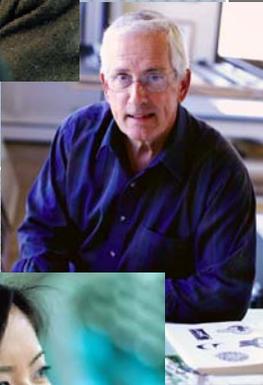


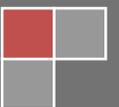
2010

**Summary of Public Comment  
Report of the User Needs and Relations  
Subcommittee**

**Occupational Information Development Advisory Panel**



October 29, 2010





# Summary of Public Comment

Report of the User Needs and Relations Subcommittee

to the

Occupational Information Development Advisory Panel

## Executive Summary

The following report summarizes public comment and feedback received by the Occupational Information Development Advisory Panel (OIDAP) as related to its September 2009 recommendations report to the Social Security Administration (SSA) regarding the development of a new Occupational Information System (OIS) for disability adjudicative purposes. Comments include those received from individuals and groups, either submitted via email, provided as testimony in person or via teleconference, or submitted through regulation.gov. The official window of comment was from November 19, 2009 through June 30, 2010. Also included are comments received prior to this period as part of Panel activities and after the September 16-17, 2009 OIDAP meeting, where panel members voted on the recommendations. Although the close of the formal comment period was, and continues to be, announced as a mere formality in order to complete this summary report and public comment was welcome after the close of that period, to date we have received no additional public comment on the recommendations report.

Given the nature of the comments summarized below, the User Needs and Relations Subcommittee wishes to reemphasize the importance of the following recommendations to the Panel and the SSA.

### *Science & Expertise (Expanded from General Recommendation Four in the September 2009 OIDAP report)*

- Expand efforts to establish an internal expertise unit necessary to assure that a strong research paradigm underlies the OIS development process. This should include a lead scientist and supporting staff that are well versed in psychometric theory and work analysis. Identify internal staff with disability and program expertise to support this research unit.

- Until such time as an internal research unit is present, continue to work closely with the Panel, seeking its advice and recommendations on issues directly related to scientific practice.

*Transparency (Expanded from General Recommendation Seven in the September 2009 OIDAP report)*

- Continue efforts to involve stakeholders and the scientific community in the OIS development process. In particular, adopt a procedure that provides the public with the opportunity to comment on any internally developed prototype content models or tools. These comments and recommendations will be a vital linkage between SSA's internal research unit and external stakeholders.
- Continue collaborative efforts with other governmental agencies to learn from existing OISs and develop a new OIS that meets SSA's needs in the following ways: a) helps SSA meet its burden of proof and is forensically defensible, b) reflects all work nationally, and c) links residual functional capacity to the requirements of work. Disclose ongoing interactions with other governmental agencies as they relate to the development of an OIS.

## Purpose of Soliciting Feedback & Public Comment from Stakeholders

The User Needs and Relations (UN&R) Subcommittee was founded as one of the original subcommittees within the Occupational Information Development Advisory Panel. Since its inception, the Panel has acknowledged that an essential facet of creating an effective, valid, and legally defensible Occupational Information System is the input from all interested parties and the dissemination of information via transparent processes. As was stated in the original UN&R subcommittee report, “User input and communication is vital for SSA to develop a final product that meets its legal, programmatic, and technical requirements for valid and accurate data that are operationally usable.”<sup>1</sup>

Consistent with this belief, the Panel solicited public comment and feedback following the publication of its *Content Model and Classification Recommendations for the Social Security Administration Occupational Information System* report.<sup>2</sup> The purpose of the current document is to summarize the nature of public comment and feedback received in response to the *Recommendations*, to identify issues of special pertinence from these comments, and to provide specific suggestions to the Social Security Administration with regard to the comments and feedback collected.

## Solicitation of Public Comment and Feedback

### *Methodology*

In the normal course of its work to provide advice and recommendations to the SSA, the OIDAP has solicited ongoing comment and feedback from individuals and organizations related to the development of a new OIS designed for use in SSA’s disability programs. Acknowledging the value added by input from external entities, the OIDAP has welcomed, and continues to welcome, comments at any time. Opportunities for public comment were available during each of the three quarterly meetings during the nine-month public comment process and were publicized in the *Federal Register* announcement for those meetings. Presenters also announced opportunities to comment at each of a variety of conference presentations to an estimated cumulative audience of about 3,500 participants, in

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<sup>1</sup> User Needs and Relations Subcommittee Content Model and Classification Recommendations Report, pg F1. Retrieved from: <http://www.ssa.gov/oidap/Documents/AppendixF.pdf>

<sup>2</sup> This report and its associated appendices may be retrieved from: <http://www.ssa.gov/oidap/Documents/FinalReportRecommendations.pdf>

newsletter announcements, through the OIDAP's email contact list and website, and through a variety of stakeholder media, including listservs and blogs.

Members of the public have submitted feedback in various ways—by testimony provided in person (or by telephone), during scheduled public comment periods at the OIDAP's public quarterly meetings, or in writing. Commenters have also sent feedback directly to the OIDAP via its electronic email box and facsimile. We received no comments through surface mail, although that was an available venue.

The OIDAP has also actively solicited comments from the public on specific areas of its work. In September 2009, the OIDAP submitted its report to the Commissioner of Social Security entitled *Content Model and Classification Recommendations for the Social Security Administration Occupational Information System*. The report contained seven general recommendations specific to the needs of SSA in the development of the OIS. The OIDAP asked for comment and feedback from the stakeholder community by announcements during public meetings and included a reference to the open comment period during conference presentations. It also sent regular electronic notifications to email subscribers.

The OIDAP scheduled the initial comment period from November 19, 2009 through February 10, 2010. During that time, the OIDAP received numerous comments concerning the length and complexity of the recommendations report and citing the potential inability of some members of the public to provide feedback within the allotted time. In response to these concerns, the OIDAP extended the public comment period through May 21, 2010. The OIDAP also explored other outlets to obtain comments, such as the SSA Open Government portal, in an attempt to provide alternative methods and to ensure ease of comment submission, although that venue was unavailable at the time of the nine-month public comment period. In response to this effort, and as an avenue to cast the public comment request as broadly and completely as feasible, the SSA published a Request for Comment in the *Federal Register* on May 4, 2010, which included the option of posting comments to regulations.gov, a website that allows for posting and instant viewing of comments. This notice also announced the extension of the public comment period to June 30, 2010.

Although the official timeframe for public comment closed on June 30, 2010, stakeholders have consistently been encouraged to continue to provide the OIDAP with feedback and comment. This report summarizes comments received through all venues from the time of our vote on those recommendations on September 16-17, 2009 through June 30, 2010.

