

SSA Work Incentives 101 - Introduction to Special Conditions

What is a Special Condition? – A Special Conditions is a Social Security work incentive related to on the job supports or accommodations which are funded by a third party. For example, the time your job coach assists you to complete some of your tasks while you are working.

How can they help? - Special Conditions can reduce the amount of countable income considered by Social Security when calculating whether a Title II (SSDI / CDB) cash benefit will be issued for a given month.

When do they apply? – Special Conditions can be utilized with Title II benefits (SSDI / SSCDB) following an employee's initial [Trial Work Period](#). They can also be utilized during the SSI application process to determine if a person is working below the current [Substantial Gainful Activity \(SGA\)](#) rate (changes annually). Subsidies will not impact SSI cash benefit calculations.

How to Establish a Special Condition with Social Security

Step 1:

Have a conversation with the employer about what a Special Condition is, how it will benefit the employee, and how Special Conditions are determined. For many people an Employment Support professional may take the lead with this step but it can also be driven by the beneficiary / employee if they feel comfortable.

It's important to share that Special Conditions do not reflect the value that an employee brings to their employer or workplace. It is simply a reflection of a person's need for accommodation as compared to their colleagues and coworkers in similar roles.

Step 2:

Documentation is drafted in the form of a letter by the employer, job coach, or teacher with information about how a person's duties are a little different than their co-workers, or what extra supports or considerations someone might receive on the job. It's also helpful to include hours worked, rate of pay, and the number of hours a job coach provides direct support to the person on their job each week.

In some situations, Social Security may also request an [Employee Work Activity Questionnaire](#) to be completed by a support professional or the employer.

Step 3:

Documentation will then be submitted to the local Social Security office via fax, mail, or in-person for review. When submitting, be sure to keep a copy of the documentation for your records and a confirmation of receipt by the Social Security office.

Step 4:

Once submitted, follow up with the local Social Security office to ensure that the work incentive has been approved and applied to the beneficiary's case. It can sometimes take a few weeks to a few months to be approved.

Let's Look at a Special Condition Example:

Jane is eligible for a Title II benefit called Social Security Disability Insurance (SSDI), which entitles her to a monthly cash benefit as long as her countable income is under a threshold called Substantial Gainful Activity (SGA).

Jane is currently working as an Office Administrator 20 hours a week and earns \$20 an hour. This puts her at an average gross income of \$1,732 each month. Earning this much would put Jane above the annual SGA threshold and as a result, she would not be eligible to receive her monthly SSDI check.

Jane informed her benefits planner that she receives direct assistance with some of her duties by a job coach for approximately 10 hours a week. Her benefit planner mentioned that this sounds like it may qualify for a Social Security Work Incentive called a 'Special Condition.' Under the rules of a Special Condition, Social Security would disregard a portion of Jane's income by using the following calculation:

Employee Rate of Pay X Number of hours of direct support provided by a coach or other third party each week X 4.33 weeks in a month = Amount of excludable income

For Jane this would be \$20/hr X 10 hours of support each week X 4.33 = \$866.00 of excludable income for the month. This means that Jane's countable income would then be \$1,732.00 - \$866.00 = \$866.00 of countable income. This is well below the SGA annual limit, so Jane will likely be able to keep her Title II check for each month that the Special Condition is applied.

With the Special Condition in place, Jane now also has more wiggle room to work additional hours and continue to receive her SSDI check as long as her countable income remains below the Substantial Gainful Activity threshold.

Bee Aware's Special Condition Pro-Tips



- Always keep copies and records related to what and when information is submitted to Social Security.
- Contact SSA approximately 10 days after submitting the documentation to ensure that it has been received
- Special Conditions can be applied retroactively. Consider the full scope of employment when completing paperwork for submission.
- Check in with the local Social Security office on an annual basis to confirm that the Work Incentive is still in place.
- If there is a promotion, change of job, or change in duties, this may impact your Work Incentive. Be sure to update Social Security in these situations.

For additional information on Special Conditions, other disability benefit related topics, or to see if you qualify for individualized benefit planning services, please visit www.benefitu.org.