

Considering Going Back to Work ^[1]

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Many people living with HIV (HIV+) are living longer, healthier lives because of the success of newer HIV drugs. In addition, newer HIV drugs often have less serious or troublesome side effects ^[2] than older HIV drugs. Therefore, many HIV+ people who may have felt very ill and been unable to work when first diagnosed may now feel well enough to consider returning to work.

Are You Ready to Return to Work?

Returning to work and feeling productive can boost your confidence and make you feel better about yourself. However, the idea of re-entering the workforce can also trigger fears and concerns. Before you jump in, here are a few simple questions to help you get started:

- What does your health care provider think about your working? Your provider's thoughts on your readiness for work, including what type of work and how many hours per week, will likely be based on your overall health and trends in your CD4 ^[3] count and viral load ^[4].
- Have you tested your stamina (sustained energy level)? Many job counselors recommend volunteering for a while to build up to full-time work. If you volunteer for an organization that you like, you might be offered a job there in the future. Start with a part-time schedule and gradually add more hours per week to test your energy levels.
- Why do you want to work? "I need a job for the money" is a good reason to work, but not the only one. Many HIV+ people who work report that the structure of a job helps them adhere ^[5] to their HIV drugs and maintain a healthy lifestyle. For others, a job provides a sense of purpose or a social group with a sense of belonging that can be a type of family. What do you want your work to do for you?
- Do you have enough support at home, or in your close circle of friends? If work makes it more difficult to fit in some of your daily chores, will you have help from family or friends?
- How will work affect your eligibility for benefits, i.e., Social Security?

What Work Do You Want to Do?

If you identify what type of work you want to do, and what you hope to get from working, your job search will be more likely to be successful. You may want to think about what you expect to learn, how it might expand your skills, and what benefits you could enjoy from working.

It may also help to consider:

- Your personality and skills, so that you can make a good match between what you like to do and the job description
- Work you enjoy gives you energy, while work you dislike drains your energy
- Talking with other HIV+ people who are working ? about their jobs, their routines, their

challenges and successes

- Some people may feel better but not well enough to return to their usual line of work. In this case, it may be helpful to think about returning to school or being retrained. In the US, each state has a vocational rehabilitation program that helps people with disabilities be retrained or find appropriate work.

Applying for a Job

In the US, people with disabilities, including HIV, are protected from job discrimination under the Americans with Disabilities Act (ADA). In other words, your HIV status is confidential. You do not have to disclose ^[6] your status to a prospective or present employer. If you have not had any HIV-related symptoms or illnesses and are not on medications that are affecting your job performance, there is probably no need to tell them. It is important to note that each country has its own laws about HIV status and employment. In some places, being HIV+ can disqualify a job candidate.

Here are some potential trouble spots:

- *The application form.* Some application forms ask whether you have any medical condition(s) that might interfere with your performing the job. Although you may feel an urge to disclose your status, telling an employer you are HIV+ is **not** necessary. Moreover, many HIV+ people work productively for years without HIV becoming an issue. The application form is asking for conditions that would prevent you from doing the job. It is not wise to apply for a job you know you cannot do. For all other jobs, the answer to this application question is "no".
- *The interview.* If you have not been working for more than a couple of months, it is important to prepare for reasonable questions about the gap in your employment history. Reasonable questions from an interviewer might look like: "why were you out of the workplace for two years?" or "can you explain what were you doing during the five months between your job at (Company 1) and your job at (Company 2) in 2011?" These questions can be scary, but you can manage them well if you think of and rehearse answers ahead of time. For example, when asked about an employment gap, say calmly and confidently that "I was dealing with a family health problem."

While it is illegal for interviewers to ask questions about your medical conditions, some interviews still do. In this case, reply simply that there is no barrier to your doing the whole job (e.g., "I can assure you that I can perform all the duties of this job.").

- *The pre-employment health survey that asks you to list all medications.* Take the form to your health care provider and ask him or her to complete it. You can encourage your provider to write something like, "(Your name) is under my care and takes no prescription medications that would interfere with her fulfilling the essential functions of this job." It is not necessary or recommended that you list all your medications. They are none of the employer's business.
- *The pre-employment physical.* If your new job requires a pre-employment physical or lab test, it is probably because the employer is trying to find out if you use street drugs. An HIV test would require your written consent and be a pointless expense. You can talk with your pharmacist before you have the drug test and ask whether any of your HIV drugs can lead to a false positive drug test. If so, ask for the name of an alternate drug test. Tell the tester that you need the alternate test for a valid result. It is not necessary

to disclose the medication or your diagnosis.

- *Signing up for employee benefits.* If you find a job with benefits, it is important that you not lie on application forms for health, life, or disability insurance. That is called insurance fraud. If you find a direct question about HIV or other diagnosis questions, ask how your privacy or confidentiality is protected. It is important that you only turn in the form when you get a satisfactory answer.

Taking Care of Yourself

Once you find a job, it is important to remember that you were hired for your skills. Whatever you believe about disclosing your HIV status at work, keep the focus on your performance. If you want to disclose at work, you may consider waiting for a few months so that you have a chance to get to know your co-workers and get a sense of how they might respond to the news that you are living with HIV.

If you disclose to one co-worker, it is important to be prepared for all co-workers to know your status. Also, although supervisors, managers, human resources (HR) staff, and company officers in charge of employee relations may be required by law to keep your diagnosis private if you tell them, not everyone follows the laws and obeys the rules.

In the US, there are no automatic triggers for disclosing your HIV status at work. You are **not** required to disclose at work, even if:

- You are bleeding.
- You need a reasonable change in the workplace or the way things are usually done so that you can continue to work. This is called an "accommodation" and is intended to provide an equal employment opportunity to someone with a disability. In the US, people living with HIV are protected by the Americans with Disabilities Act. Although you are not required to disclose your status when asking for an accommodation, it is your responsibility to ask for one if you need it.
- [Side effects](#) [2] made you late for work
- You are up for a promotion
- You need leave time to adjust to new medications

If you are thinking about going back to work, or returning to a full-time job after a period of part-time employment, it is important to talk with your health care provider so that you have the best chance of staying healthy during your work transition. A change in jobs or employment status is considered a major life stressor, even when the new job is a totally positive, wonderful thing. Therefore, it is important to prepare yourself by planning ahead, making sure you have adequate support, and remembering that it is okay to go slowly and be gentle with yourself.

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Additional Resources

Select the links below for additional material related to going back to work.

[HIV: Returning to Work \(Your Legal Rights; ALCC\)](#) [19]

[Disclosing HIV Status at Work \(AIDSmap\)](#) [20]

[WorkPositive](#) [21]

[Phoenix Rising HIV/AIDS Re-entry Project](#) [22]

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[Working with HIV: Issues for People with HIV/AIDS Contemplating Workforce \(re\)Entry \(APA\)](#) [26]

[Going Back to Work \(Terrence Higgins Trust\)](#) [27]

[Working While Positive: People with HIV Share Job Search Strategies \(PositiveLite\)](#) [28]

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- [20] <http://www.aidsmap.com/Disclosing-HIV-status-at-work/page/1497956/>
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- [22] <http://www.phoenixrisingreentry.org/>
- [23] <http://www.jan.wvu.edu>
- [24] <http://aids.gov/hiv-aids-basics/just-diagnosed-with-hiv-aids/your-legal-rights/workplace/index.html>
- [25] <http://www.aidsmap.com/Going-back-to-work/page/1255084/>
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