

Welcome
SVP 3 Tools, Software and
Publications



Topics to Be Discussed:

- Methodologies
- Rulings that affect vocational expert testimony
- Resources available



Creating your Methodology

- Crucial to provide consistent testimony
- How each vocational expert derived their answers should be explainable
 - Tardiness
 - Time off Task
 - Bathroom breaks
 - Hand dominance
 - Sit/Stand jobs
 - Leg elevation
- Most VE's will see the same judges and attorneys multiple times. They will notice if your testimony is not consistent.



Any Deviation from the DOT:

- Per Social Security Ruling (SSR) 00-4, VE's are required to note if their testimony:
 - Differs from the DOT
 - Where any information was obtained that supports the differentiation
 - While knowledge and experience are acceptable, testimony should be empirically supported
 - If a VE cites a study or report, they may be required to produce such report
 - Be able to easily access the resources used in hearings (websites, citations, etc.)



Social Security Vocational Expert Resources

- www.ssa.gov
VE's can access information about specific rulings, how an individual may grid, physical demand levels, etc.
- Social Security Vocational Expert Handbooks
 - [https://www.ssa.gov/appeals/public_experts/Vocational_Experts_\(VE\)_Handbook-508.pdf](https://www.ssa.gov/appeals/public_experts/Vocational_Experts_(VE)_Handbook-508.pdf)
- Programs Operations Manual System (POMS)
 - <https://secure.ssa.gov/apps10/>
- Hearings, Appeals and Litigation Law Manual (HALLEX)
 - https://www.ssa.gov/OP_Home/hallex/hallex.html



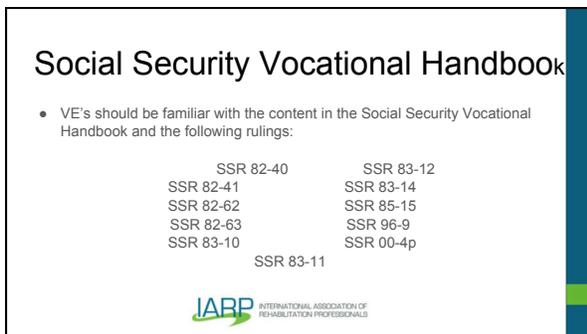
International Association of Rehabilitation Professionals

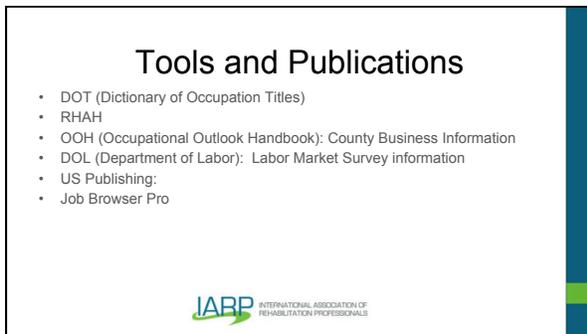


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SSR 00-4p: Use of the vocational experts Under Title II & Title XVI

- "Identify and obtain a reasonable explanation for any conflicts between occupational evidence provided by VE's or VS's and information in the Dictionary of Occupational Titles (DOT), including its companion publication, the Selected Characteristics of Occupations Defined in the Revised Dictionary of Occupational Titles (SCO), published by the Department of Labor...
- In making disability determinations, we rely primarily on the DOT (including its companion publication, the SCO) for information about the requirements of work in the national economy."



§404.1566 – work which exists in the national economy

- (a) *General.* We consider that work exists in the national economy when it exists in significant numbers either in the region where you live or in several other regions of the country...
- (d) *Administrative notice of job data.* We will take notice of –
 - (1) *Dictionary of Occupational Titles – Department of Labor*
 - (2) *County Business Patterns – Bureau of the Census*
 - (3) *Census Reports – Bureau of the Census*
 - (4) *Occupational Analyses – prepared for the Social Security Administration by various state employment agencies; and*
 - (5) *Occupational Outlook Handbook – Bureau of Labor Statistics*



DOT Serves as a basis for:

- GRIDS – SSR 82-47c
- Capacity to do other work – SSR 96-9
- Physical Exertions – 20 CFR 404.2567
- Nonexertional Requirement Definitions – 20 CFR 404.1569a
- "Unskilled" jobs per SSA standards – 20 CFR Appendix 2, Subpart P of part 104, Medical Vocational Guidelines Sec. 200.00 (b)



Labor Market Data by DOT Codes

- With 12,741 DOT codes available, labor market is collected by the Department of Labor and the Census and assigned to:
 - 971 O*Net Codes
 - 867 Bureau of Labor Statistics (BLS) Standard Occupational Classification (SOC)
 - 539 Census Codes
 - BLS collects information by each occupation based on employer surveys
 - Census collects data from individual census surveys



Resources about Occupation information

- Occupational Employment Statistics
 - State/U.S. Bureau of Labor Statistics
- Occupational Outlooks and Career Information
 - State/U.S. Bureau of Labor Statistics
- Growth Occupations Lists
 - State/U.S. Bureau of Labor Statistics
- Prevailing Wages Database
 - State Labor Statistics



Resources about Industry Information

- County Business Patterns
 - U.S. Census
- Current Employment Statistics
 - State Labor Statistics
- Census of Employment and Wages
 - State Labor Statistics
- Local Employment Dynamics
 - U.S. Census/U.S. Department of Labor
- Economic Census
 - U.S. Census



