Social Security Subsidy and Special Conditions
New Mexico

What are Social Security Subsidy and Special Conditions?
Subsidy and Special Conditions are supports that an individual receives on the job. These supports are provided by someone other than the employer, for example, a vocational rehabilitation agency, and may result in the individual receiving more pay than the actual value of the services they perform through work. This is a work incentive.

When would someone use a Subsidy and/or Special Conditions?
Subsidy and Special Conditions only apply after a Trial Work Period and only if the employee is earning over the Substantial Gainful Activity (SGA) amount. To see the current SGA amount approved by Social Security, go to www.ssa.gov/oact/cola/sga.html

What is a Trial Work Period?
During a trial work period, a person receiving Social Security disability benefits may test their ability to work and still be considered to have a disability. Social Security does not consider services performed during the Trial Work Period as showing that the disability has ended until services have been performed for at least 9 months, not necessarily consecutive, within a rolling 60-month period.

What is Substantial Gainful Activity (SGA)?
SGA is used to describe a level of work activity and earnings. Work is “Substantial” if it involves doing significant physical or mental activities or a combination of both. For work activity to be substantial, it may be part-time or full-time. “Gainful” work activity is work performed for pay or profit, or work of a nature generally performed for pay or profit, or work intended for profit, whether or not a profit is realized.

When do Subsidy and Special Conditions exist?
Subsidy and Special Conditions may exist if an employee:

- Does different tasks than other workers with the same job title
- Gets extra help from others (co-workers or supervisor)
- Works more slowly than others in the same job position
- Has a job coach or mentor who helps the employee perform some of their work

How does Subsidy and Special Conditions work?
To develop an employer Subsidy and Special Conditions, the employer is asked to submit information to the Social Security Administration to document the value of the work and services provided by the employee. The amount of the subsidy is determined by comparing this work in the amounts of time, skills, and responsibilities with that of people without disabilities doing similar work.

Remember:

- Reference the latest edition of The Red Book, published annually by the Social Security Administration, which is a summary guide to employment related questions about SSI and SSDI for persons with disabilities.
- The Subsidy and Special Conditions is not a guaranteed work incentive. An employee must get the Subsidy or Special Conditions approved by their local Social Security office.