



**DEPARTMENT OF THE AIR FORCE
WASHINGTON DC**

5 MAR 2018

OFFICE OF THE ASSISTANT SECRETARY


**MEMORANDUM FOR ALMAJCOM-FOA-DRU/A1s
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FROM: Assistant Secretary of the Air Force (Manpower and Reserve Affairs)

**SUBJECT: Implementing Instructions for Providing Personal Assistance Services to
Individuals with Targeted Disabilities Pursuant to New Federal Regulations**

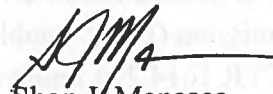
1. In accordance with new legal requirements imposed upon the Air Force, this memorandum sets out the rules by which the Air Force will meet its obligation to provide personal assistance services to employees with targeted disabilities. On January 3, 2017, the U.S. Equal Employment Opportunity Commission (EEOC) published in the Federal Register a final rule to amend the regulations at 29 CFR 1614.203 implementing Section 501 of the Rehabilitation Act of 1973 (Section 501). Section 501 requires federal agencies to establish an affirmative action program for the hiring, placement and advancement of individuals with disabilities. These new regulations clarify the obligations that Section 501 imposes on federal agencies, as employers. [82 FR 654 (January 3, 2017)]
2. The 2017 Section 501 rule adds substantive affirmative action requirements, the most important of which specifies that agencies must provide personal assistance services (PAS) to employees who, because of targeted (severe) disabilities, require such assistance in order to be at work or participate in work-related travel, unless the provision of such services would impose an undue hardship on the agency. [82 FR 654, 657 (January 3, 2017)] As a result, by January 3, 2018, federal agencies will be required to have in place a policy, staff, and a plan to implement these new legal requirements.
3. The regulations describe personal assistance services as “assistance with performing activities of daily living that an individual 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.” This will involve hiring or contracting for an individual to provide these services.
4. Air Force did not receive substantive guidance from EEOC until September 2017. As a result Air Force has not yet been able to develop and implement a formal policy regarding the use of personal assistance services. Therefore, effective immediately, each request for personal assistance services will be evaluated on a case by case basis, similar to the reasonable accommodation process.

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Organizations will have the option to determine the best method of providing personal assistance services, whether by contract services or dedicated full time employee based on the needs of the employee with a targeted disability. PAS duties may not be assigned to existing Air Force employees as an additional duty, unless the existing employee already performs a similar service as part of his or her regular job. Non-PAS job functions may be assigned to PAS providers. Formal policy will follow that amends AFI 36-205, Affirmative Employment Program (AEP), Affirmative Employment Program (AEP), Special Employment Program (SEPs), and Reasonable Accommodation Policy. In the interim, organizations should follow the attached guidance.

5. SAF/MRQ will continue to provide organizations with guidance and support as they work to implement this new requirement. Should you have questions regarding the provision of personal assistance services, contact the Air Force POC, Ms. Kendra Duckworth, SAF/MRQ, email: kendra.m.duckworth.civ@mail.mil; or office phone: (240) 612-4006/DSN 612-4006.



Shon J. Manasco
Assistant Secretary of the Air Force
Manpower and Reserve Affairs

Attachments:

1. Air Force Interim Instructions on the Provision of Personal Assistance Services (PAS) under Section 501 of the Rehabilitation Act
2. Questions and Answers: Federal Agencies' Obligation to Provide Personal Assistance Services (PAS) under Section 501 of the Rehabilitation Act