Department of Labor – O*Net

- Funded by the US Department of Labor/Employment and Training Administration (USDOL/ETA) through a grant to the North Carolina Department of Commerce
- Listed as a Standard Occupational Classification (SOC) based system
- Currently, 974 occupations are listed
- Information is gathered from employers via survey research completed by labor market economists
- Updated every 6 months
- Goal is to provide current and update occupational information for career exploration



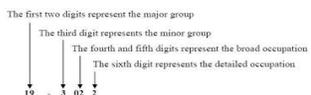
O*Net (cont'd)

- To access ongoing research and technical reports:
 - <https://www.onetcenter.org/research.html>
- How the DOT differs from O*Net:
 - <https://www.onetcenter.org/questions/11.html>
- Information on how data is collected for O*net:
 - <https://www.onetcenter.org/dataCollection.html>



Standard Occupational Classification Manual

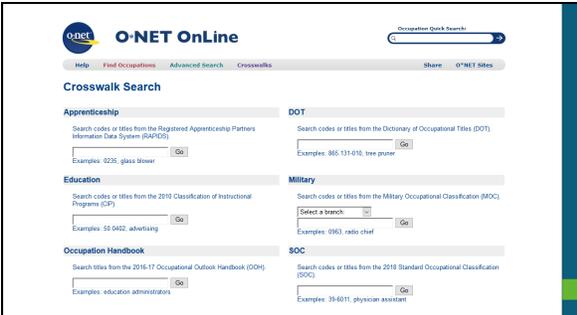
- Updated in 2018, the SOC is run by the Bureau of Labor Statistics
- 867 detailed occupations
- 459 broad occupations, 98 minor groups and 23 major groups



O*Net Crosswalks

- <https://www.onetonline.org/crosswalk/>
- Has Crosswalk information from the:
 - 2016-2017 Occupational Outlook Handbook
 - DOT to O*Net
 - Utilizes DOT Codes or Titles
 - 2018 SOC
 - Utilizes SOC Codes or Titles
 - Military Occupational Classification (MOC)
 - Requires branch and MOS number

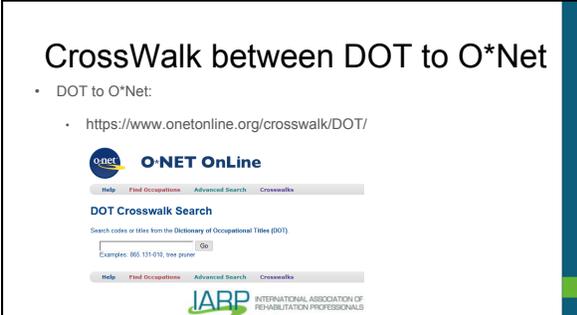




The screenshot shows the O*NET OnLine website's 'Crosswalk Search' page. It features a navigation bar with 'Help', 'Find Occupations', 'Advanced Search', 'Crosswalks', 'Share', and 'O*NET Sites'. Below the navigation bar, there are four search sections: 'Apprenticeship' (with a search box and 'Go' button), 'Education' (with a search box and 'Go' button), 'Occupation Handbook' (with a search box and 'Go' button), 'DOT' (with a search box and 'Go' button), 'Military' (with a 'Select a branch' dropdown and a 'Go' button), and 'SOC' (with a search box and 'Go' button). Each section includes a brief description and an example.

CrossWalk between DOT to O*Net

- DOT to O*Net:
 - <https://www.onetonline.org/crosswalk/DOT/>



The screenshot shows the O*NET OnLine website's 'DOT Crosswalk Search' page. It features a navigation bar with 'Help', 'Find Occupations', 'Advanced Search', and 'Crosswalks'. Below the navigation bar, there is a search section for 'DOT' with a search box and a 'Go' button. The search box contains the text 'Examples: 965-131-010, tree pruner'. At the bottom, there is the IARP logo: INTERNATIONAL ASSOCIATION OF REHABILITATION PROFESSIONALS.

Crosswalks: 2018 SOC code to O*Net

- <https://www.onetonline.org/crosswalks/SOC/>



Military Occupational Codes Crosswalk

- By knowing what branch and Military Occupational Speciality (MOS) code a claimant served while in the military and their branch, O*net can help to provide job descriptions that will make classifying in SSA hearings easier.



References

- Your Age as a Vocational Factor 20 CFR 404.1563
- Your education as a vocational factor 20 CFR 404.1564 -
- Skill Requirements 20 CFR 404.1568
- 20 CFR 404.1566
- Rules found in 20 CFR 404
- Rules found in 20 CFR 416.
- 20 CFR §404.1505
- 20 CFR §404.1520
- [SSR 85-28](#)
- *Kerner v. Flemming*, 283 F.2d 916, 921 (2nd Cir.1960)
- <http://www.ssa.gov/history/ssa/lbjoper5.html>



References cont'd

- GRIDS-SSR 82-47c
- SCO-SSR 96-9 *Capacity to do other work*
- Physical Exertional Requirement Definitions - 20 CFR 404.1567
- Non-exertional Requirement Definitions - 20 CFR 404.1569a
- SSA estimation of "unskilled" jobs
- 20 CFR Appendix 2 to Subpart P of Part 404, Medical Vocational Guidelines Sec. 200.00 (b)
- Work Experience 404.1565 - 15 Year Rule