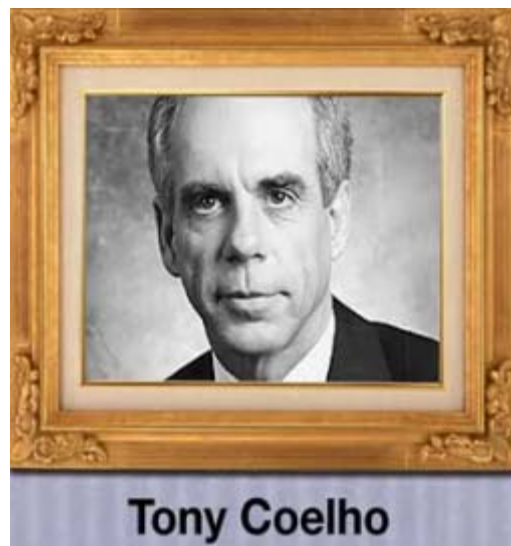


EPILEPSY AND YOUR EMPLOYMENT

Most people with epilepsy can work productively at full time jobs, yet people with epilepsy have about twice the unemployment rate of the general population. Why is that?

Often, people with epilepsy want to work but may encounter employers afraid of the potential effects of a seizure on the job. These employers may worry about liability, missed work or customer seeing someone having a seizure. What these things can happen, they are not valid reasons to avoid hiring people with epilepsy. The only time when a potential employee's epilepsy is relevant to the hiring decision is in a case where seizures on the job would endanger the person's or the public's well-being. Such exceptions might apply, for example, to pilots, bus drivers, firemen, roofers and tree cutters. In addition, people with seizures should avoid work that involves driving, working underwater or in other dangerous locations, or spending prolonged periods around fire, dangerous machinery or chemicals. Despite these limitations, over 90% of jobs can be done and done well by people with epilepsy.



Just as importantly, it is illegal to discriminate against people with epilepsy. This became law when President Bush Senior signed the Americans with Disabilities Act or ADA of 1990, which listed epilepsy as a protected disability. The bill was championed by Tony Coelho, who was then the Democratic whip in Congress. Coelho, who is publicly a person with epilepsy, is the honorary lifetime Chair of the Epilepsy Foundation of America, the primary organization in the US advocating for people with epilepsy. The ADA applies to government employers or contractors, educational institutions and private businesses with over 15 employees.

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Knowing this, should you disclose your epilepsy on a job application? Generally, the answer is still no. It is not legal for an employer to ask about disabilities, medical conditions or what medications you are taking. Employers are, however, allowed to ask whether you have any conditions that would prevent you from fulfilling the duties of the job, and if you do, you should answer honestly.

Once you have a job, you will have to decide whether to let your coworkers, supervisor or human resources department know about your seizures. So what if you do have a seizure on the job and it causes a problem? Once again, the ADA comes to your aid, stating that the company must attempt to make reasonable accommodations for you. For example, there might be another position in the company that would be less problematic, or you might be excused from overtime if missing sleep provokes seizures.

If you have been unfairly treated on the job because of epilepsy, you have at least three levels of recourse. First, you can attempt to work the problem out within the company. Second, you can contact your regional Equal Employment Opportunity Commission, which you can find by visiting their website at www.eeoc.gov. The EEOC will hear your story and decide whether to pursue it on your behalf at no charge. If they take your case, they may communicate with your employer or pursue legal action. The third option is to hire an employment discrimination attorney. While this may be successful, it also can be expensive.

No matter the job, people with epilepsy must want to work and be able to perform the job to gain employment, just like people do not have seizures. Simply put, if you have epilepsy and want to work, you have options, opportunities and legal rights. Look into them.