## *Respondents*

The OIDAP heard from individuals and organizations providing comment on areas of interest to their membership or constituency. Individuals providing comment included those currently using the *Dictionary of Occupational Titles* (DOT) and potential users of the new OIS such as disability examiners, vocational and rehabilitation experts, publishers of occupational data, researchers, and other professionals. Among the organizations providing comment were advocacy groups, professional membership organizations representing users or stakeholders, organizations representing people with disabilities, the social insurance industry (particularly disability insurance), a national group representing disability examiners in the State agencies that make disability adjudications for the SSA, a national group representing directors of the State agencies that make disability adjudications for the SSA, and individual State agencies that make disability adjudications for the SSA.

The OIDAP received responses from 50 individuals and 18 distinct organizations; in some instances, organizations provided feedback on more than one occasion. Given the multiple methods available for submitting public comment and feedback, a significant inconsistency arose: whereas some commenters utilized a response medium that provided the opportunity for them to give formal permission to make their comments public, others did not do so. SSA staff made efforts on three occasions to contact the latter of these individuals via email to obtain permission to associate their names with their comments. In order to respect the privacy of those who did not disclose their identities and at the same time to be transparent in the inclusion of public feedback and comments, Appendix B summarizes the comments received, but does *not* include identifying information for the commenting individual or organization or reflect the comments verbatim. Moreover, we have tried to present all commenters' feedback and suggestions accurately and completely; however, many comments addressed several aspects of the *Recommendations* report and appear broken down by theme.

### Content of Public Comment and Feedback

The *Content Model and Classification Recommendations for the Social Security Administration Occupational Information System* report provided to the SSA by the OIDAP was organized around seven general recommendations for consideration when developing a new OIS related to disability adjudication (see Appendix A for the Panel's original recommendations). As such, the following

summaries of comments and feedback are provided utilizing the same framework. It should be noted, however, that these are not distinct categories and that many comments are appropriately cross-referenced across multiple categories. Furthermore, each section below represents a summary of all comments related to each recommendation and focuses on reoccurring themes (see Appendix B for a full listing of comments). Note that this summary report is thematic in nature and does not address comments expressed by single individuals, groups, or stakeholders.

Many commenters supported the proposed recommendations and noted the provisions with which they agree. We appreciate those comments and have included them in the summary. Other comments addressed subjects that are not clearly related to the *Recommendations* or are not within the scope of the Panel's work, including policy-related or claim-specific comments. For example, some commenters made suggestions that involved their personal disability adjudication cases. In such instances, the feedback was forwarded to the appropriate personnel within SSA and is not considered here. Similarly, policy-related comments were forward to the appropriate agency component. For a list of comments as they relate to the *Recommendations*, please see Appendix B.

### Summary of Public Comment by OIDAP General Recommendations

This section summarizes the comments and feedback received by general recommendation.

#### *OIDAP Recommendation 1*

The first OIDAP general recommendation called for the development of a new OIS for the SSA's disability adjudicative needs specifically to support the individualized assessment of human function and the demands of work. At the most broad level, commenters fell into two distinct groups with regard to this: those who concurred with this assessment and those who suggested that the DOT should be updated or the O\*NET should be revised for this purpose. Support for the two positions was similar with regard to the number of organizations that advocated for each position; however, several individuals also expressed a desire to continue use of the DOT. Consistent with this, feedback from several sources called for efficient use of government resources and for cooperation between the SSA and the Department of Labor (DOL) in examining the feasibility of updating and/or modifying existing OISs. Several individuals also expressed concerns regarding the potential policy implications of the OIS.

Despite this difference of opinion at a macro level, there was significant agreement with regard to several of the secondary aspects of Recommendation 1. In particular, there were repeated calls for data that is: precise, accurate, reliable, valid, defensible, and characterized by a strong empirical/methodological underpinning. In addition, several commenters noted the need to use terminology that not only reflects the work as it is done, but that is also consistent with standard medical terminology.

Lastly, several commenters noted that a new OIS must reflect all jobs and their core work activities within the labor market and utilize a classification schema that allows for cross-walking to existing databases, such as the Standard Occupational Classification system.

### *OIDAP Recommendation 2*

The second general recommendation made by OIDAP dealt with the type of data elements that should be included in the new OIS; specifically, that they should be empirically derived and include physical and psychological abilities required to do work, work activities, and work context. Feedback related to this was universally supportive of the recommendation and largely focused on the specific types of data elements that should be retained or removed from existing OIS and new data elements that should be included.

With regard to what should be retained, several elements (or something comparable) of the current DOT were mentioned as desirable; these include Specific Vocational Preparation (SVP) ratings, tasks, data/people/things, aptitudes, GED definitions, and temperaments. Commenters did not consistently concur with the concepts of unskilled labor and several felt modifications are warranted in this area.

The importance of conducting transferability of skills analyses was mentioned by several commenters. Commenters raised concern regarding how a new OIS with new and/or differently defined data elements would address this. In addition, suggestions were made for inclusion of specific data elements associated with this (i.e. the physical and social environment in which work is performed, the work context (including the industry, work settings, tools, machines, technologies, raw materials, products, subject matter, processes, and service), education requirements, etc.)..

The vast majority of comments related to data elements and suggested improvements of the current system with regard to: 1) how to measure physical

activities; and, 2) the need for inclusion of cognitive activities. Commenters mentioned the need for well-defined, verifiable measures numerous times.

Multiple commenters identified issues with the measurement of physical attributes including the need for: repetition guidelines, unilateral/bilateral measures, and measurement of activities such as fingering, gripping, handling, levels of reaching, balancing, carrying, climbing, pushing, pulling, running, sitting, and sensory activities like hearing, smelling, and vision. In each instance, the feedback requested the inclusion of said elements with discrete, well-defined measures.

The need for inclusion of cognitive functioning was likewise addressed by numerous commenters and several recommendations for inclusion of specific data elements reoccurred. In particular, the need for information on the cognitive demands of work to conform to the language used by the Mental Residual Functional Capacity form and to utilize SSR 85-15 as the basis of mental requirements were cited by several commenters. Specific data elements that were repeatedly cited include: language and communication, memory acquisition, attention and distractibility/concentration, executive functioning (planning, prioritizing, organization, sequencing, initiation, and execution), processing speed, pace/persistence, interpersonal functioning, and stress tolerance. There was also some concern by several commenters that psychiatric disorders may not be appropriately addressed under self-management. Numerous commenters indicated that the use of any single psychological test (e.g., IQ test) to determine disability would be inappropriate.

