What are Personal Assistance Services (PAS)?

Personal Assistance Services (PAS) are services that help individuals who because of targeted disabilities, require assistance to perform basic activities of daily living. PAS differ from medical services and services that are typically performed by someone who often has the job title of "personal assistant." PAS are non-medical services such as helping an individual take off and put on a coat, eat, and use the restroom.

Do personal assistance services include doing part of a person's job?

No. Personal assistance services only include assistance with basic human functions, and are only required if they enable the employee to do his or her job up to normal standards. USACE cannot take adverse actions based on need for PAS.

What is a Targeted Disability?

Targeted disability means a disability that is designated as a "targeted disability or serious health condition" on the Office of Personnel Management's Standard Form 256.

For questions contact:

EEO Manager
Individuals w/ Disabilities Program Manager
(304) 399-5214

EEO Specialist
(304) 399-5625

EEO Office
(304) 399-5600

Additional Resources:

https://www.eeoc.gov/federal/directives/personal-assistance-services.cfm

https://www.eeoc.gov/laws/regulations/qanda-ada-disabilities-final-rule.cfm

Personal Assistance Services (PAS)

Facts Sheet

Section 501 of the Rehabilitation Act

The Equal Employment Opportunity Commission (EEOC) amended the regulations implementing Section 501 of the Rehabilitation Act of 1973, the law that prohibits the federal government from discriminating in employment on the basis of disability and requires it to engage in affirmative action for people with disabilities. All Federal Agencies will be required to provide Personal Assistance Services (PAS) beginning on January 3, 2018. PAS may be provided to employees who because of targeted disabilities, require such assistance in order to be at work or participate in work-related travel. PAS are to be provided during work hours and job-related travel, absent undue hardship.

How does an individual request PAS?

As with reasonable accommodation, an individual may request PAS by informing a supervisor or the Individuals with Disabilities Program Manager that he or she needs assistance with daily life activities because of a medical condition. The individual does not need to mention Section 501 or the EEOC's regulations explicitly, or use terms such as "PAS" or "reasonable accommodation" to trigger the agency's obligation to consider the request.

Why do Federal Agencies need to provide PAS?

Some individuals with targeted disabilities cannot work unless PAS are provided to them in the workplace. The services will allow such individuals to enjoy the opportunity and independence offered by paid employment. Providing PAS also will reduce the amount of taxpayers funds spent on public disability benefits by allowing such individuals to receive paid jobs in the competitive workplace.

Agencies are only required to provide PAS to an individual if:

- the individual is an employee of the agency;
- the individual has a targeted disability;
- the individual requires the services because of his or her targeted disability;
- the individual will be able to perform the essential functions of the job, without posing a direct threat to safety, once PAS and any required reasonable accommodations have been provided;
- the individual is working, including on work-related travel; and,
- providing PAS will not impose undue hardship on the operations of the agency.

Undue Hardship Determinations:

The process of determining whether providing personal assistance services is an undue hardship is the same process used to determine whether a reasonable accommodation poses an undue hardship.

Choosing a PAS Provider:

Supervisors should coordinate with their EEO Office and the Individuals with Disabilities Program Manager to explore provider options. Funding for PAS will follow the same process as funding for Reasonable Accommodations.