



**CORE TRAINING FOR PABSS PROGRAM STAFF**  
**8:00 am – 5:00 pm daily**

**Monday, March 1, 2010**

**Introduction to PABSS**

1. Purpose and priorities
2. Eligibility for services
3. Reporting requirements
4. SSA responsibilities

**Overview of SSI & SSDI Programs**

1. SSDI as an insurance program
2. SSI as needs based program
3. Dually eligible

**SSDI Work Incentives**

1. 2007 Changes
2. Substantial Gainful Activity
3. Trial Work Period
4. Extended Period of Eligibility
5. Expedited Re-entry
6. Impairment Related Work Expenses
7. Subsidies
8. Section 301 rules/regulations

**SSI Work incentives**

1. Earned and unearned Income Disregard
2. Impairment Related Work Expenses
3. PASS overview

**Overpayments**

1. Work Related and a barrier to employment
2. Appeals, Reconsideration and Waiver

**Practice exercises (Scenario and Tracking sheet)**

**Tuesday, March 2, 2010**

**Transition Age Youth Issues**

1. Student Earned Income Exclusion
2. Redetermination at age 18
3. Section 301
4. Youth Transition Demonstration Waivers
5. Family education and outreach

**Ticket to Work and Work Incentive Improvement Act**

1. Overview
2. Ticket to Work and Self Sufficiency
  - a. Employment Networks
  - b. Ticket Regulations
  - c. Work Incentive Planning and Assistance
  - d. Other SSA partners
3. Medicaid Buy-In
4. Other demonstrations

**Medicaid and Medicare**

1. Review of Work Incentives
2. 1619(b)
3. Buy-In
4. Extended Medicare

**Plans for Achieving Self Sufficiency**

**Other Federal Benefits**

1. TANF
2. Food Stamps
3. Earned Income Tax Credits
4. Housing Subsidies
5. Other

**Wednesday, March 3, 2010**

**Other Employment Services and Programs**

1. Vocational Rehabilitation Services under the Rehabilitation Act
2. One-stop Centers
3. The Responsibilities of Institutions of Higher Education under Section 504 and Titles II and III of the ADA

**Basic Employment Law**

1. Review of Resources
2. Employment at Will
3. Basic Exceptions to Employment at Will
4. Basic Fair Labor Standards Act
5. Sheltered Workshops

**Introduction to the ADA**

1. Employers Covered under the ADA and Section 504
2. Definition of Disability
3. State laws covering disability discrimination
4. The Role of PABSS in employment discrimination cases

**Employment and Disability:**

**The Application Phase and Other Rights**

1. Phases of Employment
2. Rights and Responsibilities in the application phase
  - a. Disclosure of disability
  - b. Medical and disability inquires and exams.
3. Equal treatment in terms, conditions, and privileges of employment
4. Protection Against Harassment

**Employment Law and Other Programs Quiz**

**Thursday, March 4, 2010**

**Employment and Disability:**

**Otherwise Qualified and Reasonable Accommodations**

1. What does it mean to be otherwise qualified for a position
2. Essential Job Functions
3. The constant PABSS issue (Cleveland v. Policy Management Systems)
4. Reasonable Accommodations

**The Reasonable Accommodation Process**

1. The interactive process
2. Employer Defenses
  - a. Undue hardship
  - b. Direct threat
3. Tax Incentives

**Intake Exercise**

**Leave under the FLMA and the ADA**

1. FMLA for private employers
  - a. Employers and employees covered
  - b. Rights and obligations of employees
2. Leave as an accommodation under the ADA

**Defending Rights against Discrimination Part I:  
Administrative Enforcement**

1. Pre-EEOC negotiations with employers
2. Filing and procedural issues with the EEOC and FEPAs
3. Types of Discrimination (theory of the case)
  - a. Clear and Direct Discrimination
  - b. Pretext
  - c. Failure to Provide a Reasonable Accommodation
4. EEOC process
5. Basic Federal EEO process
6. Practice tips

**In-Depth Practice: Employment Law Case Scenarios**

## **Day 4** (continued)

### **Defending Rights against Discrimination Part II: Last Resort - Basic ADA Title I Litigation**

1. The Client's Prospective
2. After the EEOC procedure - Filing a Federal Complaint
3. Basic Litigation Tips
4. Remedies
  - a. Equitable Relief (re-instatement, back-pay, front-pay, etc.)
  - b. Compensatory and Punitive Damages
  - c. Calculation of damages and practice tips
  - d. Attorneys fees
5. Other Employer Defenses
  - a. Mitigation of Damages
  - b. After Acquired Evidence

### **Bringing Things Together – Others PABSS Issues as Barriers to Employment**

1. "Who is the PABSS client?"
2. How Things Fit Together.