

## **Marine Mammal Commission Personal Assistance Services (PAS)**

Equal Employment Opportunity Commission (EEOC) regulations implementing Section 501 of the Rehabilitation Act of 1973 (Section 501), prohibit federal agencies from discriminating in employment on the basis of disability and requires those agencies to engage in affirmative action for people with disabilities. Federal agencies are required to provide Personal Assistance Services (PAS) to employees who, because of targeted disabilities, require assistance to be at work or participate in work-related travel. Each agency is to provide PAS to eligible employees during work hours and job-related travel, absent undue hardship.

### **What are 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. PAS 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.

### **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](#).

### **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 obtain paid jobs in the competitive workplace.

### **How does an individual request PAS?**

An individual may request PAS by informing their supervisor that they need assistance with daily life activities because of a targeted disability.

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 their servicing human resources office (General Services Administration Commissions and Boards Branch) 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:**

Cathy Shrestha, Administrative Officer    [cshrestha@mmc.gov](mailto:cshrestha@mmc.gov)

Darel Jordan, Staff Assistant    [djordan@mmc.gov](mailto:djordan@mmc.gov)