

Cancer Survivors Hit Harder with Job Losses

BY ELIZABETH WHITTINGTON

When the *Journal of the American Medical Association* published a study in late February that showed people with cancer had a higher risk of being unemployed, it wasn't surprising to some survivors.

The Danish study analyzed 36 previous studies on the subject, 16 of which were from the United States, and found that of the nearly 180,000 participants, including more than 20,000 people with a history of cancer, survivors were 1.37 times more likely to be unemployed than healthy people (33.8 percent compared with 15.2 percent)—and that was before the world economy turned south. Now experts are wondering if that gap could be widening.

Authors of the *JAMA* article noted that cancer survivors who live in countries or time periods—such as the current economic climate we have today—with high unemployment rates may especially be at risk. The *JAMA* analysis also showed risk of unemployment was higher in survivors of breast cancer, gastrointestinal cancers, and gynecological cancers than compared with other cancers, such as prostate, testicular, or hematological cancers, which did not appear to have a higher unemployment risk than healthy people.

Rounds of Layoffs

Joanna Morales, director of the [Cancer Legal Resource Center](#), a joint program of the Disability Rights Legal Center and Loyola Law School in Los Angeles, says she's noticed more calls to the Center since the economy took a downturn. Not only are people worried about their jobs, but questions about their rights after a layoff, insurance benefits, and discrimination are coming into the call center.

“It's not just that employers may be discriminating against people with cancer, but people with cancer are disproportionately feeling the effects of the economy because they are often the first people to be laid off,” she says. “There may be 100 people being laid off, but employers may take the opportunity to include people who have been on leave, who require reasonable job accommodations, or who are more expensive for the company to insure.”

Columbia Law School professor, Suzanne Goldberg, says that if a person is let go because of possible discrimination, the current state of the economy may make it harder to prove, especially when they are one of many being laid off by the

employer.

“Even if discrimination is the reason for the layoff, unfortunately, the employer can easily point to others and say, in effect, we’re laying off all sorts of people,” she says. For patients and survivors who may be worried about discrimination, Goldberg recommends keeping a detailed journal about workplace incidences and keep copies of your employment records.

“The best thing any employee who is concerned about discrimination can do is to keep careful records of incidences or conversations that reflect a negative view about the employee having cancer or any another illness,” she says, including keeping track of the time, date, and any meaningful details. She also notes that many people, including those with no cancer history, are worried about their jobs in this economy, so survivors are not alone in that fear.

Even without the threat of discrimination, Morales says when the economy begins to affect businesses, such as when companies go bankrupt, it also affects the employee. In that case, she says, the survivor’s health benefits may be dissolved. It’s worth talking with the health plan administrator, because it could depend on what type of bankruptcy the company is filing.

Morales encourages people to be proactive—namely knowing what options are available, including health insurance options, such as state-run high-risk insurance pools, disability insurance, and unemployment benefits.

Accommodations and Protections

But even with the negative attention on layoffs and the economy, many survivors are finding that workplaces are becoming more accommodating. Discrimination against people with a history of cancer has decreased significantly over the past 15 years, when studies showed about a quarter of survivors felt discriminated against. One reason for the decline is partly due to anti-discrimination laws that protect survivors from being treated unfairly in the workplace.

One anti-discrimination law, the Americans with Disabilities Act of 1990, recently underwent a revision to better protect cancer patients and survivors. Under the amended act, which took effect in January 2009, the ADA’s definition of “disability” can include a person who has been discriminated against by an employer due to an actual or perceived impairment, such as a person whose cancer is in remission. Cancer survivors are also protected as having a disability that is episodic or in remission—if that disability limits a major life activity if it returns.

“Most employers know that discrimination is bad for business,” says Goldberg. “And my hope and expectation is that even though discrimination rates may rise, they will still remain relatively small overall.”

Job Hunting

Kate Sweeney, executive director of [Cancer and Careers](#), a website for working

women with cancer, says she's noticed that survivors are more nervous now about their jobs than before. In response, Cancer and Careers has been focusing on job-hunting strategies for cancer survivors, including advice, resumé help, and career coaching.

“A lot of advice we have is really the same as you would give anyone looking for a job in this economy—network, network, network,” she says. “Talk to everybody you can, join associations, focus on your skill sets, and not the job category, because (your skill set) can translate to other job categories.”

Resources

Cancer Legal Resource Center

www.cancerlegalresourcecenter.org

Careers and Cancer

www.cancerandcareers.org

Equal Employment Opportunities Commission

Questions and Answers About Cancer in the Workplace and the Americans with Disabilities Act

www.eeoc.gov/facts/cancer.html