Numerous contextual factors were identified by commenters; the most commonly cited include: heat, heights, hazards, lighting, and noise. Other factors of interest included job demands related to language requirements, education level, literacy, and licensure requirements.

In all instances, commenters felt that data elements needed to be understandable and amenable to use by the numerous stakeholders.

### *OIDAP Recommendation 3*

The third general recommendation of OIDAP focused on job classification schemas built around the use of a “common metric.” This recommendation was based upon the expectation that using a common language would facilitate the matching of people to available jobs within the economy in a way that is not currently viable.

The most frequently occurring feedback related to this recommendation dealt with the need for any job classification system to effectively crosswalk to existing classification systems, including the SOC, O\*NET, NAICS, etc. However, caution was also urged in choosing a level of aggregation; several individuals found fault with the aggregation found in existing systems such as the O\*NET. In addition, the issue of composite jobs was raised by constituents as an area relevant to data element and classification recommendations.

### *OIDAP Recommendation 4*

The fourth general recommendation focused on the needs of the SSA with regard to expertise required to develop and maintain a new OIS. Specifically, the Panel advocated that the SSA create an independent internal unit of research scientists and that the SSA develop ties to researchers and stakeholders via online communities.

With regard to this recommendation, the feedback received reinforces the Panel’s recommendation for SSA to ensure it develops necessary internal expertise. For example, commenters called for scientifically driven methodological underpinnings and rigorous standards for OIS development, none of which can be assured without the requisite internal scientific expertise. Commenters indicated that experienced professionals from the private sector and the use of current technology would also be valuable. In addition, commenters recommended external oversight of the project.

Although not directly related to this recommendation, commenters also took up the issue of the expertise required to collect data for a new OIS and repeatedly indicated the need for trained job analysts and a systematic process to assure job-related data stays current.

### *OIDAP Recommendations 5 and 6*

The fifth and sixth general recommendations put forth by OIDAP are tightly interwoven and focused on the importance of the SSA conducting basic and

applied research as part of the development of any new OIS. The OIDAP recognized that any new OIS would not only need to meet SSA's programmatic needs, but must also be able to withstand intense legal scrutiny; as such, research related to content and measurement was recommended.

Commenters strongly echoed the importance of research as a means of validating any new OIS content model as well as a means of determining the effect of a new OIS on current policies. For example, several commenters noted the need for comprehensive literature reviews as a starting point for any new content model. In addition, commenters called for the SSA to utilize a strong scientific model for their activities, one that includes "publishing error rates, interrater agreement levels, and a comprehensive multilevel, stratified sampling plan," and urged that a solid "methodology be clearly stated with appropriate reference citations." It was further suggested that the research pool be enlarged to encompass a wider community of users.

Although closely related to General Recommendation Two (Data Elements), there were also specific suggestions for research to be utilized in the process of developing new measures such as a decomposed measure of SVP, hard data regarding sit-stand options, and more refined measures of physical requirements.

General Recommendation Six was largely focused upon the importance of good data quality as established via psychometrics and the feedback received was highly supportive of this as an imperative of the process. Here again, comments focused on the importance of well-defined data elements, discrete and understandable scales/categories, decomposed ratings, better measures of frequency, duration, and intensity, and the updating of existing scales such as the currently used none/mild/marked/extreme found in the DOT.

Several commenters raised three issues of concern raised appropriate for mention here. The first relates to the earlier section on Data Elements. Numerous comments were raised regarding any intent to utilize a single measure of intelligence as a method of assessing disability. Concerns were also raised regarding the validity of such measures, the degree to which they are fakeable, and the degree to which this would stand up to legal challenge. The second concern relates to the issue of accommodations, which are considered specific to one-person/one-job and not appropriate in disability adjudication, and to job options such as alternating between sitting and standing, which may exist commonly in work. Lastly, there were many commenters who seemed to confuse OIDAP recommendations for person- and work-side instruments needed to

develop and collect data for the OIS with an assumption that these instruments were for measuring the psychological or physical function of an individual, not of work.

#### *OIDAP Recommendation 7*

The final recommendation put forth by OIDAP was in support of ongoing communication with the various stakeholders potentially impacted by a new OIS. The Panel felt it vital that the SSA seek input through numerous media outlets as a means of tapping expertise and ensuring a transparent process.

Obviously, given the number of distinct sources of feedback received, stakeholders have embraced this feedback process as an important aspect of crafting a new OIS. In particular, commenters noted that the SSA should be highly transparent and disclose the new database, its occupational definitions, and the prototyped and final instruments upon which it is based. There was also concern that an overall work plan and timeline had not been distributed to stakeholders. It was additionally recommended that prior to actually implementing any new system, the SSA should issue a Beneficiary/Applicant Impact Statement. This is consistent with the recommendation for communication with users and the recommendations for areas of applied research that identify impact and user analysis research as a means of identifying any effect on applicants and/or claimants.

#### *Other Comments*

Many comments received did not fit neatly into any of the categories associated with OIDAP's actual *Recommendations* report and are summarized here because they represent very important information that the UN&R believes should be considered by the SSA as the process moves forward. The OIDAP also received comments that suggested SSA adhere to the recommendations made by the NAS in their report entitled *Database for a Changing Economy, Review of the Occupational Information Network*. Those comments however were submitted before the release of the OIDAP Findings Report on the NAS review (visit <http://www.ssa.gov/oidap/> to view the complete report).

One area of concern raised by several commenters is that the process of developing a new OIS is outside the SSA's area of expertise. Similar comments focused on the importance of collaborating with other governmental agencies as part of the process and utilizing existing occupational information databases as resources, particularly the O\*NET.

Another area of concern is that of impropriety by the SSA in developing, collecting, and utilizing a new process without external oversight. It was noted that this may lead to the belief that the SSA is attempting to “control” the outcome of disability adjudications or to change existing definitions of disability in a manner that is disadvantageous to claimants.

Several commenters recognized that extensive training would be required for any individuals or groups interacting with the new OIS and advised integration of this into the master plan as an instrumental aspect of the new OIS.

Many other comments were related to the current process of disability adjudication and not relevant to either the OIAP’s scope or current activities. The general categories of those comments are listed below (see Appendix B to read specific comments).

- Claim development processes
- Changes to existing policy
- Data usage in the current evaluation process
- Consultative exams
- Residual functional capacity assessment
- Work history forms
- Software usage (current and potential future)
- Vocational Experts and their role

#### Summary of Public Comment and Feedback

Given the nature of the comments summarized above, the User Needs and Relations Subcommittee wishes to reemphasize the importance of the following issues to the Panel and the SSA. Where appropriate, the UN&R would like to suggest that the Panel transmit these as formal recommendations to the SSA.

