

Personal Assistance Services (PAS) FACT SHEET



On January 3, 2017, the Equal Employment Opportunity Commission (EEOC) amended the regulations implementing Section 501 of the Rehabilitation Act of 1973 (Section 501), 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. As part of the Federal Agencies' obligation to engage in affirmative action, Federal Agencies are required by the new regulation to provide Personal Assistance Services (PAS) to employees who need them because of certain disabilities. 29 C.F.R. 1614.203(d)(5). PAS may be provided to employees who, because of targeted disabilities, require 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.

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 the 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.

The PA National Guard (PANG) processes PAS requests under HRO (18-04) Reasonable Accommodation (RA) Policy & Procedures for the PANG.

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 Standard Form 256](#).

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 taxpayer funds spent on public disability benefits by allowing such individuals to receive paid jobs in the competitive workplace.

How does an individual request PAS?

An individual may request a PAS by informing his/her immediate supervisor, a supervisor or manager in his/her immediate chain of command, or the State Equal Employment Manager that they need assistance with daily life activities because of a targeted disability. For a PAS request in connection with the application process, the applicant could inform any agency employee with whom the applicant has contact.

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 agency.

Choosing a PAS Provider:

Supervisors should coordinate with the Human Resources Office and the State Equal Employment Manager to explore provider options. Funding for PAS will follow the same process as funding for Reasonable Accommodations.

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.

For questions, contact:

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Additional Resources:

[EEOC Personal Assistance Services Q & A](#)

[EEOC Section 501 of the Rehabilitation Act Q & A](#)

This document obtained from <https://www.fmcs.gov/wp-content/uploads/2019/03/FMCS-Personal-Assistance-Services-PAS.pdf>. Contact information, regulatory guidance, and logo changed to reflect PA National Guard.