

# JAN

**Job Accommodation Network**

Practical Solutions • Workplace Success

## Accommodation and Compliance Series

### Employees with Bipolar Disorder

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A service of the U.S. Department of Labor's Office of Disability Employment Policy

## Preface

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Authored by Daniel Tucker, M.S. Updated 05/30/14.

# **JAN'S ACCOMMODATION AND COMPLIANCE SERIES**

## **Introduction**

JAN's Accommodation and Compliance Series is designed to help employers determine effective accommodations and comply with Title I of the Americans with Disabilities Act (ADA). Each publication in the series addresses a specific medical condition and provides information about the condition, ADA information, accommodation ideas, and resources for additional information.

The Accommodation and Compliance Series is a starting point in the accommodation process and may not address every situation. Accommodations should be made on a case by case basis, considering each employee's individual limitations and accommodation needs. Employers are encouraged to contact JAN to discuss specific situations in more detail.

For information on assistive technology and other accommodation ideas, visit JAN's Searchable Online Accommodation Resource (SOAR) at <http://AskJAN.org/soar>.

## **Information about Bipolar Disorder**

### **How prevalent is bipolar disorder?**

According to the National Alliance on Mental Illness, approximately 2.6 percent of American adults, or 6.1 million people, live with bipolar disorder (NAMI, 2013).

### **What is bipolar disorder?**

Bipolar disorder is a brain disorder marked by periods of elevated mood (mania), and prolonged periods of sadness and hopelessness (depression). These shifts in mood are severe as compared to the average person. Signs and symptoms of mania include distinct periods of:

- Inflated self-esteem or grandiosity
- Decreased need for sleep
- More talkative than usual
- Distractibility
- Increase in goal-directed activity
- Excessive involvement in activities that have a high potential for painful consequences (spending sprees, sexual indiscretions, other risky behaviors)

Signs and symptoms of depression include distinct periods of:

- Feelings of hopelessness or pessimism for most of the day
- Diminished interest or pleasure in more, or all, activities
- Significant weight loss

- Insomnia or hypersomnia
- Fatigue or loss of energy
- Feelings of worthlessness and guilt
- Loss of appetite and weight or weight gain;
- Diminished ability to think or concentrate
- Recurrent thoughts of death, suicidal ideation (American Psychiatric Association, 2013).

### **What causes bipolar disorder?**

The exact cause is unknown, however, bipolar disorder tends to run in families. While there is known to be a strong genetic component, studies with identical twins have shown the twin of a person with bipolar disorder does not always develop bipolar disorders themselves, even though they share all the same genes (NIMH, 2014).

### **How is bipolar disorder treated?**

Bipolar disorder is a recurrent, lifelong illness, so long term treatment is often recommended. An effective maintenance treatment plan usually includes medication and psychotherapy (NIMH, 2014).

## **Bipolar Disorder and the Americans with Disabilities Act**

### **Is bipolar disorder a disability under the ADA?**

The ADA does not contain a list of medical conditions that constitute disabilities. Instead, the ADA has a general definition of disability that each person must meet on a case by case basis (EEOC Regulations . . . , 2011). A person has a disability if he/she has a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or is regarded as having an impairment (EEOC Regulations . . . , 2011).

However, according to the Equal Employment Opportunity Commission (EEOC), the individualized assessment of virtually all people with bipolar disorder will result in a determination of disability under the ADA; given its inherent nature, bipolar disorder will almost always be found to substantially limit the major life activity of brain function (EEOC Regulations . . . , 2011).

## **Where can employers get additional information about psychiatric impairments and the ADA?**

The EEOC (2009) has a publication called "Psychiatric Disabilities and the ADA," which is available online at <http://www.eeoc.gov/policy/docs/psych.html>.

