MENTAL HEALTH IN THE WORKPLACE: THE INVISIBLE DISABILITY, NOW VISIBLE

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Definitions

Mental illness:

• A diagnosable brain disorder characterized by changes in mood, thinking and behavior.
• Such conditions may affect someone’s ability to relate to others and function each day.
• Each person will have different experiences, even people with the same diagnosis.
• Wide range of disorders:
  • Depression, anxiety, OCD, schizophrenia, PTSD, etc.
Definitions

Mental health:

• On the continuum of mental illness.
• More difficult to define. Often referred to as “wellness.”
• “Mental health problems” may be less intense but can lead to mental illness.
Causes of Mental Illness / Health

• A mental illness or health condition isn’t the result of one event.
• Research suggests multiple, linking causes.
• Genetics, environment and lifestyle influence whether someone develops a mental illness/health condition.
• Biochemical processes and circuits and basic brain structure may play a role, too.
• A stressful job or home life makes some people more susceptible, as do traumatic events like being the victim of a crime.
Scope and Reach

- World Health Organization (WHO) reports:
  - Depression is the leading cause of ill health and disability worldwide.
  - More than 300 million people are now living with depression, an increase of 18% between 2005 and 2015.

- National Alliance on Mental Illness (NAMI) reports:
  - 1 in 4 American adults experience mental health problems in any given year.
  - 1 in 17 live with more severe mental illness conditions such as schizophrenia or bipolar disorder.
Scope and Reach

50% of mental health conditions begin by age 14.

75% of mental health conditions develop by age 24.
Let’s Work Off Facts:

• Only 3 to 5 percent of all violence, including but not limited to firearm violence, is attributable to serious mental illness. The large majority of gun violence toward others is not caused by mental illness.

• People with serious mental illness are far more likely to be victims of violence, including but not limited to firearm violence, than the perpetrators of violent acts. (12 times higher)

The Visible Cost

• Estimate for the global cost of mental illness is $2.5T (two-thirds in indirect costs) in 2010.
• Projected to increase to over $6T by 2030.
  • Global healthcare spending in 2009 was $5.1T in total.

The Visible Cost

Between 2011 and 2030, the cumulative economic output loss associated with mental disorders is thereby projected to **$16.3 trillion worldwide**, making the economic output loss related to mental disorders comparable to that of cardiovascular diseases—and higher than that of cancer, chronic respiratory diseases, and diabetes.

The Visible Cost

• Employees with depression reported the equivalent of 27 missed work days per year due to absenteeism and presenteeism.

• In developed countries, 50% of people with mental health disorders don’t get treatment (therapy and/or medications).

• There are strong links (called “associated health risks”) between depression and:
  • Substance use disorders
  • Diabetes
  • Heart disease
The Visible Cost

• Anecdotally:
  • More requests for accommodation
  • Greater leave usage
  • Increased interpersonal relationship conflicts in the workplace
  • Increased perception of persons being impacted by mental illness
  • Increase perception that persons are using a psychological disability claim as a “weapon” against their employer
What Can Employers Do?
What Can Be Done?

1. **EAP**: Implement and/or promote employee assistance programs (EAPs).

2. **GET COMFY**: Human resources professionals need to get comfortable talking about mental illness and mental health.

3. **KNOW WHEN TRIGGERED**: Organizations need to know when they’ve been triggered to begin the Disability Interactive Process.
Employee Assistant Programs

• Fewer than 6% of employees take advantage of their employer’s EAP.
  • Due to:
    • Fear of confidentiality
    • Not knowing about it
    • Not realizing it is about more than therapy

• Benefits reported:
  • Fewer missed days from work
    • Employees who use benefit reduced leave by 54%
  • Less turnover
  • Higher employee satisfaction

Get Comfy HR!

• Understand mental illness and mental health.
• Be aware of biases, and work to keep them out of the workplace.
• Talk about it.
• Know what the EAP can do and offer to employees—have them try it for themselves!
• Find ways to destigmatize mental illness and mental health issues.
• Manage misuse and abuse of leave.
Know When Triggered

The three typical ways an employer is triggered to engage with an employee about a disability matter:

1. **Request for accommodation:**
   - Applicant or employee verbalizes concern, regardless of the specific words used

2. **Perception of disability impacting work:**
   - Performance changes
   - Attendance problems/changes
   - Rumors, with an impact on work performance, attendance or safety

3. **Knowledge of work restrictions/functional limitations impacting work:**
   - Medical note listing work restrictions or needed accommodations
Know When Triggered

USE THE RIGHT TOOL
to support improved outcomes for your employees and to reduce the visible impact of mental illness and mental health on the organization.
Disability Interactive Process

Respond, React, and Support:

- When triggered, provide a timely, good-faith interactive process to explore if this is a disability, wellness or disciplinary issue.
Disability Interactive Process Hallway™
The Disability Interactive Process Hallway TM

Start in the Foyer:

- Is this a mental illness or a mental health (wellness) matter?
- Is this a disciplinary issue?
- What was the trigger?
- What can they expect?
- What do they need to do?
- What will you do?

