

title: **Mental health and neurodivergence are protected under the ADA**

num\_comments: 40

num\_up\_votes: 125

upvote\_ratio: 0.98

#### #### Post Text ####

I've worked as an accommodation specialist for several FAANGS either as a direct employee or as a consultant, specializing in support options for employees with mental health conditions or neurodivergence. Mental health and neurodivergence are protected under the ADA and you're entitled to things like accommodations and medical leave for them. Now I have my own business, VocaWell, doing this type of consultation independently and both on and off the clock I now give employees advice that only considers their best interests, not the company's. Depression, anxiety, adhd, autism, etc can all be considered disabilities especially if they're impacting your ability to work. I most often see people try to manage these issues on their own, then get put on a PIP and THEN decide to finally disclose to their employer and get support they should have accessed much sooner. I've worked with large companies for years and I'm tired of seeing so many employees not advocate for themselves effectively. I've seen a few threads on here recently about whether or not people qualify for accommodations, leave, etc. so please, AMA about accommodations, job coaching, disclosing disability status at work, resources, and supports that you're entitled to as an employee with a disability. Also happy to do free consultations or respond to PMs if you have a sensitive situation that you'd like to ask about!

#### #### Comments ####

##### Commenter\_2

ID: REDACTED! ~(o.o)~ <3, Upvotes: 55

I can't imagine what kind of accommodations can be provided. My productivity drops significantly when the projects are easy or tedious. Problem is that most of it is mindless drone work. It's got to the point that I look forward to production incidents, because they work like a stimulant.

##### Commenter\_3

ID: REDACTED! ~(o.o)~ <3, Upvotes: 29

Right there with you. I love it when shit's going down, I feel so energized by it.

##### Commenter\_4

ID: REDACTED! ~(o.o)~ <3, Upvotes: 13

Reminds me of a common thing I heard: adhd folks thrive in emergency settings like ER, fire fighting etc

##### Commenter\_2

ID: REDACTED! ~(o.o)~ <3, Upvotes: 17

I hate emergencies. It's just that I benefit so much from the stimulation.

##### Commenter\_4

ID: REDACTED! ~(o.o)~ <3, Upvotes: 10

I handle emergencies very well. But I get too anxious of them.

##### Unknown\_User

ID: REDACTED! ~(o.o)~ <3, Upvotes: 7

Same. I can handle emergencies amazingly, but then the anxiety kills me for a while after.

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 12

This is something that would be handled through accommodations like job coaching, adjusted work environment or schedule adjustments. You're not going to get a more interesting job as an accommodation, but if your therapist or job coach recommends that you take more breaks during the day to do something active or interesting, you would request an accommodation for additional breaks throughout the day. If you make your own schedule, then you already have that flexibility and wouldn't need an accommodation for it.

Honestly, this is something I'd address through self-advocacy instead of disclosing a disability status. You could just talk to your manager about taking on more challenging work (or find a different job that has more fires to put out).

##### Commenter\_2

ID: REDACTED! ~(o.o)~ <3, Upvotes: 3

I'm going the self advocacy route currently. Working with psychiatrist on non stimulant treatment to at least get me out of the trench. What helped in my last job was to just tell my manager I'm quitting in a month and actually do it. Fire under my ass is one of the ways to stimulate my ADHD brain. Other one is challenging work, which is hard to come by in this industry unless you're a genius.

##### Commenter\_6

ID: REDACTED! ~(o.o)~ <3, Upvotes: 4

Yeah, if the nature of your work is tedious or boring there aren't going to be any accommodations for that.

Instead you would focus on the challenges that are specifically presented by ADHD, like trouble sustaining focus or something like that.

For example, if you have trouble starting tasks that are monotonous with no clear deadlines then you might ask for an accommodation for more structured work with clear deadlines, deliverables and measurements of success.

##### Commenter\_7

ID: REDACTED! ~(o.o)~ <3, Upvotes: 16

What types of accommodations do we get? Also can it be used against you for dismissal? Like what's the limit to which you can claim your performance is getting affected by ADHD.

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 11

Engaging in the accommodations process can't be used against you for dismissal but of course there's always a risk that your manager can discriminate against you.