## **Accommodating Employees with Bipolar Disorder**

(Note: People with bipolar disorder may develop some of the limitations discussed below, but seldom develop all of them. Also, the degree of limitation will vary among individuals. Be aware that not all people with bipolar disorder will need accommodations to perform their jobs and many others may only need a few accommodations. The following is only a sample of the possibilities available. Numerous other accommodation solutions may exist.)

### **Questions to Consider:**

1. What limitations is the employee with bipolar disorder experiencing?
2. How do these limitations affect the employee and the employee's job performance?
3. What specific job tasks are problematic as a result of these limitations?
4. What accommodations are available to reduce or eliminate these problems? Are all possible resources being used to determine possible accommodations?
5. Has the employee with bipolar disorder been consulted regarding possible accommodations?
6. Once accommodations are in place, would it be useful to meet with the employee with bipolar disorder to evaluate the effectiveness of the accommodations and to determine whether additional accommodations are needed?
7. Do supervisory personnel and employees need training regarding bipolar disorder?

### **Accommodation Ideas:**

#### **Maintaining Stamina During the Workday:**

- Allow flexible scheduling
- Allow longer or more frequent breaks
- Provide additional time to learn new responsibilities
- Provide self-paced work load
- Provide backup coverage for when the employee needs to take breaks
- Allow for time off for counseling
- Allow work from home during part of the day or week

- Allow part-time work schedules

#### Maintaining Concentration:

- Reduce distractions in the work area
- Provide space enclosures or private office
- Allow for use of white noise or environmental sound machines
- Increase natural lighting or provide full spectrum lighting
- Allow work from home and provide necessary equipment
- Plan for uninterrupted work time
- Allow for frequent breaks
- Divide large assignments into smaller tasks and goals
- Restructure job to include only essential functions

#### Difficulty Staying Organized and Meeting Deadlines:

- Make daily TO-DO lists and check items off as they are completed
- Use several calendars to mark meetings and deadlines
- Remind employee of important deadlines
- Use electronic organizers
- Divide large assignments into smaller tasks and goals

#### Working Effectively with Supervisors:

- Provide positive praise and reinforcement
- Provide written job instructions
- Develop written work agreements including the agreed upon accommodations, clear expectations of responsibilities, and the consequences of not meeting performance standards
- Allow for open communication with managers and supervisors
- Establish written, long-term and short-term goals
- Develop strategies to deal with problems as they arise
- Develop a procedure to evaluate the effectiveness of the accommodation

#### Difficulty Handling Stress and Emotions:

- Provide praise and positive reinforcement
- Refer to counseling and employee assistance programs
- Allow telephone calls during work hours to doctors and others for needed support
- Provide sensitivity training to coworkers and supervisors
- Allow the presence of a support animal
- Reinforce peer supports

### Attendance Issues:

- Provide flexible leave for health problems
- Provide a self-paced work load and flexible hours
- Allow work from home
- Provide part-time work schedule
- Allow the employee to make up time missed

### Issues of Change:

- Recognize that a change in the office environment or of supervisors may be difficult for a person with bipolar disorder
- Maintain open channels of communications between the employee and the new and old supervisor in order to ensure an effective transition
- Provide weekly or monthly meetings with the employee to discuss workplace issues and production level

### Situations and Solutions:

A supervisor of a printing company requested information on how to accommodate an employee who has reduced concentration and memory loss due to mental illness. His duties included operating copy machines, maintaining the paper supply, filling orders, and checking the orders for accuracy. He was having difficulty staying on task and remembering what tasks he had completed. A JAN consultant suggested laminating a copy of his daily job tasks and checking items off with an erasable marker. Another suggestion was to use a watch with an alarm set for every hour as a reminder to check on his other job responsibilities.

A JAN consultant spoke with an employee with bipolar disorder who had difficulty with short-term memory and concentration. The employee worked as a secretary in a busy office. The JAN consultant discussed requesting additional training time, written job tasks instructions, daily checklists, and allowing one hour each day to be off the phones to complete job tasks.

