

Ready to start planning your care? Call us at [800-525-2225](tel:800-525-2225) to make an appointment.

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Memorial Sloan Kettering  
Cancer Center

[Make an Appointment](#)

[Back](#)

[Work, Education & Financial Resources](#)

[Refer a Patient](#)

[Refer a Patient](#)

## ABOUT US

[Our mission, vision & core values](#)

[Leadership](#)

[History](#)

[Equality, diversity & inclusion](#)

[Annual report](#)

[Give to MSK](#)

In short, the answer is no. Under the Americans with Disabilities Act (ADA) an employer is prohibited from asking you about your medical history. In addition, you are not required to disclose any medical information or history to your employer. However, there may be circumstances in which it could be helpful to tell your employer about your cancer history — for instance, if you are in need of any special accommodations at work, such as a flexible schedule for follow-up appointments. In this case your employer is legally obligated to provide “reasonable accommodations” to make your work life as comfortable and manageable as possible while attending to your medical needs. Many survivors tell us that they fear discrimination if they speak up about their cancer history. This is understandable. However, if the employer is not aware of your cancer history, they are not obliged to make any reasonable accommodations.

## How do I explain to a new employer if there is a gap in my resume as a result of undergoing cancer treatments?

There are a number of ways to address gaps in your resume due to your cancer experience. First, you can avoid the standard resume format and consider using a “functional” resume format, rather than a

chronological one. A functional resume is organized in terms of listing job skills and qualifications, rather than the details of all your former positions. This will eliminate the time gap that would be seen in the chronological resume format. Alternatively, highlight other activities that might have been going on as you were undergoing treatments for cancer such as rearing children, caring for a sick family member, going to school for a degree, starting your own blog, or pursuing additional training. It is never advisable to lie. While you are not obliged to disclose your cancer diagnosis or any treatment you've had, it is important to have an answer prepared so that the interviewer has some idea of what you were doing during that time period.

## **Are there any laws protecting my rights if I feel I am being discriminated against at work?**

Yes. As a cancer survivor you are protected under the Americans with Disabilities Act (ADA). This law protects individuals with disabilities, including cancer survivors, from being discriminated against in the workplace. Under the ADA, a person with a disability is still considered qualified for a job if he or she can perform the job functions with reasonable accommodations. "Reasonable accommodations" means that your employer must provide adequate scheduling, working conditions, etc., as long as these accommodations do not cause undue hardship on the company. The ADA defines undue hardship as "significant difficulty or expense" and focuses on the resources and circumstances of the particular employer in relationship to the cost or difficulty of providing a specific accommodation. You have rights in the workplace, and if you do feel you are being discriminated against due to your cancer history, you can seek the appropriate help, either through a social worker or legal agency.

## **Resources**

The following is a list of resources survivors can use to find out more about employment-related issues.

### [Cancer and Careers](#)

Cancer and Careers is committed to changing the face of cancer in the workplace by providing a comprehensive website, free publications, and a series of support groups.

### [The US Equal Employment Opportunity Commission](#)

The Commission has compiled *Questions and Answers About Cancer in the Workplace and the Americans with Disabilities Act*, which is a document that describes the Americans with Disabilities Act in detail and provides examples about how the Act can impact cancer patients and survivors.

### [American Cancer Society - Americans with Disabilities Act](#)

The American Cancer Society provides basic information about the Americans with Disabilities

Act.

[National Coalition for Cancer Survivorship \(NCCS\) Employment](#)

NCCS offers valuable information on your employment rights as a cancer survivor.

[Job Accommodation Network](#)

The Job Accommodation Network Web site has tools to help you understand the types of workplace adjustments that may help you to continue working during and after cancer treatment.

PREVIOUS

[Insurance](#)

NEXT

[Financial Assistance and Resources for Cancer  
Survivors](#)

[Communication preferences](#)

[Cookie preferences](#)

[Legal disclaimer](#)

[Accessibility statement](#)

[Privacy policy](#)

[Price transparency](#)

[Public notices](#)

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