



# NAVIGATING DISCLOSURE

*Making decisions about sharing private personal information*

This tipsheet provides a starting place for making decisions about disclosing private, personal information related to a variety of social identities, including disability, religion, gender, and age. These decisions are personal, and this tipsheet focuses on helping you build your own approach, should you choose to disclose any personal information.

## What is disclosure?

**Disclosure is the act of communicating potentially sensitive personal information to people you work with or may work with in the future.** While we often think about disclosing a disability, there are other types of personal information that you may be thinking about. Examples of personal information that could fall into this category include self-identification as or with an equity-deserving group as well as protected personal attributes.

The Ontario Human Rights Code identifies the following as protected personal attributes (grounds) in the workplace: “age; ancestry, colour, race; citizenship; ethnic origin; place of origin; creed; disability; family status; marital status (including single status); gender identity, gender expression; record of offences; sex (including pregnancy and breastfeeding); sexual orientation” (*The Ontario Human Rights Code*, n.d., para. 3).

## Am I required to disclose personal information?

**For the most part, you are not required to disclose information related to protected personal attributes unless it is a bona fide requirement of the position.** Exceptions include situations where you could be creating a health and safety risk or a risk to others’ properties, requesting accommodation (see the Requesting Accommodation tipsheet), or disclosing information to meet a job requirement (e.g. a relationship with a specific community, or Indigenous ancestry). In some cases, disclosing personal information can be useful. Disclosing personal information can be one of the many tools you use to help reach your job search or career objectives.

## Situations where information is shared outside your control

Situations where personal information is shared outside your control can occur. For example, your legal name may not be the name that you choose to use in your application documents, but when you submit certain documents (e.g., transcripts, record checks, or direct deposit information) your legal name may appear. In this situation, you may choose to reach out to the employer’s Human Resources Department and establish that while some of the documents you have submitted use your legal name, you prefer to use “NAME”.



## Why might I choose to disclose personal information?

You may want to disclose some aspects of your identity for the following reasons:



### To lead and shape the narrative

You are the best person to inform others about who you are. Initiating the discussion on your terms can help you to feel more empowered while dispelling misinformation. Starting a conversation about who you are may also help you take control of the narrative if personal information was disclosed unintentionally. Disclosure can also assist you in asking for what you need to be successful in the workplace.



### To demonstrate relevant knowledge and experience

If the position involves working within a specific community, you may wish to identify that you are a member of that community, and share any experiences you have from living in, and/or volunteering or working in/with that community.



### To acquire accommodation

If you require accommodation, you will need to disclose what type(s) of accommodation you need. More information on requesting accommodation can be found in the Requesting Accommodation tipsheet.



### To identify as part of an equity-deserving group

Self-identifying as part of an equity-deserving group may demonstrate to employers that you are part of a demographic they are looking to have represented on their team. Employment equity legislation, however, does not require an employer to give you an interview or job based on this information, but to have a fair and transparent recruitment and hiring process. You might consider their active recruitment of candidates from equity-deserving groups as a sign that the organization is pursuing EDII goals.



### To bring your whole self to work

Withholding personal information about yourself can sometimes take an emotional toll. If choosing not to disclose personal information prevents you from feeling comfortable at work, it may be worth sharing this information.



## How do I decide if and/or when to disclose this information? What might this involve?

The following will guide you through thinking about if and/or when to disclose personal information and what this may involve.



### Resumes, CVs, or cover letters:

Resumes and cover letters communicate your strengths and experience and for some, their application can be an opportunity to communicate personal information that supports their suitability as a candidate.

**However, just because the role may connect with a dimension of your identity does not mean you need to share this information with the employer.** Researching the values, practices, and work culture of the organization you are applying to can be helpful in deciding if and/or how to disclose personal information. (See the tipsheet on assessing employers through an EDII Lens).

You may also want to consider how including details such as organization and club names, extracurricular affiliations etc. on your resume or cover letter may disclose personal information.



### Your references:

You can speak with your references before they are contacted if you are concerned they might share your personal information before you are ready.



### In an interview:

Interviews are an opportunity for an employer to learn more about what skills you would bring to a role and for you to learn about the employer. Some people choose to disclose personal information in interviews, although there is no expectation they do so. Sometimes this is because they feel this information relates to the role, such as an insider perspective. Other times they want to control the narrative and dispel misinformation. Perhaps they have a visible disability that they want to acknowledge it and transition to a discussion of their skills and experience.



### After a job offer and before the first day of work:

Many people are concerned that disclosing personal information after receiving a job offer may lead the employer to rescind the offer. This outcome is unlikely because there can be legal ramifications for the employer through the [Ontario Human Rights Code](#) if they were to rescind an offer after an applicant discloses personal information.



### After you begin work:

Some people like to wait until they have been in the role for a while to disclose personal information. They feel that this time allows them to establish themselves and to develop trusting relationships before sharing aspects of their identity. It also allows them time to gain a sense of the work environment as well as how and when it may be best to have these conversations.

## Disclosing personal information and requesting accommodation

Sometimes disclosing personal information is just that: it is sharing information that is personal to you. In other situations, you might be making a request for accommodation that is informed by disclosing personal information. While disclosing personal information is not always followed by a request for accommodation, requesting accommodation typically requires disclosing some personal information.

Accommodation can be requested for many different reasons such as:

- Workplace accommodation to perform your duties
- Religious observances
- Medical appointments
- Childcare needs

For more information on requesting accommodation, see the Requesting Accommodation tipsheet.

**Remember:** disclosing aspects of your identity is your choice, and in most situations, you are not obliged to do so.

## Additional Resources

### Accessibility for Ontarians with Disabilities Act (AODA)

This article on Accessibility for Ontarians with Disabilities Act website explores reasons why some people choose to disclose personal information and why some people choose not to, as well as how to approach disclosing this information.

<https://www.aoda.ca/disclosure-of-disability-in-the-workplace/>

### Ontario Human Rights Commission (OHRC)

The OHRC works to build respect for human rights into all aspects of life in Ontario. It looks at the roots of discrimination, develop policy for preventing different forms of discrimination, and work to raise awareness of human rights issues. The OHRC intervenes, as needed, at tribunals and all levels of court on human rights issues with broad public interest or concern, with different sectors and groups, to promote organizational change and to break down barriers to equity and success.



[http://www.ohrc.on.ca/en/social\\_areas/employment](http://www.ohrc.on.ca/en/social_areas/employment)

### **Guide to Your Rights and Responsibilities Under the Ontario Human Rights Code**

This guide gives a plain language explanation of definitions and the purpose of the Ontario Human Rights Code.

[https://www3.ohrc.on.ca/sites/default/files/Guide%20to%20Your%20Rights%20and%20Responsibilities%20Under%20the%20Code\\_2013.pdf](https://www3.ohrc.on.ca/sites/default/files/Guide%20to%20Your%20Rights%20and%20Responsibilities%20Under%20the%20Code_2013.pdf)

### **References**

*The Ontario Human Rights Code.* (n.d.). Ontario Human Rights Commission. Retrieved September 17, 2021, from <http://www.ohrc.on.ca/en/ontario-human-rights-code>