

SYSTEM NAVIGATION

I Had a Seizure at Work. Now What?

So you had a seizure at work. Hopefully it went well for you and you were able to return to your duties without too much fuss.

The outcome from a seizure in the workplace can go several different ways. The difference between a positive outcome and a not so positive outcome can be governed by a number of factors:

- Is this a new job or have you been employed there for some time?
- Was this your first seizure ever? Is it a new diagnosis for you?
- Have you had previous seizures but never at work and you didn't disclose in the workplace?
- Have you had previous seizures in the workplace?
- Are you typically comfortable talking to others about your epilepsy?
- Do you have a connection to a local epilepsy organization?

The following scenarios offer strategies to help you work through having a seizure at work. In addition to the information contained below, a variety of epilepsy and employment resources are available on the epilepsyatwork.com website. Asterisks (*) are included throughout this *Spark* sheet to indicate when an additional relevant resource is available on epilepsyatwork.com, and a list of these helpful resources is included at the end of this document.

■ Scenario #1

Your **diagnosis of epilepsy is not new**. You have been **employed there for quite some time** and **you may or may not have previously disclosed**.

This is probably the simplest example. If you have been employed there for a while, you are hopefully happy with your job and they are probably happy with you. Even if you didn't disclose before, everyone knows you and values your contribution to the company, so they should be much more open to discussing your epilepsy. Some suggestions:

- If you haven't disclosed before, well you have now. Open communication is critical at this point.
- Have you thought about providing an Epilepsy 101 presentation to your co-workers and management with whom you most often come in contact with? Remember, if you disclose to managers alone, they must keep the information to themselves while providing you with any accommodations you may need, so co-workers may feel confused or anxious. Your local epilepsy organization can help out with a presentation.
- If you previously disclosed, is there a First Aid Plan* in place for your seizures? Was it followed as you wished?

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- Do you have an Accommodation Plan* in place for your epilepsy? Based on this seizure, will it need to be modified?
- Does your employer complete an Incident Report* after 'medical events' such as seizures? For someone with epilepsy, this can yield valuable information that will assist your doctor with your care.

■ Scenario #2

The other end of the spectrum is a scenario where you are **new to the job**, and up until now, you've **never had a seizure before** so the diagnosis is new for everyone, including you.

This is something new in your life. You may have preconceived notions and fears about epilepsy, which might make the situation worse than it has to be. Your local epilepsy organization (1-866-EPILEPSY) can provide invaluable information and support.

Your employer, on the other hand, may be quite upset (visibly or otherwise) and might be wondering: Will they have to let you go? Are you going to cost them extra money? Will this upset workplace morale? What will the customers think?

Don't necessarily assume that these are questions they are considering. Many workplaces are very supportive and understanding and many employees have a connection to someone with epilepsy already. Larger workplaces have disability specialists that are involved in accommodation planning, return to work planning, and employee education. They can help, especially if you connect with them early on.

Some larger workplaces, including some financial institutions, have Employee Resource Groups composed of people interested in discussing accessibility and making workplaces more accessible and inclusive to persons with disabilities. They can be a great resource.

- Communication is critical at this point. At the very least, you are encouraged to talk about your epilepsy with you manager and human resources department, and possibly with those who witnessed your seizure or assisted during it. If there is a union, you might want to get them involved as well.
- Your discussion may include:
 - How to respond to seizures if they should occur again
 - Accommodations you might need
 - How to educate both yourself and those you work with
- Your local epilepsy organization can help you with this.
- Be aware that, during your probationary period, your employer may let you go without giving a reason. This is allowable with our laws. However, if they let you go and it is clearly related to this seizure taking place, get legal advice quickly.

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- Also watch out for signs of constructive dismissal. This is when your employer treats you in such a way that it appears that they are forcing you to resign. This is illegal and might be worth getting legal advice.
- You may need to take a bit of time off to attend some medical appointments and gather information. Once again, your employer can't let you go at this time on the basis of this new diagnosis unless they can prove that your epilepsy will cause them undue hardship (which should be difficult for them to prove at this point).
- Take care of your own needs, but also do as much as you can to reassure the employer. Let them know that, despite this setback, you are really pleased to be there. If you have taken time off work, it might help to work with them to plan ways to make time up, as a means of showing them your commitment to the job.

■ Scenario #3

In this scenario, your epilepsy **diagnosis is not new** but you have **never disclosed before**. You **may or may not be new to the job**.

People choose not to disclose their pre-existing epilepsy for a number of reasons:

- They may have had a bad experience with disclosure in the past. Don't assume, though, that in this workplace the response will also be negative.
- They may be new on the job and felt that disclosure would only hurt their chances of making it through the probationary period. That is a choice that many new employees make, but keep in mind that starting a new job can be very stressful (negative or positive) and the additional stress may trigger a seizure. Also, an employer may state that you were dishonest for not disclosing when you were hired. This is wrong, as you are not obligated to disclose at any time, although for a number of reasons disclosure is recommended. You may want to work with your local epilepsy organization to determine the best disclosure strategy for you.
- They may not have had a seizure for a very long time at work or elsewhere, and think there is little chance one will occur now, so why 'rock the boat'?

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If you are not new to the job, but you have never disclosed your epilepsy at work, here are some suggestions.

