



**Employees with disabilities are at least 60% more likely to disclose their disability to their supervisor than to HR.<sup>1</sup>**

*“I don’t need easy.  
I just need possible.”*

—Bethany Hamilton

<sup>1</sup> Nishii, L., & Bruyère, S. (2013, October). [Inside the workplace: case studies of factors influencing engagement of people with disabilities](#). State of the Science Conference on Innovative Research on Employment Practices: Improving Employment for People with Disabilities, Washington, D.C.

<sup>2</sup> von Schrader, S., Malzer, V., Erickson, W., & Bruyère, S. (2011). [Emerging employment issues for people with disabilities](#). Rehabilitation Research and Training Center on Employment Policy for Persons with Disabilities, Cornell University.

## Does a job seeker need to disclose a disability at the time of hire?

Many job seekers struggle with the decision to disclose a disability during the hiring process. Some worry about not getting hired or being treated differently by the employer if they are hired. An employment service professional can play a vital role in supporting the job seeker and the employer during the disclosure process.

### To disclose or not to disclose?

- Many very real disabilities are not apparent or obvious to others but still covered by the Americans with Disabilities Act (ADA).
- In a Cornell survey<sup>2</sup> of individuals with disabilities, 73% named the fear of getting fired or not hired as “very important” factors when deciding to disclose a disability to an employer. Other factors included concerns that the employer may focus too much on the disability and the risk of being treated differently.
- The need for an accommodation is the primary reason people choose to disclose. To obtain an accommodation, one must first disclose a disability to the employer. Employers are only required to accommodate known disabilities.

### Disclosure: A choice and a right

- The ADA does not require a job applicant to disclose a disability at the time of hire. One has the right to disclose at any point in the employment process, including after the job has begun.
- A decision not to disclose at the time of hire is not a lie! The decision to disclose a disability to an employer is a personal choice and a legally protected right under the ADA. A decision not to disclose a disability at the time of hire has no bearing upon an employee’s later right to an accommodation if hired.
- Generally, before making a job offer, the ADA prohibits an employer from asking about an applicant’s disability. Employers may ask all applicants: Can you perform the essential functions of the job with or without a reasonable accommodation?