

Working Effectively with People with Attention Deficit/ Hyperactivity Disorder

This brochure is one of a series on human resources practices and workplace accommodations for persons with disabilities edited by Susanne M. Bruyère, Ph.D., CRC, SPHR, Director, Program on Employment and Disability, School of Industrial and Labor Relations – Extension Division, Cornell University. It was written in July 2000 by Eve Woodman Tominey and Matthew Tominey, Cornell University.

Cornell University was funded in the early 1990's by the U.S. Department of Education National Institute on Disability and Rehabilitation Research as a National Materials Development Project on the employment provisions (Title I) of the ADA (Grant #H133D10155). These updates, and the development of new brochures, have been funded by Cornell's Program on Employment and Disability, the Pacific Disability and Business Technical Assistance Center, and other supporters.

Cornell University currently serves as the Northeast Disability and Business Technical Assistance Center. Cornell is also conducting employment policy and practices research, examining private and federal sector employer responses to disability civil rights legislation. This research has been funded by the U.S. Department of Education National Institute on Disability and Rehabilitation Research (Grant #H133A70005) and the Presidential Task Force on Employment of Adults with Disabilities.

The full text of this brochure, and others in this series, can be found at: www.ilr.cornell.edu/ped/ada. Research reports relating to employment practices and policies on disability civil rights legislation, are available at: www.ilr.cornell.edu/ped/surveyresults.html.

For further information, contact the Program on Employment and Disability, Cornell University, 102 ILR Extension, Ithaca, New York 14853-3901; 607/255-2906 (Voice), 607/255-2891 (TTY), or 607/255-2763 (Fax).

More information is also available from the ADA Technical Assistance Program and Regional Disability and Business Technical Assistance Centers, (800) 949-4232 (voice/TTY), www.adata.org.

What is Attention Deficit/ Hyperactivity Disorder?

Attention Deficit/Hyperactivity Disorder (ADHD) is a developmental disorder. Individuals with ADHD are commonly described as having chronic difficulties with inattention, and/or impulsivity and/or hyperactivity. They are believed to display these characteristics early, to a degree that is inappropriate for their age or developmental level. Characteristics of ADHD vary across a variety of situations that tax the capacity to pay attention, restrain movement, inhibit impulses, and regulate personnel behavior relative to rules, time, and the future.

At present, the primary characteristics of ADHD and the diagnostic criteria officially developed for clinical use are set forth in the fourth edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV; American Psychiatric Association, 1994), which is used primarily in the United States. The criteria stipulate that individuals have their symptoms of ADHD for at least 6 months, that these symptoms are to a degree that is developmentally deviant, and that the symptoms have developed by 7 years of age.

There are three types of ADHD. The type of ADHD to be diagnosed depends on whether symptomology is congruent with the diagnostic criteria for ADHD: Predominantly Inattentive, Predominantly Hyperactive-Impulsive, or Combined Type.

What is the Impact of the Americans with Disabilities Act on People with Attention Deficit/Hyperactivity Disorder?

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination against people with disabilities. Under the ADA, the term “disability” is defined as:

- a) a physical or mental impairment that substantially limits one or more of the major life activities of an individual,
- b) a record of such an impairment or,
- c) being regarded as having such an impairment.

ADHD would be considered a mental impairment. “Substantially limits” means that the person is unable to perform, or is significantly limited in the ability to perform, an activity as compared with an average person in the general population. Major life activities include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. ADHD may substantially limit one or more of an individual’s major life activities. Mitigating measures, such as medication, are considered in determining whether the impairment rises to the level of a disability.

For example, an individual with extreme inattentiveness caused by ADHD may be unable to grasp much of the information presented in weekly staff meetings or in regular monthly trainings. Even with medication, the individual may be significantly impaired in the ability to absorb and grasp information presented orally or in lecture format because of the inability to focus and pay attention. If the individual were significantly impaired, s/he would be considered an individual with a disability. As discussed below, there may be reasonable accommodations that would address these workplace concerns and allow the employee to be a successful and productive employee. The ADA requires an employer to provide an effective reasonable accommodation unless to do so would impose an undue hardship on the employer.

Furthermore, employers cannot discriminate against individuals with a record of ADHD, for example, by refusing to hire an individual with school records noting this diagnosis. The ADA also protects individuals who are perceived to have a substantially limiting impairment, even if they do not. For example, an employer may not refuse to promote an employee who is using medications to control his/her ADHD based on fears that the employee will be inattentive and impulsive when in fact that person’s symptoms are successfully controlled.

Causes of Attention Deficit/Hyperactivity Disorder

Research has shown that neurological and genetic factors substantially contribute to symptoms of ADHD and the occurrence of the disorder. A variety of genetic and neurological causes (e.g., pregnancy and birth complications, acquired brain damage, toxins, infections, and genetic effects) can give rise to the disorder through some disturbance in a final pathway in the nervous system. It now appears that hereditary factors play a very large role in the occurrence of ADHD symptoms. It may be that what is transmitted genetically is a tendency towards the occurrence of disturbances in the nervous system.

The condition can also be caused or exacerbated by pregnancy complications, exposure to toxins, or neurological disease. Social factors alone are likely not a cause of this disorder, but such factors may exacerbate the condition, or contribute to its persistence.

Cases of ADHD can also arise without a genetic predisposition to the disorder, if the individual is exposed to significant disruption or neurological injury to this final common neurological pathway, but this would seem to account for only a small minority of people with ADHD.