Move down the Hallway.
Interactive Process Hallway

Obtain the necessary documentation/information:

Medical report with:

- Is this a mental illness or a mental health matter as defined under Title I of the Americans with Disabilities Act (ADA/ADAAA)
- Clear work restrictions or accommodation
- Duration of restrictions
Interactive Process Hallway

Clear work restrictions/leave needs:

✔ What environments, experiences or workplace conditions need to be reduced or removed

✔ Don’t accept accommodation suggestions, seek out underlining restrictions or triggers to better understand needs vs. wants/beliefs

✔ Leave Needs
Interactive Process Hallway

Obtain the necessary documentation/information:

How to get clear work restrictions?

- Medical Supplemental Questionnaire developed and sent to Health Care Provider or through employee
- Fitness for duty examination (non-work-related disabilities) and when additional information is needed
Interactive Process Hallway

Is the issue a Disability resulting in a need for workplace accommodations?

**YES:**
- Move down the Disability Interactive Process Hallway.

**NO:**
- Close down the Hallway / Interactive Process.
- Is your EAP the best resource?
- Is this a disciplinary matter?
Interactive Process Hallway

Engage, interact, and explore

✓ Talk or have an informal meeting with the applicant/employee about what was gathered at Door #1.

✓ Make sure that the employee/applicant is clear on how the employer is understanding the information gathered at door #1. Do the restrictions seem problematic for accommodation? No decisions, just honest sharing of information from PROCESS person managing the Hallway.

✓ Seek applicant/employee opinions and interests.
  • Research ideas of employee/applicant, department or organization before accommodations meeting

✓ Consult with professionals in the field for assistance to identify reasonable accommodation options.

✓ Use resources: attorneys, WC examiners, consultants.
Interactive Process Hallway

Schedule accommodations meeting and have the right people involved in decisions:

- Long-term decisions:
  - Human resources
  - Workers’ compensation/risk management
  - Employee’s manager/supervisor
  - Employee
  - Employee representative of choice
  - Facilitator and note taker
Interactive Process Hallway

TAKE NOTES at the reasonable accommodations meeting. Notes should include:

1. Purpose of meeting/reason for meeting
2. Documents relied on (EFJA, medicals)
3. Summaries of discussions between all parties relating to:
   • Modified work
   • Extended leave of absence
   • Alternate work
4. Summarize outcomes/decisions or next steps
5. Signatures of all attending parties
Interactive Process Hallway

REASONABLE ACCOMMODATION DECISIONS:

• **Expect a Trial Return to Work:** It is common that a health care provider or FFD examiner WILL release someone back to work if they needed a medication adjustment and/or needed new treatment. This is usually a trial return and contingent on the employee being compliant with their treatment plan.
  • Work this information into your meeting notes

• **Imminent Risk / Harm Concern:** If there was an imminent safety issue created by the employee’s psychological condition be sure to confirm with the health care provider or FFD examiner that the employee will never be at risk of engaging in this behavior in the future and at work.
Interactive Process Hallway

Post-meeting activities/close process correctly:

✓ Place all documents in the accommodations file.
  • Process letters (summaries of events, meeting invites)
  • Meeting notes templates

✓ Complete post-meeting agreements.
  • Inform others that need to know of a result
  • Complete post meeting forms, letters, etc.

✓ Identify next steps of the interactive process.
Hallway Outcomes
ATTENDANCE, PERFORMANCE,
AND EMPLOYMENT DECISIONS
Possible Outcomes of Hallway

Mental health matters:
- EAP support
- Life management support
- Stress management support
- Improved performance
- Reduced leave
- Improved interpersonal relationships
- Stop the slide
- Improved retention
Possible Outcomes of Hallway

Mental illness matters:

• Get employees to medical professionals to assist with recovery and treatment (Door #1).
• Facilitate employee improvement and inclusion.
• Create a plan to remedy performance, safety, or leave issues.
• Mitigate impact and concerns on operations and/or safety.
• If accommodations are not possible, medical separation and retirement are explored.
Facilitation of Improved Employment Outcomes

Restrictions or conditions may be permanent/chronic...
BUT ACCOMMODATIONS ARE NOT

- Trial accommodations
- Regular check-ins
- Consider a third-party doctor to support
In Closing...

1. **Develop it:** Develop and implement a comprehensive disability management program to include programs and processes for mental illness and mental health matters.

2. **Staff it:** Have sufficient people in the organization who are knowledgeable and skilled enough to manage your program.

3. **Consistently apply it:** Be disciplined in consistently applying the program across the organization—even when it is unpopular.

4. **Document it:** Document everything that is done.

The above will support better outcomes for employees and reduce the visible impact mental illness and mental health matters have on an employee and the organization’s bottom line.
QUESTIONS & ANSWERS

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