I never recommend disclosing a diagnosis directly to your manager. Instead, you should disclose to your HRBP or accommodations team and open the conversation with them first. If you request accommodations, your manager will be aware of that request and will need to approve it but they should never be given access to your private medical information, including your diagnosis.

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 11

There's no 'limit' to which you can claim your performance is affected by ADHD, but as soon as you make that claim and ask for accommodations, your performance management should be paused.

For example...let's say I have depression and I'm experiencing escalated symptoms. I'm falling behind on work, forgetting things and dropping the ball more often. My manager notices this and points it out

to me and I respond by disclosing - "I've been dealing with depression and I think I need accommodations to perform my job". At that time, you've disclosed your disability status to your employer and requested accommodations. This means that you may claim that your work performance leading up to that point was due to being unaccommodated.

Now, sometimes I see employers pause perf management automatically at this point and sometimes I see people have to specifically request it. It's important to note that your employer can **NOT** assume that your poor performance is due to ADHD just because you've disclosed your diagnosis to them, you have to be the one to explicitly make that connection and advocate for yourself.

I hope this makes sense. Let me know if I can clarify.

##### Commenter\_8

ID: REDACTED! ~(o.o)~ <3, Upvotes: 10

What protections do we even have when asking for accommodations?

I've had HR reps tell me they throw away applications that disclose they have a disability

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 9

Disability is a protected status so your employer cannot discriminate against you for asking for accommodations or for having ADHD. HOWEVER...we all know that discrimination can happen in sneaky ways that are difficult if not impossible to prove. That's why I would only disclose if it's going to benefit you in some way.

Those HR reps should be reported to the EEOC and an investigation should be launched but that's a lot easier to do at larger FAANG companies than at smaller companies. I see a lot more discrimination happen at smaller companies where there's less oversight and fewer pathways to report discrimination.

##### Commenter\_9

ID: REDACTED! ~(o.o)~ <3, Upvotes: 7

What accomidations even are there?

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 21

Accommodations are typically going to include things like adjustments to your physical work environment, adjustments to existing training materials or processes, adjustments to your schedule and time flexibility, adjustments to supervisory methods or adjustments to communication methods. I've given some examples below but it's actually usually easier to start from the challenge and work backwards from there to identify a good accommodation.

Job coaching is the 'catch all' accommodation solution that more and more tech companies are defaulting to. For example, employees will ask for things like extra time to complete work or reduced workload and these are *\*never\** considered reasonable accommodations. To make up for that, they'll offer the employee job coaching instead so the employee can learn new strategies or skills to meet deadlines and keep up with their workload.

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- Reduced schedule
- Flexible schedule to allow time for medical appointments during workday
- Intermittent Leave of x hours per month to accommodate unplanned flare-ups of medical condition

- Phone script for typical phone interactions
- Job Coach – 12 sessions of weekly job coaching through organization like VocaWell
- Note-taker for meetings
- Written instructions for tasks with explicit timeline, exact due dates and clear expectations
- Specifications for format projects should be in and examples if applicable
- Ability to turn camera off for meetings
- Ability to record meetings
- No more than 2 hours of b2b meetings
- Ability to take breaks or use quiet room during the day as needed
- Ability to participate in meetings via chat instead of verbally
- Advanced notice of public speaking expectations
- Uninterrupted work time – ability to use DND for up to 2 hours per day
- Alternative communication methods (example: Adopting “succinct”, “clear”, and “explicit” communication style in any conversations and emails with employee. Alternatively, provide lengthy and/or complex communication in written form.)
- Alternative supervisory methods (example: supervisor provides feedback using Start, Stop, Continue method to ensure feedback is clear and actionable)
- For office: noise-cancelling headphones, wall dividers on either side of desk to block visual distractions, adjusted lighting, Cubicle away from foot traffic for minimal distraction, approval for emotional support animal
- Work from home x days per week (or permanent work from home)
- Extra time for learning new information
- Ability to collaborate with manager on breaking down large projects to smaller milestones and deadlines
- Written recaps after 1:1 detailing action items, expectations, and deadlines
- Ability to use 1:1s to review workload and prioritize items with manager
- Supervisor provides feedback in writing 24 hours in advance of 1:1 so employee has time to process feedback.
- Weekly 1:1 time with a peer for job shadowing purposes. X hours per week for X number of weeks.

