



Colorado Recovery Friendly Workplace Initiative™
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Colorado Recovery Friendly Workplace Initiative® Employee Rights & Support (Quick Guide)

Supporting Employees in Recovery and Mental Health at Work

1. You don't have to disclose to learn your rights.

Employees can seek confidential guidance about workplace protections without informing their employer.

Free, confidential resources:

- EEOC (Equal Employment Opportunity Commission)
<https://www.eeoc.gov>**
- ADA National Network
<https://adata.org>**
- Disability Law Colorado
<https://disabilitylawco.org>**

Individuals can ask questions, understand their rights, and explore options before deciding whether to disclose.

2. There are legal protections for people in recovery.

Under the Americans with Disabilities Act (ADA):

- Individuals in recovery from substance use disorder (SUD) may be protected
- Individuals participating in treatment (including MAT) may be protected
- Employers must provide reasonable accommodations (unless undue hardship)

Examples of accommodations:

- Flexible scheduling for treatment or counseling
- Time off for recovery-related care
- Modified duties (in some cases)

The ADA does not protect current illegal drug use.

References:

- ADA Overview (U.S. DOJ): <https://www.ada.gov>
- EEOC Substance Use Guidance: <https://www.eeoc.gov/eeoc-disability-related-resources/substance-use-and-ada>**

Disclaimer

This document is for informational purposes only and does not constitute legal advice. Laws and their application may vary based on individual circumstances. Individuals and employers should consult a qualified attorney or appropriate legal resource for guidance specific to their situation.

***Estos sitios de web tienen recursos disponibles en español.*



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3. Colorado is an at-will state, but protections still apply.

Even in at-will employment:

- Employers can terminate employment for many reasons
- But NOT for illegal reasons, including disability discrimination

This means employees cannot be fired solely for being in recovery or seeking treatment, if they are otherwise able to perform their job.

4. Understanding immigration status and workplace protections.

- Federal protections outlined in the ADA apply to all workers regardless of immigration status
- However, rights may be more limited for individuals without work authorization

Individuals are encouraged to seek guidance from:

- Legal aid organizations like [Colorado Legal Services](https://coloradolegalservices.org/get-help/**)
https://coloradolegalservices.org/get-help/**

5. Create safe and supportive workplaces.

A key barrier to disclosure is fear and stigma. Creating psychologically safe workplaces improves outcomes.

From [Culinary Hospitality Outreach Wellness \(CHOW\) Scripts for Challenging Conversations](#):

- Normalize conversations about mental health and SUD
- Use empathetic, non-judgmental communication
- Maintain confidentiality
- Focus on support—not diagnosis

Simple communication framework:

“I feel ___ when ___, and I need ___.”

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