*Science & Expertise (Expanded from General Recommendation Four in the September 2009 OIDAP report)*

- Expand efforts to establish an internal expertise unit necessary to assure that a strong research paradigm underlies the OIS development process. This should include a lead scientist and supporting staff that are well-versed in psychometric theory and work analysis. Identify internal staff with disability and program expertise to support this research unit.
- Until such time as an internal research unit is present, continue to work closely with the Panel, seeking its advice and recommendations on issues directly related to scientific practice.

*Transparency (Expanded from General Recommendation Seven in the September 2009 OIDAP report)*

- Continue efforts to involve stakeholders and the scientific community in the OIS development process. In particular, adopt a procedure that provides the public the opportunity to comment on any internally developed prototype content models or tools. These comments and recommendations will be a vital linkage between SSA's internal research unit and external stakeholders.
- Continue collaborative efforts with other governmental agencies with relation to learning from existing OISs and development of a new OIS that meets SSA's needs in the following ways: a) helps SSA meet its burden of proof and is forensically defensible, b) reflects all work nationally; and, c) links residual functional capacity to the requirements of work. Disclose ongoing interactions with other governmental agencies as they relate to the development of an OIS.

In addition to emphasizing the foregoing issues to the SSA, the UN&R Subcommittee wishes to recommend that the Panel adopt and incorporate in its Operating Procedures a strategy to solicit and obtain comment and feedback from the public on future recommendations reports. A copy of this recommendation is included as Appendix C.



## Appendix A

### The OIDAP General Recommendations

#### ***Recommendation 1: The need for a new OIS and on the technical, legal, and data requirements of such an OIS***

The creation of a new occupational information system is needed to replace the Dictionary of Occupational Titles for the Social Security Administration's (SSA's) disability adjudication system. The OIS must include: a) occupations aggregated at a level to support individualized disability assessment; b) a cross-walk to the Standard Occupational Classification; c) precise, occupationally specific data; d) core work activities; e) minimum levels of requirements needed to perform work; f) observable and deconstructed measures; g) a manageable number of data elements; h) sampling methodology capturing the full range of work; i) inter-rater agreement justifying data inference; j) data collection of high quality data; k) valid, accurate, and reproducible data; l) whether core work activities could be performed in alternative ways; and, m) terminology that is consistent with medical practice and human function. In order to create a new OIS with these requirements, the basic data elements that constitute the starting point for researching its framework, or the content model and classification systems, are outlined in depth by the Panel. These data elements are the center of the scope of this first set of recommendations from the Panel to SSA.

#### ***Recommendation 2: Data elements for a new OIS***

An initial empirically derived work taxonomy should serve as a stimulus to develop instruments to measure each dimension. Specific data elements for the development of the OIS include physical and psychological abilities required to do work; they also include work activities, context, and extra data elements for the content model. The scope of the recommendations from the Panel includes that of the occupational classification for the OIS. Beyond the technical, legal, and data requirements of the OIS as identified in the first general recommendation, the Panel further sets out another recommendation for the classification of the system.

### ***Recommendation 3: Classification of the OIS***

Once a large database representative of all work in the national economy is available, SSA should examine various job classification methods based on the common metric.

### ***Recommendation 4: Creation of internal and external expertise for the creation and maintenance of the OIS***

Development of an independent internal unit at SSA staffed with experts addressing the work analysis and person-side development and research needs for the creation and maintenance of the OIS. Concurrent development and maintenance of online communities of researchers and other professionals to inform the unit's emerging and ongoing ideas, research, and methods.

### ***Recommendation 5: Basic & Applied Research***

Research to develop and pilot work-side instruments and prototypes, perform a usability analysis, and create a sampling plan. Exploratory, validation, and reliability research on the quantitative link between person and job-side mental/cognitive, physical, or environmental attributes and demands of jobs. Studies that focus on the consideration of the data collected vis-à-vis a work experience analysis. Research on best methods and standards for measurement and scaling of person-side variables. Applied research should focus on the user needs and comparative effects of new instruments on SSA's disability process and programs. Research should consider the inclusion of additional person- and job-side data elements that could foment independent research.

### ***Recommendation 6: Measurement Considerations***

Identify, refine, or create scales for person- and job-side dimensions, categories, and ratings that are discrete and consider frequency, duration, or other needs. Person-side measurements should be based on functional levels. These scales should have sufficient specificity to measure person-side constructs. Use decomposed ratings of work to prevent holistic ratings of abstract characteristics.

### ***Recommendation 7: Communication with users, the public, and the scientific community***

Explore, develop, host, and monitor the creation and use of various forms of traditional and emerging government and private media to inform or solicit input from various audiences about SSA and Panel activities regarding the development of the OIS.

## Appendix B

### Comments & Feedback Received Regarding

#### *OIDAP Recommendation 1*

- Occupationally specific data that are precise (i.e., they capture homogeneous ratings of work demands and worker traits) and that can be aggregated into clusters of similar work activities (i.e., occupational titles).
- Terminology that is consistent with standard medical practice and human function.
- Data should be specific and defined in terms of functional limitations.
- Core tasks or work activities of the occupation.
- Use of existing language that is widely accepted is important and preferable to inventing new terminology. Existing language should be pulled from the ICF, the DOT, and O\*NET.
- Data collection methods that produce high quality data.
- Occupational data that is empirically established as valid, accurate, and reproducible
- Whether or how occupations allow workers to perform core work activities in alternative ways (e.g., sit-stand option).
- Terminology that is consistent with standard medical practice and human function.
- SSA needs to create a new occupational information system to replace the DOT in SSA's disability adjudication process.
- The DOT needs to be updated and not replaced (eliminate obsolete occupations, add new occupations, and make names and descriptions more accurate and relevant).
- There must be a strong methodological underpinning to the development of additional definitions.
- A revised DOT must include a standard such as that used in the RHAJ in order to mitigate against opinion evidence that is not based on an acceptable source and standard.
- Create a companion to the new OIS that provides a methodology that demonstrates the impact of reduced physical abilities on an individual's ability to sustain gainful activities.
- A methodology or replicable evaluative tool should be developed whereby severe limitation in more than one physical demand would be disabling, as would the combination of severe limitations in one essential function and two or more minor functions.
- The interplay between an individual's functional limitations in light of his/her age, education, and work experience must be included.