##### Commenter\_10

ID: REDACTED! ~(o.o)~ <3, Upvotes: 2

>• Extra time for learning new information

How do you swing this? The project I'm on is severely behind schedule because the learning curve for me has been treacherous.

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 1

It depends - is this part of formal training for a cert or to ramp up on a new product/program/etc? If so, it should be pretty easy to ask for an extension of the ramp up time.

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If it's more casual...like you have to learn a new program for part of a project you're working on, then that is less straight forward. Instead of asking for an extension of time, I would probably recommend asking for access to additional training resources in accessible formats. Does that make sense? Let me know if you have any questions, or feel free to DM if you'd like to chat through it.

##### Commenter\_9

ID: REDACTED! ~(o.o)~ <3, Upvotes: 2  
How would I go about getting these when i get an internship?

##### Commenter\_6

ID: REDACTED! ~(o.o)~ <3, Upvotes: 1

Internships work the same way, talk to your recruiter and ask to speak to someone on the accommodations team. You don't have to disclose anything to your recruiter, just say that you'd like to get connected to the accommodations team and they should route you the correct way!

You can also get accommodations for interviews.

##### Commenter\_9

ID: REDACTED! ~(o.o)~ <3, Upvotes: 2

Im glad i found you guys before I started my career

##### Commenter\_9

ID: REDACTED! ~(o.o)~ <3, Upvotes: 1

Thank you!

##### Unknown\_User

ID: REDACTED! ~(o.o)~ <3, Upvotes: 5

Time off.

##### Commenter\_11

ID: REDACTED! ~(o.o)~ <3, Upvotes: 3

Standing desks, noise cancelling headphones, quiet working spaces, flexible working hours if you work better at different times of the day, more frequent breaks. That's a few the company I work for will consider if reasonable.

##### Unknown\_User

ID: REDACTED! ~(o.o)~ <3, Upvotes: 2

<https://askjan.org/disabilities/Attention-Deficit-Hyperactivity-Disorder-AD-HD.cfm>

##### Commenter\_12

ID: REDACTED! ~(o.o)~ <3, Upvotes: 6

[The Job Accommodation Network (JAN) is the leading source of free, expert, and confidential guidance on job accommodations and disability employment issues. Serving customers across the United States and around the world for more than 35 years, JAN provides free one-on-one practical guidance and technical assistance on job accommodation solutions, Title I of the Americans with Disabilities Act (ADA) and related legislation, and self-employment and entrepreneurship options for people with disabilities.](<https://askjan.org>)

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 2

JAN is the best free resource that you can access. They are usually extremely responsive too!

##### Commenter\_13

ID: REDACTED! ~(o.o)~ <3, Upvotes: 5

How can you tell whether you need accomodations or you need to find another job?

And how the hell am I supposed to enable myself to find another job while my current one is debilitatingly stressful?

##### Unknown\_User

ID: REDACTED! ~(o.o)~ <3, Upvotes: 1

This is a good question, and there's not a straight forward answer to it.

If your current job is debilitatingly stressful, then you would probably benefit from getting accommodations or leave in place no matter what. Usually this stuff is easier to talk through than writing back and forth so if you'd like to talk through it, just book a consultation with me here: <https://www.vocawell.com/book-online>

Some jobs/teams just suck and when I worked at Amazon, there were so many times I wish I could have told an employee to just run and find another job. If everyone on your team is miserable and it's constant chaos/fires, then it's probably a good idea to look for something else.

##### Commenter\_14

ID: REDACTED! ~(o.o)~ <3, Upvotes: 5

This post is so helpful! Thank you so much for providing that list of possible accommodations.

I'm wondering what kind of accommodations could help with motivation and task initiation. Would that just be job coaching as well?

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 2

For task initiation, it would really depend on what's causing the problem. For example, I see a lot of people who struggle with driving progress on long-term projects when they don't have clear milestones or accountability. If that's the case, then asking for an accommodation for more structured work might be helpful. This is also something you can sometimes address through self-advocacy with your manager, but it depends on how much of a dick your manager is.

If your company will pay for job coaching as an accommodation, it's almost always the best way to go because a job coach will partner with you to co-design new tools/strategies for task initiation that are tailored for you.

