

# EMPLOYMENT-BASED DISCRIMINATION

While many persons who have had ostomy or continent diversion surgery may not consider themselves to be disabled, they are protected under the Americans with Disabilities Act and the Rehabilitation Act of 1973 against employment-based discrimination in the workplace. When discrimination occurs, there are several steps that can be taken when an employer discriminates against (or treats someone differently) because of ostomy or continent diversion surgery or the on-going needs of a person who has had these procedures.



## ARE YOU HAVING TROUBLE AT YOUR WORKPLACE ?

- Do you need a change (accommodation) at your workplace?
- Have you been treated differently because of your ostomy?
- Are you prevented from going to a public place because of a barrier?

## FOLLOW THESE ADVOCACY STEPS:

### EDUCATE

- Tell your boss or human resources department that you are being treated differently because you have an ostomy (your employer must stop discrimination once they know about it)



### NEGOTIATE

- Ask human resources or your supervisor for a change to your work environment so that you can do your job with the same conditions as your colleagues (close by bathroom, break times, facilities)



### GET LEGAL HELP

If the above steps have not resulted in resolution, you may consider obtaining legal assistance or filing a formal complaint using the resources below.

- Equal Employment Opportunity Commission: 800-669-4000 [www.eeoc.gov](http://www.eeoc.gov) [info@eeoc.gov](mailto:info@eeoc.gov)
- Disability Legal Rights Center: 866-999-3752 <https://thedrlc.org/> [drlc@drlcenter.org](mailto:drlc@drlcenter.org)
- Disability Rights Bar Association: <http://disabilityrights-law.org/> [drbalaw@syr.edu](mailto:drbalaw@syr.edu)
- Local attorney who helps with disability law



### BE AWARE

Time limits for legal action are very short. Do not delay in getting help.