



AMERICAN LIPEDEMA ASSOCIATION

Empowering Lipedema Patients Through Advocacy

Workplace Rights and Protections: A Guide for Employees with Lipedema

How the Law Protects Employees with Lipedema

Federal Anti-Discrimination Laws protect people with disabilities from unfair treatment at work. These laws cover private employers and labor unions with 15 or more employees, state and local governments, most federal government employers, and employers receiving federal money.

Who is Covered

To be protected by these laws, you must be an individual with a disability. Lipedema is considered a disability because it substantially limits one or more major life activities. Specifically, lipedema limits the major life activities of walking and sitting, as the condition can cause pain, reduced mobility, and difficulty with prolonged periods in these positions.

Applying for a Job

Employers may not ask questions likely to reveal disabilities before making a job offer. However, they can ask these questions after making a job offer. You may be asked to take a physical exam before starting work, as long as all people hired for your position are required to do so.

Doing the Job

You need to have the necessary qualifications for the job and be able to perform essential job functions safely, with or without reasonable accommodations.

The Family and Medical Leave Act (FMLA)

The FMLA allows eligible employees to take up to 12 weeks of unpaid leave for serious health conditions. This can be taken all at once or in smaller increments. To be eligible, you must work for the same employer for 12 months and for at least 1,250 hours in those 12 months. The employer must have at least 50 employees within 75 miles of your worksite.

What You Can Do

If you believe you're not being treated fairly:

1. Document everything, including emails, letters, and performance reviews.
2. Keep copies of important documents and policies.
3. Maintain a log of incidents, including names and dates.

Steps to Getting Fair Treatment

1. **Educate** your employer about Lipedema and your rights. Discrimination often results from a lack of understanding about the condition or the law.
2. **Negotiate** to find a mutually acceptable solution.
3. If necessary, **file a legal complaint** with the appropriate agency.
4. Consider seeking **legislative** action if existing laws are inadequate.



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Common Reasonable Accommodations for Lipedema Patients

Employers may need to make changes at the workplace to allow people with disabilities to do their jobs and be treated fairly. These "reasonable accommodations" are usually small changes that cost the employer little or nothing. Examples of common reasonable accommodations include, but are not limited to:

- **The ability to switch positions regularly:** Allowing employees to alternate between sitting, standing, and walking to reduce discomfort and promote circulation.
- **Permission to elevate legs:** Providing a footrest, adjustable workstation, or a designated area where employees can elevate their legs during breaks or while working.
- **Time for performing manual lymphatic drainage (MLD):** Allocating short, regular breaks for employees to perform MLD techniques to manage swelling and pain.
- **A designated space for compression therapy:** Providing a clean and private area with a table or surface to store and use compression pumps or other therapeutic devices.
- **Stress reduction measures:** Implementing strategies to reduce work-related stress, by adjusting workload, providing clear communication channels, or offering flexible deadlines. This is particularly important as stress can exacerbate lipedema symptoms, potentially leading to increased pain, swelling, and discomfort.
- **Flexible scheduling:** Offering a modified work schedule to accommodate medical appointments, treatment sessions, or periods of fatigue associated with lipedema.
- **Access to ergonomic seating or assistive devices:** Supplying chairs with proper support or stools that help alleviate pressure on affected areas.
- **Leave for treatment or recovery:** Allowing time off for surgical procedures, therapy sessions, or recovery periods essential for managing the condition.
- **Extra time for travel:** Providing additional time to travel between locations to account for mobility challenges or discomfort associated with prolonged movement.
- **Limiting back-to-back travel requirements:** Reducing consecutive travel obligations to avoid exacerbating symptoms caused by extended periods of sitting or physical strain.
- **The ability to request first-class seating when needed:** Allowing employees to request first-class seating on work-related flights if additional space is required to accommodate swelling, pain, or other symptoms of lipedema.

It is your responsibility to request accommodations **in writing**, describing your condition, the specific accommodations needed, and how they will help you remain a valuable employee.