- As required by the Act, only those jobs existing in “significant” numbers that a claimant is able to perform in light of his/her age, education, work experience, and residual functional capacity should be identified.
- Any changes in the framework for analyzing medical-vocational factors must ensure that individuals who meet the statutory definition of disability are found eligible for benefits. The process cannot be subject to eligibility criteria that could be susceptible to political pressures to exclude eligible applicants.
- Make the new OIS user-friendly.
- The DOT is no longer accurate: job descriptions are no longer accurate, some DOT jobs are now obsolete, and many jobs are missing, especially in the fields of computer technology, administration, programming, web design, database management, data entry, computer chip manufacturing, communications, medicine, automotive manufacturing and services, “green” businesses, trucking (where technology has made operation less exertional), retail store greeters, etc.
- Development of improved definition and indicators for attributes and scales for each.
- Identification of an agreed-upon job analysis format that is standardized, reliable, and valid.
- Reevaluation and redefinition of worker characteristics, for example, what constitutes a "physical demand."
- Support updating and further refining the DOT with input from all qualified sources.
- Maintain rigorous standards in criteria evaluation, field study, data collection and coordination with other federal entities such as the DOL who have primary responsibility for occupational research and reporting.
- Need to include all jobs in the US labor market.
- In determining a replacement for the DOT, the disability process should remain the same.
- Create an interagency task force with DOL to study the viability of potential modifications of O\*NET to accommodate the needs of SSA with regard to disability determination (NAS report recommendation).
- Recommendations are too expensive to implement.
- Consider the legal standard applied to all research, expert testimony and the usage of certain clinical tools for assessment (*Daubert* standard).
- Consider alternatives, such as an interagency agreement with the US Employment Service or other government agency that has administered such an effort (creating a new OIS).
- Recommendations should include a time-line, cost estimate, and sequential plan of activity.
- The new OIS should meet not only the demands of SSA but also other users, such as state/federal VR system, private vocational rehabilitation, employment services, transferable skills analysis software developers and litigation and forensic vocational assessments.

- Avoid the aggregation of jobs or the "job family" approach. The taxonomy utilizing the DOT/SCO should continue, utilizing individual occupations.
- Intrinsic to the report is an unfounded belief that "occupations" exist that could be used to compartmentalize jobs into groups for the application of a common metric.
- The Recommendations are idealistic and do not provide alternatives if it is not possible to develop valid measurement properties that have usability and *Daubert* reliability.
- The recommendations do not show that the proposed project will provide reliable data, suitable for federal court litigation that will withstand a *Daubert* challenge.
- The Panel's approach appears to assume that there is no such thing as unskilled work, so that any claimant with work experience can be assumed to have some set of skills that may be transferable to other work.
- New technology and the importance of innovation have a profound impact on how work is completed (i.e. the essential duties of a job).
- We are pleased with many of the design and content aspects of the system currently being researched and considered by the OIDAP and SSA.
- Some occupations continue to be performed as outlined in the DOT. Please take this into consideration.
- Individuals within the state employment departments who are responsible for categorizing wage and employment data into SOC occupational groupings should have the vocational occupational expertise needed to ensure that the data collected from employers is valid.
- Given that the general framework works, it would be inappropriate to jettison the entirety of the current process if there are only specific parts of it that need to be changed.
- It is reasonable to consider whether O\*NET can be modified or parts of it used to meet SSA's needs.
- If we are to consider all of the physical and sensory/motor abilities suggested by the panel, we are concerned that adjudication may become very cumbersome.
- It is difficult to understand that the effort and resources required to modify appropriate/relevant parts of O\*NET system for SSA disability determination would exceed the efforts and resources required to begin from the scratch the development of an entirely new OIS.

### ***OIDAP Recommendation 2***

- Manageable number of data elements or constructs critical to disability adjudication.
- Use work activities as an observable and measurable proxy for "skill" for data collection and development.

- Develop work context factors for the OIS (e.g., industry, work settings, tools, machines, technologies, raw materials, products, subject matter, processes, service, etc.).
- Each data element should be clearly defined.
- The overall strength physical classification system is overly broad in grouping strength and positional tolerances.
- Appropriate job-person alignments can occur if data collected about job demands can be linked to data collected from client performance skill evaluations.
- The person must possess the required skills and abilities to perform the essential functions in his or her job area based on the work contexts.
- The level of specificity needed for job-side and person-side element is moderate to low.
- Cross matching existing resources, such as O\*NET and the ICF would provide unity and reduce duplication of existing material. For example, using O\*NET's behavior anchor scales and the ICF functions and activities measures together would unify the two systems to provide the degree of specificity needed for SSA.
- Where applicable, rating scales used above [O\*NET, ICF] to describe job requirements can mirror existing scales derived through standardized testing.
- With the Custom Report area of the O\*NET now available, the level of performance for relevant activities, skills, abilities, and activities is presented, and detailed levels of performance for these areas are available using the 7-point behavior-anchored scales. These provide us with the level of demand of the job, similar to the previously used 'Classification of Jobs' handbook.
- Multiple factors, such as the context in which the occupation is performed, the specific demands of the activity being attempted, and the client's body functions and structures, affect the client's ability to acquire or demonstrate performance skills. Performance skills are closely linked and are used in combination with one another to allow the client to perform an occupation. A change in one performance skill can affect other performance skills as can change of context.
- Objective job requirements are essential to allow end-users of the process to proficiently determine disability, and should be developed as part of this process. The Psychiatric Review Technique Form (PRTF) currently in use by the SSA is a good starting point for such quantification.
- The occupational demands should not only consider SVP, Strength, and the other exertional and non-exertional demands found within the SCO, but should also take into account functional limitations that are commonly discussed during the hearing process.
- Ensure that job tasks are consistent with required exertional levels.
- More definitive coding of non-exertional factors would be beneficial in any future occupational information system, especially when analyzing job performance by impaired individuals.
- We need to know how long it takes to learn the job.
- Define "lead worker" and differentiate this from "management" or "supervisor."