ADHD is a developmental disorder, but can continue into adulthood. It may also be a condition that was present in childhood may be first diagnosed in adulthood, based a developmental history consistent with the diagnosis of ADHD.

Potential Functional Limitations Caused by ADHD

Inattentive Type

Workers with ADHD, Predominately Inattentive Type may have difficulties with:

- Diminished persistence of effort or sustained responding to tasks that have little intrinsic appeal or minimal immediate consequences for completion

- Sustaining attention
- Becoming easily distracted
- Listening to others
- Following through on tasks or activities
- Frequent shifting from one uncompleted activity to another

Employers may observe that an employee with ADHD, Predominately Inattentive Type may exhibit some of the following behaviors:

- Doesn't seem to listen
- Fails to finish assigned tasks
- Daydreams
- Often loses things
- Can't concentrate
- Is easily distracted
- Can't work independently of supervision
- Requires more redirection
- Shifts from one uncompleted activity to another
- Is confused or seems to be in a fog

Impulsive Type

Workers with ADHD, Predominately Impulsive Type may have difficulties with:

- Forms of impulsivity often associated with under-control of behavior and the inability to delay a response or defer gratification
- Behavioral disinhibition, or poor regulation and inhibition of behavior
- Poor impulse control, such as difficulty awaiting turns
- Difficulties in driving, such as speeding

Employers may observe an employee with ADHD, Predominately Impulsive Type exhibiting some of the following behaviors:

- Blurting out answers
- Interrupting or intruding on others
- Making impulsive errors when driving
- Impulsive comments to others
- Difficulties in inhibiting the impulsive spending of money

- Poor inhibition in their emotional reactions to others

Hyperactivity

Workers with ADHD, Predominately Hyperactive Type may have difficulties with:

- Restlessness
- Fidgeting
- Generally unnecessary gross bodily movements
- Being overly talkative and verbalizing more than others

Workplace Accommodations for Individuals with ADHD

As noted, employers may not discriminate against a qualified individual with a disability who can perform the essential functions of a job held or desired with or without a reasonable accommodation. If an employee has a disability and needs a reasonable accommodation, the employer must provide one unless it can prove that to do so presents an undue hardship. Reasonable accommodations are by definition individualized in order to meet the needs of the particular **individual**. Some accommodations include:

- Reduced distraction in work environments
- Computer technology for written work to help with organization
- Extended time to learn job tasks or to perform work
- Instructions presented both in written and oral formats.
- Allowing the employee to tape-record important information
- Clearly defining job requirements, the dates when projects assignments are due; advance notice of any changes
- Providing handouts and visual aids
- Using more than one way to demonstrate or explain information

- Breaking information into small steps when teaching many new tasks in one lesson (state objectives, review previous lesson, summarize periodically)
- Allowing time for clarification of directions and essential information

When in doubt about how best to assist an employee who needs an accommodation, sit down and have a talk about what is needed, and if necessary, obtain outside technical assistance. In addition, remember to observe confidentiality. For example, avoid pointing out the employee or the accommodation to others in the work group.

Resources

ADA Regional Disability and Business Technical Assistance Center Hotline:

800-949-4232 (voice/TTY).

Children and Adults with Attention Deficit/Hyperactivity Disorder (CHADD)

8181 Professional Place, Suite 201

Landover, MD 20785

(800) 233-4050

301-306-7070

301-306-7090 FAX

<http://www.chadd.org>

Office of Disability Employment Policy

1331 F Street, N.W., Suite 300

Washington, DC 20004

(202) 376-6200 (Voice)

(202)376-6205 (TTY)

Job Accommodation Network

West Virginia University

P.O. Box 6080

Morgantown, WV 26506-6080

(800) 526-7234

National Attention Deficit Disorder Association (NADDA)

1788 Second Street, Suite 200

Highland Park, IL 60035

847-432-ADDA

847-432-5874 FAX

<http://www.add.org>

U.S. Equal Employment Opportunity Commission

1801 L Street, NW

Washington, DC 20507

To be connected to the nearest field office, call (800) 669-4000 (voice), (800) 669-6820 (TTD).

To order publications, call (800) 669-3362 (voice), (800) 800-3302 (TDD). For on-line information: <http://www.eeoc.gov>

Disclaimer

This material was produced by the Program on Employment and Disability, School of Industrial and Labor Relations-Extension Division, Cornell University, and funded by a grant from the National Institute on Disability and Rehabilitation and Rehabilitation Research (grant #H133D10155). The U.S. Equal Employment Opportunity Commission has reviewed it for accuracy. However, opinions about the Americans with Disabilities Act (ADA) expressed in this material are those of the author, and do not necessarily reflect the viewpoint of the Equal Employment Opportunity Commission or the publisher. The Commission's interpretations of the ADA are reflected in its ADA regulations (29 CFR Part 1630), Technical Assistance Manual for Title I of the Act, and EEOC Enforcement Guidance.

Cornell University is authorized by the National Institute on Disability and Rehabilitation Research (NIDRR) to provide information, materials, and technical assistance to individuals and entities that are covered by the Americans with Disabilities Act (ADA). However, you should be aware that NIDRR is not responsible for enforcement of the ADA. The information, materials, and/or technical assistance are intended solely as informal guidance, and are neither a determination of your legal rights or responsibilities under the Act, nor binding on any agency with enforcement responsibility under the ADA.

The Equal Employment Opportunity Commission has issued enforcement guidance which provides additional clarification of various elements of the Title I provisions under the ADA. Copies of the guidance documents are available for viewing and downloading from the EEOC web site at: <http://www.eeoc.gov>