- It is a great idea to put a First Aid Plan* in place for your seizures. It will ensure that your response wishes are carried out in the event that you can't speak for yourself. Typically, a First Aid Plan specifies:
 - Who in the workplace responds to you, along with naming a secondary responder
 - Who your emergency contacts are outside of the workplace
 - Your wishes with respect to calls to 911 or assistance getting home.

Knowing that a plan is in place should give you, your employer, and co-workers confidence.

- It is also a good idea to put a confidential Accommodation Plan* in place for your epilepsy. This is created jointly by the employee with epilepsy, management, the union (if present), and possibly an outside expert such as a representative from your local epilepsy organization. The Accommodation Plan becomes a legal document and it specifies required modifications to the workplace environment or your essential duties to assist you in doing your job to the best of your abilities.
- Consider bringing in a representative from a local epilepsy organization (1-866-EPILEPSY) to assist you with an Epilepsy 101 presentation for your coworkers. This is a great way to talk to the people you work with about what took place, what may happen again in the future, and the response you would like from them. Besides, this

- is a good way for everyone to hear the same message and dispel rumours and gossip, reducing your anxiety and theirs. It can be a really powerful way to bring the team together. Keep in mind that management can't share information about your epilepsy with your coworkers without your permission, so this 'public disclosure' with your coworkers can help them understand epilepsy and any accommodations you may require.
- Communication is essential, but it shouldn't be one-way. After you disclose your epilepsy, a co-worker may nod their head and say they are okay with what you have told them about your seizure, but could really be thinking 'hope this never happens when I am in the office'. Your co-workers could complete a "Considering Your Thoughts – Co-Worker Reflection Questionnaire"*. This document helps coworkers document and evaluate their thoughts and behaviours around epilepsy and, where necessary, get information or support.
 - It may be a requirement in your workplace that a supervisor completes an incident report* for medical events such as a seizure. For someone with epilepsy, this can yield valuable information that will assist your doctor with your care.
 - Be prepared to talk to your manager about your epilepsy and how it may impact your work. Managers and, if you are willing, co-workers should not be afraid to engage in a discussion of your epilepsy. See the "Questions to Ask your Employee with Epilepsy"* document for some of the questions to be prepared for.
 - Review the "Returning to Work: What to Say to Your Coworkers"* document, which is a great

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resource for people who have had their first seizure at work, have recently been diagnosed, or have been away from work for an extended period of time for epilepsy related reasons.

- If you are not new to the job, then it might be a bit easier for management and co-workers to digest and respond appropriately to this new information, because presumably you do a good job and people know and like you. However, it is still a good idea to watch out for signs that people are not adjusting well. If people are talking or behaving inappropriately around you, it may be a good idea to get advice either from your local epilepsy organization or a legal professional on the best response. Don't let this type of behaviour go on for too long without addressing it.
- Some larger workplaces, such as financial institutions and the provincial government, have Employee Resource Groups composed of people interested in discussing accessibility and making workplaces inclusive for persons with disabilities. If such a group exists in your workplace, you might want to join for the assistance and support they can provide to you, and for what you can contribute to others based on your own experience.
- An employer cannot let you go because you have had a seizure. They, along with the union, if present, are required by law to gain a better understanding of your seizures and work together to formulate accommodations that will enable you to do your essential job roles. It is in your best interest to be actively involved in this process as well.
- You may need some time off to get to medical appointments, to try new medications, or to obtain a surgical procedure. Your employer should accommodate your needs. They also may ask that you stay off work until you have medical clearance to return from your doctor. Generally, that is okay. However, they cannot suggest that you be off for a fixed period of time to get things in order. Nor can they have unrestricted access to your medical information. You might be eligible for company paid benefits, medical EI benefits, or you may be able to use vacation/sick days or arrange to make up for lost time.
- The primary goal is to keep you in your current role, with no or only minor changes or even job carving if need be (swapping some of your responsibilities with someone else). Failing that, your employer may offer you other suitable employment within the organization that may or may not represent an advancement. If it turns out that your employer cannot modify your current job or offer suitable employment elsewhere in the company without causing undue hardship to the organization, they may be in a position to let you go. At that point, you may want to approach the Ontario Human Rights Commission or a legal professional for further guidance.

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Having a seizure at work, whether it is for the first time or not, does not have to be a huge challenge or one that ends in a negative outcome. Armed with knowledge, the right attitude, and a willingness to work together to find amicable solutions, you, your employer and union can craft a plan that ensures good health and safety for all and that keeps you in a position where you can contribute to a positive and productive workplace.

Additional resources available in the “Helpful Resources” section of www.epilepsyatwork.com:

- Sample First Aid plans for different types of workplaces
- Sample Accommodation plans
- Report of a Workplace Seizure Incident
 - This document can be used to record the relevant facts before, during and after a seizure.
- Considering Your Thoughts – Co-Worker Reflection Questionnaire
 - This document helps coworkers document and evaluate their thoughts and behaviours around

epilepsy and where necessary, get information or support.

- Questions to Ask Your Employee with Epilepsy
 - This document outlines the types of questions that a caring employer can and should ask and that you should be prepared to answer.
- Returning to Work: What to Say to Your Coworkers
 - A great resource for people who have had their first seizure at work, have recently been diagnosed, or have been away from work for an extended period of time for epilepsy related reasons.

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