- Consistently structured job descriptions listing duties, work processes, tools/machines used, and required skills.
- Functional requirements for each job should correspond to physical and mental RFC assessment categories and measures.
- Links to jobs with similar duties, tools/machines, skill sets, and industry for accurate, consistent transferability assessments. Where transferability of skills among a subset of jobs has been established, these lists should be readily available to all adjudicators, and their application should be official SSA policy for all adjudicative levels.
- Descriptions of functional limitations, which are readily definable, i.e. mild, moderate, severe, sit/stand options.
- Descriptions of jobs, which contain a well-defined job definition, including essential functions.
- Descriptions of jobs, which contain exertional (physical), and non-exertional (temperaments) requirements of that job.
- Descriptions of knowledge from past relevant work.
- Consider exertional requirements of jobs that may require a combination of jobs.
- There are many factors to consider for each individual claimant in determining whether he/she can perform work, including mental demands and non-exertional limitations. These factors should continue to be considered in the disability process and cannot be determined by a bright-line rule.
- Need to consider that many jobs now combine tasks that were once done by separate workers.
- SVP should be tied to the level of education/training achieved.
- SVP should be tied to the average length of time to learn the job.
- SVP should be tied to the average time to gain acceptable job performance.
- A more clear description of the job-worker traits will provide all parties with a more objective methodology to determine an individual's capacity to make adjustment to work.
- Holland interest coding should be captured.
- Will the large number of recommended data elements be operationally usable for adjudicators? There are more categories recommended than currently in use (e.g., the term "balancing" includes balancing on level surfaces, uneven surfaces, ladders, beams, and scaffolding. Will this new system user-friendly to adjudicators and increase consistency and accuracy?
- We agree with the need for operational definitions, but suggest that they need to be in terms that can be easily understood by employers and others.
- As data elements of the jobs are being collected, we will need a common metric to link these elements to the "person side." Adjudicators must be able obtain the necessary information from the evidence of record to tie the person side of the equation to the job side.
- The vocational factors identified in the Act--age, education, work experience and RFC--and the interplay between the factors must be included in any new or revised OIS used by SSA.

- Do not rely on incumbent self-reporting to determine the job description.
- Proposed content model is incomplete due to lack of consideration of age.
- Proposed content model complicates the disability process for adjudicators.
- Proposed content model does not address the fundamental issue of accuracy of SSA's current method for determining disability.
- Flesh out the new content model with easily understood examples of observable and common criteria.
- Concerned that SSA doesn't have a complete understanding of the O\*NET content model descriptors.

### **DOT Elements**

- Retain the DOT's current coding system.
- Retain the DOT's data, people, things.
- Consider using the data, people, things taxonomy in a new coding structure. Modernize the definition. No hierarchy.
- Retain the DOT's industry designation.
- Retain the DOT's task statements.
- Retain the DOT's alternative titles.
- Retain the DOT's many items.
- Retain the DOT's physical strength requirement.
- Retain SVP.
- SVP should remain as an elapsed time variable, and/or replaced, perhaps with the 11-level representation DOL introduced.
- Keep the general concept of SVP, but consider revision/refinement of it, such as trying the Classification of Instructional Programs.
- Retain the DOT's component of work fields.
- Work fields should be updated, improved and made more comprehensive and accurate.
- Retain combination work fields from the RHAJ.
- Retain the DOT's component of MPSMS.
- MPSMS should either be improved or replaced by Industry.
- Adjust MPSMS as needed or consider morphing it into NAICS or UNSPC.
- Preserve the semantic structure of the DOT definition: lead statement first followed by essential function, gerund, then object.
- List essential function and job duties first, perhaps labeling them.
- Retain worker traits and worker functions.
- Aptitudes
- Retain the current DOT Aptitude of general learning ability.
- Retain the current DOT Aptitude of verbal aptitude.
- Retain the current DOT Aptitude of numerical aptitude.
- Retain the current DOT Aptitude of spatial aptitude.
- Retain the current DOT Aptitude of form perception.
- Retain the current DOT Aptitude of clerical perception.

- Retain the current DOT Aptitude of motor coordination.
- Retain the current DOT Aptitude of finger dexterity.
- Retain the current DOT Aptitude of manual dexterity.
- Retain the current DOT Aptitude of eye-hand-foot coordination.
- Retain the current DOT Aptitude of color discrimination.
- Scales need to be fully reviewed, additional indicators considered for application, multiple indicator use to provide fuller range of conceptual and practical areas covered by each attribute.
- GED definitions.
- Retain current DOT GED definitions of reasoning.
- Retain current DOT GED definitions of math.
- Retain current DOT GED definitions of language.
- Add a special dimension to reflect computer literacy skills. This should range from simple to complex.
- Interests
- Retain the current DOT Interest of artistic.
- Retain the current DOT Interest of scientific.
- Retain the current DOT Interest of protective.
- Retain the current DOT Interest of mechanical.
- Retain the current DOT Interest of industrial.
- Retain the current DOT Interest of business detail.
- Retain the current DOT Interest of selling.
- Retain the current DOT Interest of accommodating.
- Retain the current DOT Interest of humanitarian.
- Retain the current DOT Interest of leading/influencing.
- Retain the current DOT Interest of physical performing.
- Temperaments.
- Refine, enrich, expand temperaments.
- Retain the current DOT temperaments of directing, controlling, planning.
- Retain the current DOT temperaments of performing repetitive tasks.
- Retain the current DOT temperaments of influencing people.
- Retain the current DOT temperaments of performing a variety of duties.
- Retain the current DOT temperaments of expressing personal feelings.
- Retain the current DOT temperaments of working alone.
- Retain the current DOT temperaments of performing under stress.
- Retain the current DOT temperaments of attaining tolerances.
- Retain the current DOT temperaments of working under specific instruction.
- Retain the current DOT temperaments of dealing with people.
- Retain the current DOT temperaments of making judgments and decisions.
- Provide better definitions of data elements and ratings.

## **Skills**

- Retain SSA's definition of skill.

- A revised OIS must recognize the existence of unskilled work.
- Descriptions of requisite skills and/or generic skill levels.
- We need better information about skills, intellectual skills, and skills within industries.
- Addition of "basic" skills, including keyboarding and technology use.
- The DOT does not consider the skills that were required for certain jobs have changed over time.
- Need skills that transfer to other occupations.
- Change "unskilled" work to "low-skilled" work to acknowledge the fact that SVP 1 or SVP 2 jobs involve some degree of minimal skill to perform the work successfully.
- Establish that SVP and work skill can be achieved through formal training and education as well as via informal means.
- Capture information about more broad skill sets of self-employed persons.
- SVP
- We are confused about the concept of combining work activities with other work elements that might rise to the level of a skill. If skill is on a continuum and all occupations require at least a low-level of skill, we are uncertain what this means.
- Length of viability of skills would be quite variable among occupations and quite challenging to determine.
- Describing any learned behavior as a skill is problematic.
- Too many definitions of the word "skill". It will be important to arrive at one definition that can be adopted by SSA and users.

