

INTERVIEW PREPARATIONS IF YOU DECIDE NOT TO DISCLOSE

If you are not disclosing a disability, you must be prepared to respond to questions that could raise the topic, such as:

- gaps in your employment history
- job training or work experience associated with a provider known to work with persons with disabilities
- references who know you from recovery or treatment related activities

**BE CAREFUL NOT TO MAKE AN
INADVERTENT DISCLOSURE.**

**REMEMBER: YOU CAN STILL REQUEST A
REASONABLE ACCOMMODATION AFTER
YOU HAVE BEEN OFFERED A POSITION.
YOU DO NOT NEED TO ASK FOR IT AT
THE INTERVIEW.**

EMPLOYMENT LAW FLYERS

- #1 Employment
Discrimination**
- #2 Deciding Whether to
Disclose a Disability**
- #3 Preparing for an
Interview**
- #4 Reasonable
Accommodations**



CONNECTICUT
LEGAL
RIGHTS
PROJECT, INC.

For more assistance contact
Connecticut Legal Rights
Project, Inc.
Toll Free 1-877-402-2299
TTY 860-262-5066
www.clrp.org

Connecticut Legal Rights Project, Inc., is a statewide non-profit agency which provides legal services to low income persons with mental health conditions, who reside in hospitals or the community, on matters related to their treatment, recovery, and civil rights.

*The information in this flyer is effective as of
August 2016*

EMPLOYMENT LAW



#3

PREPARING FOR AN INTERVIEW

**LEGAL REPRESENTATION FOR PEOPLE
WITH MENTAL HEALTH CONDITIONS**

EMPLOYMENT CAN HELP PROMOTE RECOVERY, EMPLOYMENT SERVICES ARE PART OF RECOVERY PLANNING.

IT IS ESSENTIAL THAT PERSONS IN RECOVERY UNDERSTAND THEIR LEGAL RIGHTS IN ALL PHASES OF THE EMPLOYMENT PROCESS.

THIS FLYER PROVIDES SOME BASIC INFORMATION RELATED TO PREPARING FOR AN INTERVIEW.

IT IS NOT INTENDED TO GIVE LEGAL ADVICE OR COVER ALL SITUATIONS.

State and federal laws protect qualified persons with a disability from discrimination in the workplace. You have a right not to be discriminated against because of your disability.

This is not a preference. It is about ensuring that a qualified person with a disability has equal rights — and that a person's disability is not a barrier to employment.

USUALLY IT IS NOT A GOOD IDEA TO DISCLOSE A DISABILITY AT AN INTERVIEW UNLESS:

- AN ACCOMMODATION IS NEEDED DURING THE HIRING PROCESS, OR
- THERE IS A HIRING PREFERENCE FOR PERSONS WITH DISABILITIES.

IF YOU DECIDE TO DISCLOSE THE DISABILITY

You still control the information to be disclosed. An employer is prohibited from inquiring about the nature and extent of the disability more than is necessary to establish the existence of a disability and the need for a reasonable accommodation.

ESSENTIAL JOB FUNCTIONS

The employer has the right to determine whether you are able to perform the essential job functions — but must treat all applicants in the same manner.

REMEMBER: YOU MUST BE ABLE TO PERFORM THE ESSENTIAL JOB FUNCTIONS IN ORDER TO BE PROTECTED BY THE AMERICANS WITH DISABILITIES ACT.

BE PREPARED TO ANSWER QUESTIONS ABOUT YOUR QUALIFICATIONS WITHOUT DISCUSSING DETAILS OF YOUR DISABILITY THAT YOU DO NOT WANT TO DISCLOSE

Employers and applicants often confuse the employer's right to ask about the applicant's qualifications with information about the disability.

Focus on your skills and abilities, and not on the disability.

Note: The employer should not have job qualifications that would tend to exclude persons with disabilities and are not essential functions.

EMPLOYERS CAN ASK IF YOU NEED A REASONABLE ACCOMMODATION

Once you disclose the disability, you may request a reasonable accommodation which would allow you to participate in the employment to the same extent as a person without a disability. In the interview process, the only time the employer can inquire about a disability is if a reasonable accommodation is requested.

BE PREPARED TO ASK FOR AN ACCOMMODATION IF YOU NEED ONE

See CLRP Employment Law Flyer #4: Reasonable Accommodations.

It may be helpful to bring a doctor's letter verifying the disability if you expect to request an accommodation.

EMPLOYERS CANNOT REQUIRE THAT YOU BE EXAMINED BY THEIR DOCTOR OR MEDICAL PROFESSIONAL BEFORE A JOB OFFER IS MADE. THE EMPLOYER DOES NOT HAVE THE RIGHT TO REVIEW YOUR PRIVATE MEDICAL RECORDS.

After a job offer is made, the employer can ask questions about the disability and require a medical examination — provided that everyone is required to have a medical examination.