An employee with major depression and bipolar disorder was having difficulties working in a busy central banking office. He needed to manage a large staff of workers, provide customer service, and oversee the daily office management. As an accommodation he requested and received a transfer to a smaller and less busy branch office. The employee maintained his salary and the responsibilities of his leadership role.

### Products:

There are numerous products that can be used to accommodate people with limitations. JAN's Searchable Online Accommodation Resource (SOAR) at <http://AskJAN.org/soar> is designed to let users explore various accommodation options. Many product vendor lists are accessible through this system; however, upon request JAN provides these

lists and many more that are not available on the Web site. Contact JAN directly if you have specific accommodation situations, are looking for products, need vendor information, or are seeking a referral.

## Resources

### **Job Accommodation Network**

West Virginia University  
PO Box 6080  
Morgantown, WV 26506-6080  
Toll Free: (800)526-7234  
TTY: (877)781-9403  
Fax: (304)293-5407  
jan@AskJAN.org  
<http://AskJAN.org>

The Job Accommodation Network (JAN) is a free consulting service that provides information about job accommodations, the Americans with Disabilities Act (ADA), and the employability of people with disabilities.

### **Office of Disability Employment Policy**

200 Constitution Avenue, NW, Room S-1303  
Washington, DC 20210  
Toll Free: (866)633-7365  
TTY: (877)889-5627  
Fax: (202)693-7888  
<http://www.dol.gov/odep/>

The Office of Disability Employment Policy (ODEP) is an agency within the U.S. Department of Labor. ODEP provides national leadership to increase employment opportunities for adults and youth with disabilities while striving to eliminate barriers to employment.

### **Center for Psychiatric Rehabilitation**

Boston University  
940 Commonwealth Avenue West  
Boston, MA 02215  
Direct: (617)353-3549  
Fax: (617)353-7700  
psyrehab@bu.edu  
<http://cpr.bu.edu/>

Center for Psychiatric Rehabilitation is a research, training, and service organization dedicated to improving the lives of persons who have psychiatric disabilities.

### **Mental Health America**

2000 N Beauregard Street, 6th Floor  
Alexandria, VA 22311  
Toll Free: (800)969-6642  
Direct: (703)684-7722

Fax: (703)684-5968  
info@mentalhealthamerica.net  
<http://www.nmha.org>

Mental Health America is an organization dedicated to promoting mental health, preventing mental and substance use conditions and achieving victory over mental illnesses and addictions through advocacy, education, research and service.

**National Alliance on Mental Illness**

3803 N. Fairfax Dr., Ste. 100  
Arlington, VA 22203  
Toll Free: (800)950-6264  
Direct: (703)524-7600  
Fax: (703)524-9094  
<http://www.nami.org>

The National Alliance on Mental Illness (NAMI) is the nation's largest grassroots mental health organization dedicated to building better lives for the millions of Americans affected by mental illness. NAMI advocates for access to services, treatment, supports and research and is steadfast in its commitment to raise awareness and build a community for hope for all those in need.

**National Institute of Mental Health**

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NIMH offers a variety of publications and other educational resources to help people with mental disorders, the general public, mental health and health care practitioners, and researchers gain a better understanding of mental illnesses and the research programs of the NIMH. All publications and educational materials are written by science writers, in collaboration with NIMH scientists and outside reviewers.

## References

American Psychiatric Association. (1994). *Diagnostic and statistical manual of mental disorders* (4th ed. Text Revised). Washington, DC: Author.

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EEOC Regulations To Implement the Equal Employment Provisions of the Americans With Disabilities Act, as Amended, 29 C.F.R. § 1630 (2011).

National Alliance on Mental Illness. (2013). *Mental illness: Facts and numbers*. Retrieved May 30, 2014, from

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National Institute of Mental Health. (2012). *Bipolar disorder*. NIH Publication No. 12-3679. Retrieved May 30, 2014, from

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