## **Mental/cognitive data elements**

### **General comments**

- Add mental requirements of occupations.
- Areas of ability and limitation are actually worked out well by the SSA, especially in the POMS.
- Retain policy guidance from SSR 85-15 regarding the basic mental demands of work (i.e. the ability (on a sustained basis) to understand, carry out, and remember simple instructions; to respond appropriately to supervision, coworkers, and usual work situations; and to deal with changes in a routine work setting).
- Use the guidance from SSR 85-15 regarding stress.
- Mental demands: the DOT/SCO's Data/People/Things and Reasoning/Mathematical/Language coding gives some information, but does not correlate with the specific MRFC limitations. Need to specify requirements in line with the mental RFC categories and measures, including the basic mental demands of unskilled work.
- Clearly define low-stress jobs.
- Do not rely on neuropsychiatric testing.

- It seems unnecessarily expensive and overly ambitious to undertake the research and development needed to create new proprietary psychological test instruments for the purpose of creating mental/cognitive demands.
- While the Panel discusses other possibilities, the fact that it repeatedly returns to the idea of testing for "g" suggests that its agenda is to create a "one size fits all" test instrument that can be used to categorize all mental/cognitive demands of jobs.
- There is an overwhelming emphasis in the Panel's approach on psychological testing ("deficit measurement") to the detriment, if not exclusion, of the statutory command to consider signs, symptoms and laboratory findings ("pattern analysis") in the Panel's approach.
- The unspoken, but logical, conclusion of this enterprise would appear to be a new form of the "grids" which is not limited to exertional levels of work, but which also incorporates the newly measured mental/cognitive demands of work. The asserted imperative to "reduce the level of adjudicative and clinical judgment" needed to adjudicate cases suggests such a goal, which may have superficial appeal as a matter of administrative convenience, but is antithetical to fair and reasonable outcomes for claimants.
- We are left with grave concerns about the effects of these proposals on claimants and their statutory right to a fair and individualized adjudication of their claims under the statutory definition of disability.
- We are unclear as to the Panel's view of the interplay between any of these new test scores and the current disability determination process mandated by statute, regulations, and case law, which evaluates such factors as the weight to be accorded the supported opinion of a treating physician, lay witness testimony, and credibility findings as to pain, stress, fatigue, etc., caused in some cases by the impairment and in some cases by the medication prescribed to treat the impairments.
- The proposed new approach recommended by the mental cognitive subcommittee would shortcut the disability adjudication process and eliminate any meaningful individualized assessment of a claimant's impairments.
- Concern about the committee's recommendation to create as a standard the test scores of successful job applicants to use as a comparison measure with claimant scores. It expresses intent to include all the workers of the universe of successful workers that are working with accommodations.

### **Specific mental/cognitive data elements**

- List of unskilled jobs at each exertional level that require no more than the basic mental/cognitive demands of competitive work and that currently exist in significant numbers in the national economy for adjudicative reference in determining jobs to cite in "other work" denials in which skill transferability does not exist or is not material to the decision.
- Group psychological abilities under neurocognitive functioning.
- General cognitive ability (how well a person can reason, solves problems, and meets cognitive demands of varied complexity).

- Levels can be kept general with ratings of low, medium and high.
- 1-2 step direction(s)
- We would like to see judgment and decision making included
- Language and communication (how well a person can understand spoken or written language, communicate his or her thoughts, and follow directions)
- Oral comprehension.
- Oral expression.
- Written comprehension.
- Written expression.
- Expectations of others in the group (e.g., use of language, level of interaction, sharing of information or resources).
- Memory acquisition (how well a person can learn and remember new information, such as a list of words, instructions, or procedures).
- Attention and distractibility (how well a person can sustain the focus of attention in a work environment with ordinary distractions).
- Divided attention.
- Concentration
- How complex is the task?
- Intensity of concentration.
- The idea that attention should be set apart from possibly the neurocognitive grouping and achieve primary importance on its own because it really is involved in every single daily activity that we have to take on.
- Ability to concentrate and attend to tasks and then be able to sustain that attention and then shift that attention.
- Executive functioning (how well a person can plan, prioritize, organize, sequence, initiate, and execute multi-step procedures).
- Complex problem solving.
- Judgment
- Ability to supervise. Details about tasks (type and frequency) that the person can manage.
- Perceptual abilities.
- Sequencing or time organization (e.g., whether the job has task or deadline flexibility).
- Analytical ability.
- Organizing activities within the time required to meet a deadline.
- Prioritizing steps and identifying solutions.
- Selecting tools and supplies needed to clean the work area.
- Creating alternate solutions to a given problem.
- Actions or behaviors used to plan or manage the performance of an activity.
- Processing speed (how quickly a person can respond to questions and process information).
- Group psychological abilities under Initiative and Persistence.
- Attendance/punctuality (how consistently a person can leave his/her residence and maintain regular attendance and punctuality).

- There are several concepts that are worded poorly or appear problematic. The concept of attendance/punctuality gives as an example “leaving the residence/home.” The use of this example detracts away from more likely reasons for attendance or punctuality problems such as transportation, childcare, pain, etc. “Leaving the residence” is perhaps more related to psychiatric disorder.
- Initiative (whether a person can start and perform tasks once they are explained without an unusual level of supervision).
- Pace/persistence (whether a person can continue performing understood tasks at an acceptable pace for a normal workweek without excessive breaks).
- Intensity of persistence/pace (e.g., production, speed, and timeliness expectations).
- Productivity factors.
- Production rate required.
- Work at own pace.
- Group psychological abilities under Interpersonal Functioning.
- Cooperation (i.e. the extent to which a person’s interactions with others are free of irritability, argumentativeness, sensitivity, or suspiciousness).
- What is the method of interaction? For example, is interaction superficial, in-depth, or adversarial?
- Interaction with other workers.
- Interaction with supervisor.
- Capture a measure of supervision.
- Interpersonal interactions.
- Social participation expectations.
- Level of supervision available (should be considered for its effect on cognitive, social and potentially other areas related to job demands).
- Clearly define minimal interaction with co-workers or supervisors.
- Response to criticism (how well a person responds to criticism, instruction, and challenges).
- Criticism is a very subjective concept and as a variable difficult to measure.
- Social cognition (whether a person can navigate social interactions well enough to respond appropriately to social cues, state his or her point of view, and ask for help when needed).
- Under the section of neurocognitive functioning in the Mental RFC Assessment, should not elevate general cognitive ability as the sole determining factor of disability.
- A 12-minute test of general cognitive ability is not the standard for disability adjudication; it has limits in its use in older individuals, women, and minorities.
- The use of a simple test such as the Wonderlic test to determine disability raises a number of questions.
- Degree of stress in work.
- Social standards or rules associated with performance and work culture.

