



SOCIAL SECURITY

January 2, 2018

NUC/IFPTE -2018-746

Honorable Marilyn J. Zahm
President, Association of
Administrative Law Judges/IFPTE
Key Center Suite 200
50 Fountain Plaza
Buffalo, NY 14202

Dear Judge Zahm:

This is informational notice that Agency will issue the new Personal Attendant Services (PAS) policy in Personnel Policy Manual (PPM) Chapter S1630_1 Reasonable Accommodation Program. Implementation of PAS meets one of SSA's affirmative action obligations set forth in [29 CFR Part 1614.203, Affirmative Action for Individuals With Disabilities in Federal Employment](#). The new policy is effective January 3, 2018.

Under this new policy, employees with targeted disabilities who require assistance with basic activities of daily living, such as eating, removing and putting on clothing and using the restroom may request a PAS provider. The following are a few reminders and highlights regarding the PAS policy:

- The policy pertains to all SSA employees.
- PAS will be provided at an employee's Official Duty Station and Alternate Duty Station, including during telework and official travel status.
- PAS will be provided to employees via a contractor, employed personnel or a provider of their choice.
- The Center for Accommodations and Disability Services (CADS) will be processing all PAS requests.
- All questions and inquiries should be forwarded to [^DCHR OPE CADS PAS](#).
- A Human Resources Internal Communication will be issued in mid-January notifying all employees of new PAS Policy.

Please see attached Q&A for additional information.

This does not constitute formal notice under Article 2 of the 2013 SSA/IFPTE National Agreement since there is no statutory duty to bargain. This is a courtesy informational notice. Employee participation in the PAS is voluntary.

If you have any questions, please contact John Huston, OLMER Policy and Program Development Team, at (410) 966-0184.

Sincerely,

/s/

Ralph Patinella
Associate Commissioner
Office of Labor-Management
and Employee Relations

Attachment

Personal Attendant Services Q&A

1. What are Personal Attendant Services (PAS)?

PAS means "assistance with performing activities of daily living that an individual with a targeted disability would typically perform if he or she did not have a disability, and that is not otherwise required as a reasonable accommodation, including, for example, assistance with removing and putting on clothing, eating, and using the restroom."

2. What are targeted disabilities?

Targeted disabilities are a subset of conditions that would be considered disabilities under the Rehabilitation Act. The federal government has recognized that qualified individuals with certain disabilities face significant barriers to employment, which for some people may include lack of access to PAS in the workplace, that are above and beyond the barriers faced by people with the broader range of disabilities.

A list of targeted disabilities can be found here:

https://www.opm.gov/Forms/pdf_fill/sf256.pdf. Note, however, that not everyone with a targeted disability will be entitled to PAS under the new regulations, because only some individuals with targeted disabilities require assistance with basic activities like eating and using the restroom. Medical conditions that are more likely to result in the need for PAS include, for example, missing limbs or paralysis due to spinal cord injury.

3. Do PAS include medical services?

No. PAS do not include, for example, performing medical procedures (e.g., administering shots) or medical monitoring (e.g., monitoring blood pressure).

4. Who is eligible to receive PAS?

Only individuals who are SSA employees are eligible to receive PAS.

5. Where will PAS be provided?

PAS will be provided at an employee's official duty station and alternate duty station locations, including telework, and during official travel status.

6. Is SSA required to provide PAS to help employees commute to work?

No. SSA is only required to provide PAS when the individual is working, unless he or she is on official travel status.

7. What is the difference between a PAS provider and a personal assistant?

PAS providers are assigned to employees to assist them in performing daily living activities such as eating, using the restroom and removing and putting on clothing.

Personal Assistants are provided to employees to assist them in performing their essential job functions.

8. Does PAS include helping an individual with a targeted disability to perform his or her own job functions?

No. PAS allow individuals to perform activities of daily living that an individual would typically perform if he or she did not have a disability. PAS do not help individuals with disabilities perform their specific job functions, such as reviewing documents or answering questions that come through a call-in center. Only in specific, certain circumstances **approved by CADS** will the PAS provider be able to assist the EWD in performing their job functions. If an employee needs assistance performing their job functions, they need to submit a Reasonable Accommodation (RA) request.

9. Will current Personal Assistants be asked to become PAS providers?

No. SSA's primary method for providing PAS is via a contract managed by CADS. If a contractor is unavailable, SSA will use temporary employees appointed on an intermittent, part-time or full-time basis, depending upon need.

10. Will PAS providers be assigned by gender?

Although PAS include assistance with activities that may be considered personal, PAS providers render this assistance in a professional capacity. The central question is whether the individual can provide the necessary services. Generally, providers of one gender are no more qualified than those of another to provide such services. SSA will give primary consideration to the employee's preference to the extent permitted by law, however it may not be possible to honor the individual's preference in all cases.

11. Can an employee request to bring their own PAS Provider to work instead of having SSA provide one?

Yes. An individual may request permission to bring his or her own PAS provider to work as a reasonable accommodation if the individual does not request that the agency assume the cost of providing the services.

However, if the individual wants the agency to assume the cost of providing the services, the agency may have reasons to choose a different provider.

Requests for an Employee-Provided PAS, Not Provided by SSA, must be submitted by the employee to [^DCHR OPE CADS PAS](#).

Please see the [PPM S1630_1 5.18.2](#) chapter for further guidance.

12. Can an employee have a Personal Assistant for job-related tasks and a PAS Provider for daily living activities?

Yes.

13. What should a manager do when an employee inquires about PAS?

Management should advise employees that they may submit a request for PAS the same method as a reasonable accommodation request. The preferred method of submission is through the RA Wizard.

Management should refer all questions and inquiries to CADS at [^DCHR OPE CADS PAS](#).

14. Who will engage in the interactive discussion with the employee?

All interactive discussions will take place with CADS.

Managers should refer all questions to CADS at [^DCHR OPE CADS PAS](#).

15. What should a manager do if an issue arises with a PAS provider, i.e. PAS provider is unavailable?

Management should immediately contact CADS at [^DCHR OPE CADS PAS](#).

16. Where can I find more information regarding PAS?

The [Personnel Policy Manuel S1630_1 5.18.2](#) has been updated to include PAS policy.

If you have any further questions, please email [^DCHR OPE CADS PAS](#).