



# 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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# **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 National Institute of Mental Health, "more than 2 million American adults, or about 1 percent of the population age 18 and older in any given year, have bipolar disorder" (NIMH, 2002).

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

Bipolar disorder, also known as manic-depressive illness, is a mental illness involving episodes of serious mania and depression (American Psychiatric Association, 1994). Bipolar disorder tends to run in families and is believed to be inherited in many cases. A person's mood can swing from overly "high" and irritable (mania) to sad and hopeless (depressed), and then back again, with periods of normal mood in between. Signs and symptoms of mania include discrete periods of:

- Increased energy, activity, restlessness, racing thoughts, and rapid talking;
- Excessive "high" or euphoric feelings;
- Extreme irritability and distractibility;
- Decreased need for sleep;
- Unrealistic beliefs in one's abilities and powers;
- Uncharacteristically poor judgment;
- A sustained period of behavior that is different from usual;
- Increased sexual drive;
- Abuse of drugs, particularly cocaine, alcohol, and sleeping medications;
- Provocative, intrusive, or aggressive behavior; and

- Denial that anything is wrong (American Psychiatric Association, 1994).

Signs and symptoms of depression include discrete periods of:

- Persistent sad, anxious, or empty mood;
- Feelings of hopelessness or pessimism;
- Feelings of guilt, worthlessness, or helplessness;
- Loss of interest or pleasure in ordinary activities, including sex;
- Decreased energy, a feeling of being "slowed down" or fatigued;
- Difficulty concentrating, remembering, making decisions;
- Restlessness or irritability;
- Sleep disturbances;
- Loss of appetite and weight or weight gain;
- Chronic pain or other persistent bodily symptoms; and
- Thoughts of death or suicide, including suicide attempts (American Psychiatric Association, 1994).

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

Most scientists now agree that there is no single cause for bipolar disorder, but research is ongoing as to what can lead to the diagnosis (NIMH, 2002).

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

Because bipolar disorder is a recurrent illness, long-term preventive treatment is usually recommended, and a strategy that combines medication and psychosocial treatment is often considered the optimal way to manage the disorder (NIMH, 2002).

## **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 (2000) 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  
2nd Floor  
Boston, MA 02215  
Direct: (617)353-3549  
Fax: (617)353-7700  
<http://www.bu.edu/cpr>

Conducts research, develops educational materials, disseminates new knowledge, and provides training and program consultation in the area of psychiatric rehabilitation.

### **Mental Health America**

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

TTY: (800)433-5959  
Fax: (703)684-5968  
infoctr@nmha.org  
<http://www.nmha.org>

A charitable organization with more than 80 years of success in addressing the mental health needs of our communities, state, and nation. Founded in 1909 as the National Committee for Mental Hygiene by a former psychiatric patient named Clifford W. Beers, NMHA has always depended on volunteers to change the way Americans think about mental health and mental illness. NMHA volunteers all over the country work to meet the mental health needs of their communities through a wide array of services.

### **National Alliance on Mental Illness**

Colonial Place Three  
2107 Wilson Blvd, Suite 300  
Arlington, VA 22201-3402  
Toll Free: (800)950-6264  
Direct: (703)524-7600  
Fax: (703)524-9094  
campaign@nami.org  
<http://www.nami.org>

A self-help organization for mentally ill persons, their families, and friends.

### **National Institute of Mental Health**

Science Writing, Press, and Dissemination Branch  
6001 Executive Blvd, Room 8184, MSC 9663  
Bethesda, MD 20892-9663  
Toll Free: (866)615-6464  
Direct: (301)443-4513  
TTY: (866)415-8051  
Fax: (301)443-4279  
nimhinfo@nih.gov  
<http://www.nimh.nih.gov>

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.
- Equal Employment Opportunity Commission. (2000). *EEOC enforcement guidance on the Americans with Disabilities Act and Psychiatric disabilities*. Retrieved September 4, 2008, from <http://www.eeoc.gov/policy/docs/psych.html>
- EEOC Regulations To Implement the Equal Employment Provisions of the Americans With Disabilities Act, as Amended, 29 C.F.R. § 1630 (2011).
- National Institute of Mental Health. (2002). *Bipolar disorder*. NIH Publication No. 3679. Retrieved September 4, 2008, from <http://www.nimh.nih.gov/publicat/bipolar.cfm#readNow>

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