



## Should I Work While Social Security Decides My Disability Status?

Written On August 18, 2009 By Bob Kraft

We are frequently asked this question by our clients and people who contact our office for information. Our general response is that all activity, including volunteer work done for no pay, can be considered in your disability determination. The response below is how we might advise someone considering working in 2009. The answer might be different depending on changes in the law in the future.

Start Slowly. If you think you might be able to handle attempting to work, consider starting with part-time work. Keep your earnings under \$700.00 per month gross (before taxes) for a few months, and see how well you do. \$700.00 per month is currently Social Security's "services" level. If you earn more than \$700.00, you may trigger a "trial work period." It may be to your advantage to delay triggering a trial work period.

After a few months of earning less than \$700.00 per month, you may find you are able to handle this amount of work pretty well. You may wish to try working more. If so, then try several months of earning under \$980.00 per month gross. \$980.00 per month is currently Social Security's "substantial gainful activity" level. If you earn more than \$980.00 per month gross, Social Security might find you are not disabled based on your work, without even considering your medical condition.

After a few months of earning less than \$980.00 per month gross, you may find you are also able to handle this amount of work well, and you may want to try working still more. If so, you should speak with

your lawyer in greater detail about continuing working. There are likely pros and cons of earning more than \$980.00 per month, considering the individual circumstances of your case. Don't wait until the night before you are to start your new job – call your lawyer when you first start to think about looking for work that pays more than \$980.00 per month.