for a referral in your new city or region, or go to the Find a Doctor section on [epilepsy.com](http://www.epilepsy.com) located at <http://www.aesnet.org/go/find-a-dr/epilepsy-com>. You can also query the National Association of Epilepsy Centers <http://www.naec-epilepsy.org/find.htm> for a list. Both resources are organized by state and zip code.

### **If you are asked to give up benefits**

Most employees are offered a benefits package, a mix of various benefits valued at a certain dollar amount. The amount, rather than the specific line items, is what tends to concern an employer most during mid-year budget adjustments following a dramatic economic event.

If you are asked to give up benefits, take the initiative to stack-rank your own benefits and to determine which ones you are willing to give up and in what order. Assign dollar amounts to each benefit to show

your employer that you are sensitive to cost and want to partner on a workable solution. This data is normally available on the company's intranet. For people with epilepsy, medical insurance is paramount and keeping it may require you to make painful tradeoffs. In addition to cuts of non-essential benefits, consider offering to take an unpaid leave or temporarily reducing your hours to four days per week. If you are married, or (in certain states) have a domestic partnership, investigate whether you can coordinate benefits as a family.

Ultimately, whatever you recommend to your employer, you are the one driving the discussion, rather than being informed of your benefit cuts by someone who does not know your needs. The worst thing you can say is, "I don't see anything I can cut." Cuts will be made; you are no exception. The best-case scenario for you is to prioritize those cuts from your perspective.

### **If you are asked to change your reasonable accommodation**

Be diplomatic if one or more of the employees supporting your accommodation have been laid off, demoted, or reduced to part-time due to budget cuts. It could be the driver of your employer-arranged carpool, or the teammate who takes care of your clients when you are away from work for medical treatments. Rather than wait for a solution to present itself, analyze the new workplace scenario and propose your own alternative. If you have been with your employer for many years, consider whether your needs have changed since your accommodation was first designed or whether technology is now available to provide an equivalent accommodation at a lower cost. Document your recommendations.

If you feel that the employer's request to change the terms of your reasonable accommodation is discriminatory or punitive, discuss the matter with an attorney. You can find more information about workplace discrimination against employees with disabilities, including epilepsy, at the Equal Employment Opportunity Commission (EEOC) Web site <http://www.eeoc.gov/types/ada.html>. You can also find an attorney who helps employees facing discrimination in the workplace at <http://www.nela.org>.

### If you are given a post-dated layoff notice

Some employers, particularly those with union employees, give lengthy layoff notices of as much as ninety days. If you are lucky enough to receive a long furlough notice, begin job hunting immediately, using every tool at your disposal: positive references from your current employer, peer networking (both in person at industry events and online at <http://www.linkedin.com>), Web-based job sites (e.g., <http://www.craigslist.com>, <http://www.monster.com>, <http://www.careerbuilder.com>, <http://www.guru.com> for freelancers, and <http://www.dice.com> for technology professionals), and alumni organizations.

While it may take you longer to find a suitable job than it would if you did not have epilepsy, a positive attitude and a flexible yet organized approach to your job search will help to shorten your period of unemployment. Even during this historic economic downturn, you, a person with epilepsy, can find and keep a great job using the best practices described in this article. Best of luck!

*Jeanette B. Herting is a Microsoft alumnus, Le Cordon Bleu Paris-educated chef, international relief and development volunteer, and green business advocate. She has traveled on six continents.*



### Want a Job? Hire Disability Solutions™ Wants to Help!

Feeling alone in your job search, given Epilepsy? Hire Disability Solutions, LLC has years of expertise bringing qualified disabled professionals into the talent acquisition process for their many skill sets. "Our mission at Hire Disability Solutions is to give all who want a chance to succeed, the opportunity to succeed," said Jeff Klare, CEO of Hire Disability Solutions. Since its inception in 2004, Hire Disability Solutions has become a recognized national leader in enhancing employment opportunities for individuals with physical, emotional, and cognitive challenges. Let us help you reach your potential!

Get started today, and post your resume on <http://www.hireds.com/Post-Resume/>. Then, go to <http://hireds.com/Work-From-Home/> to apply for our 'Work At Home' positions. Caregivers are also encouraged to apply.

*This issue of Epilepsy: Insights & Strategies was sponsored by:*

