

Below are the questions found in the Social Security Administration's Program Operations Manual System (POMS) that are to be used by claims representative when trying to determine the presence of a subsidy or special condition (see POMS DI10505.010)

1. Is there a need for extra assistance or services on the job?
2. Why was the individual hired?
3. What are the individual's job duties?
4. How much time does the individual spend on those duties?
5. Who performed the duties before the individual was hired; and how much time did that person spend on those duties?
6. If the individual were separated from the job, would he/she be replaced; if so, how much time would the replacement spend on the individual's duties?
7. How often is the individual absent from work?
8. Does someone else do the individual's work when he/she is absent?
9. How much time does the temporary replacement take to do the individual's job?
10. What is the relationship of pay to services performed?
11. How are the individual's total earnings computed?
12. Is the individual's pay reduced proportionately when he/she is absent from work? (Compare the employer's practice concerning an individual with an impairment to that of an unimpaired individual, explaining any difference.)
13. Does the individual receive any unusual assistance or supervision? (Describe.)
14. If the individual's pay is not set according to normal business practices, what consideration is given to the size of the individual's family, number of years of past service with the employer, previous earnings, friendship or relationship to the employer, or other factors unrelated to the performance of the work?
15. Does the employer consider the individual's work to be worth substantially less than the amount paid and, if so, what are the employer's reasons for this view? (Give the employer's estimate of the value of the services and explain how this estimate was reached.)
16. If the individual is still on the payroll, despite unsatisfactory work, what is the employer's reason for retaining him/her?
17. If the individual is no longer employed, what led to the termination of employment?

If subsidy is found to be in evidence, the Claims Representative will then determine the value of the subsidy and apply this to determine the actual value of the employment income – the “countable earned income.”



**Questions for Determining the Presence of a Subsidy
or Special Condition**