\*As a sidenote,\* task initiation is one of my favorite things to coach people on because it's usually way more complicated than people think. Task initiation can involve a lot of different things like time/task management, decision-making, emotional regulation, etc.

I'm sure you've heard of the Wall of Awful but I like to share that video because it shows how complex task initiation really is.

##### Commenter\_10

ID: REDACTED! ~(o.o)~ <3, Upvotes: 4

> try to manage these issues on their own, then get put on a PIP

This is where I'm at right now. Just had the "low performance" chat and I have five weeks to turn it around before a real PIP comes.

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 1

Do you believe that ADHD contributed to your 'low performance'? If so, you might consider disclosing at this point. It's cool that they actually gave you notice before the PIP at least.

Still, this is a scary place to be in. If you'd like to talk through it feel free to book a consult or DM me: <https://www.vocawell.com/book-online>

##### Commenter\_15

ID: REDACTED! ~(o.o)~ <3, Upvotes: 3

It's the only reason I'm able to work from home right now.

##### Unknown\_User

ID: REDACTED! ~(o.o)~ <3, Upvotes: 3

[deleted]

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 1

Yes! And in some states, FMLA is actually paid which is great. You might also qualify for things like "Intermittent Leave as an Accommodation" which can use FMLA or sometimes it can even use Short-Term Disability benefits so you get paid for it.

Intermittent Leave is an interesting accommodation that a lot of people under-utilize. I've seen it used to ADHD, migraines, insomnia, bi-polar disorder, etc. It basically allows you to have a pre-approved number of hours per month to take off for unexpected flare-ups of a medical condition. So if you have 10 hours of intermittent leave approved per month, you can use that time as needed without killing your sick/pto time and without worry of getting fired.

It's confusing because FMLA varies from state to state and benefits like short-term disability and medical leave vary from company to company.

##### Commenter\_16

ID: REDACTED! ~(o.o)~ <3, Upvotes: 3

Do I qualify for accommodations if I'm diagnosed but not receiving medication?

I stopped medication years ago due to the harsh side effects, and have been learning to work and embrace the way my brain works without it. But I'm still at a noticeable disadvantage to my peers, who can accomplish the same in less time.

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 1

YES. Medication is a personal choice that has nothing to do with your diagnosis or your entitlements to accommodations.

However, you do need to have an active medical provider to support your accommodation request. This can be a therapist, GP, psychiatrist, etc. Let me know if you have any other questions!

##### Commenter\_17

ID: REDACTED! ~(o.o)~ <3, Upvotes: 2

Holy shit what good timing for this post- I'm happy to move this to DMs and would want to learn more about your coaching because I could use help in the next 1-3 weeks for sure and I work at a FAANG company

I just got yanked off a project because "so and so back from paternity leave can tell these stakeholders no better and we want you to work on internal documentation instead

I scheduled a follow up with my manager to talk about the implications this and some key words she used and it turned into a "well here's all the real reasons you're doing this you come across as confused or not confident you're a people pleaser" etc

Now I am faced with likely needing to disclose my adhd and I'm scared and it's completely thrown off my ability for promo (and I was hired at a level lower than I interviewed for and I believe my adhd bombed the

interview to get me hired in at the right level)

There's a lot of bullshit about the whole situation and I need help to figure out what accommodations even look like and which could help me (just dx last year, only on meds since idk January this year?) and how to get back on track to promo and have some hard convos about needing feedback sooner or structured better etc

Sorry for the dump in advance

##### Unknown\_User

ID: REDACTED! ~(o.o)~ <3, Upvotes: 2

DMing you now. I think this is definitely a situation where you could use a mix of accommodations, self-advocacy, and job coaching to get back on track

##### Unknown\_User

ID: REDACTED! ~(o.o)~ <3, Upvotes: 1

[deleted]

##### OP

ID: REDACTED! ~(o.o)~ <3, Upvotes: 3

This is super common. The good news is that testing and certifications are one of the only times that "additional time" is considered a reasonable accommodation. Usually it's not considered reasonable to get extra time to complete work, but it is considered reasonable to get extra time for training or certifications.

You can also get accommodations for the test itself. Where is the pressure to get the cert coming from? is it your manager?