- I would also like to express a concern about how we define job stressors since, obviously, what is stressful to one individual is not necessarily so for another.
- Types of job stressors need to be broken out and categorized.
- New DOT should specify stress levels of each job performed under ordinary circumstances.
- Group psychological abilities under Self-Management.
- The self-management variables appear difficult to measure in a job analysis process. These may be better placed on the RFC but not on a job analysis form.
- Personal hygiene (how well a person maintains an acceptable level of personal cleanliness and socially appropriate attire).
- Symptom control (how well a person inhibits disturbing behaviors, such as loud speech, mood swings, or responding to hallucinations).
- Simple vs. Complex / Skilled vs. Unskilled.
- Emotional regulation skills (actions or behaviors a client uses to identify, manage, and express feelings while engaging in activities or interacting with others).
- In reading some of the materials in the Mental/Cognitive Subcommittee's work, I noticed that there were some comments that came in from the roundtable on the Mental RFC, and I urge caution against some of the sweeping generalizations that were made.
- Assessment of the mental/cognitive limitations of an individual claimant requires an individualized assessment.
- Self-Monitoring (how well a person can distinguish between acceptable and unacceptable work performance).
- Persisting in a task despite frustrations.
- Concern with G existing as the predictor of performance.
- Controlling anger toward others and reducing aggressive acts.
- Recovering from a hurt or disappointment without lashing out at others.
- Displaying the emotions that are appropriate for the situation.
- Utilizing relaxation and adaptation strategies to cope with stressful events.
- Communication and social skills (actions or behaviors a person uses to communicate and interact with others in an interactive environment).
- Looking where someone else is pointing or gazing.
- Gesturing to emphasize intentions.
- Maintaining acceptable physical space during conversations.
- Initiating and answering questions with relevant information.
- How complex is the task.
- Review types of mental health concerns that cause long-term and perhaps permanent mental and functional impairment.
- Multi-tasking
- Taking turns during an interchange with another person verbally and physically.
- Motor and praxis skills.

- Define motor as actions or behaviors a client uses to move and physically interact with tasks, objects, contexts, and environments. Includes planning, sequencing, and executing new and novel movements. Define praxis as skilled purposeful movements. Ability to carry out sequential motor acts as part of an overall plan rather than individual acts. Ability to carry out learned motor activity, including following through on a verbal command, visual-spatial construction, ocular and oral-motor skills, imitation of a person or an object, and sequencing actions. Organization of temporal sequences of actions within the spatial context, which form meaningful occupations. For example: lifting a box of materials; bending and reaching for a piece of equipment; pacing tempo of movements to clean the room; coordinating body movements to complete a job task; maintaining balance while walking on an uneven surface; anticipating or adjusting posture and body position in response to environmental circumstances, such as obstacles; and manipulating keys or lock to open the door.

### **Physical data elements**

#### **General comments**

- Need repetition guidelines.
- Specify use of major joints for repetitive motion.
- Modify the DOT frequency rating scale for physical demands to specify repetition ranges in addition to percentage of time (e.g., 1-12 reps per hour for occasionally, 13-30 reps per hour for frequently, 31-60 reps per hour for continuously).
- Expand physical demand ratings, such as sitting, standing, walking, reaching, vehicle operation, lifting, carrying, pushing, pulling, use of controls, bilateral or unilateral upper extremity use, and exposure to chemical agents, biological hazards, latex, animals, potential food allergens, or photic triggers.
- Group worker-job match factors by the type of rating scale, such as materials handling factors, work tolerances, physical aptitudes and sensory aptitudes.
- Do not use FCE.
- Manipulation
- Bilateral vs. unilateral.
- Repetitive movement.
- Consider capturing discrete physical demand and environmental data at the task level.
- Quantify what is meant by "forceful" when specifying forceful pinching or gripping. Not only is it necessary to know whether the reaching, gripping, fingering, handling, etc. is unilateral or bilateral, it is also necessary to know if it is done occasionally, frequently, constantly, or not at all, and these need to be defined as well.
- Exertional
- Need to review the NIOSH lift equation.

- Separate out functions that are now combined in the exertional levels (sedentary, light, medium, etc). Separate ratings for walking, standing, sitting, lifting, carrying, pushing, pulling, etc.

### **Specific physical data elements**

- Manipulation
- Fingering
  - Need information on what's being picked up. For example, a coin or button.
  - Finger dexterity (ability to move the fingers and manipulate small objects with the fingers rapidly or accurately)?
  - Measure by attitude/skill?
  - Make a distinction between fingering and fine fingering?
  - Gripping (simple, forceful).
  - Define as grasping an unsupported object(s) weighing 10 or more pounds per hand or gripping with a force of 10 or more pounds per hand.
  - Measure by frequency.
  - Hand, dexterity, and coordination demands.
  - The Classification of Jobs (COJ) rating scales for dexterity (1 being high-level skill and 5 being low-level skill) can be used.
  - Dexterity (hand, dexterity and coordination demands).
  - Manual dexterity (ability to quickly move the hands easily and skillfully to perform gross grasping, placing and turning motions--includes handwriting).
- Handling
  - Does the individual need to grasp small, medium, or large objects?
  - Measure by aptitude/skill.
- Handwriting
  - Combine with manual dexterity.
  - Measure by frequency.
- One-hand work (ability to perform work activities that can be done with only one hand).
- Pinching (simple, forceful).
  - Define as squeezing unsupported object(s) between the thumb and one or more fingers that weight 2 or more lbs per hand or pinching with a force of 4 or more lbs per hand.
  - Measure by frequency.
- Reaching (various levels).
  - Reaching should be coded more definitively by direction and level into below-shoulder level, at shoulder level, above-shoulder level, and overhead level.
  - Need to describe if the individual is holding something while reaching. If yes, what is the weight of the object?
  - Forward reaching (reaching forward with one or both hands below shoulder level with the shoulder angle must be 45 degrees or more from the body).
  - High reaching (reaching with either hand from shoulder level to overhead).
  - Measure by frequency.

- Twisting wrist repetitively.
- Measure as frequency.
- Using keyboard, mouse, touchpad or other manual input devices.
- Keyboarding speed (ability to move the fingers rapidly and accurately during keyboarding tasks).
- Measure as aptitude/skill.
- Keyboarding would be fingering.
- Exertional
- Balancing
- Specify the surface—narrow, moving (serving food on airplane), uneven, smooth, etc.
- Eliminate balancing.
- Measure by aptitude/skill.
- Bending from a sitting position.
- Eliminate bending from a sitting position.
- Measure by frequency.
- Cardiovascular demands.
- The level of required cardiovascular endurance differs widely among jobs and can be separate from the description of physical demands currently offered by the DOT.
- A simple rating scale can be used to identify areas of higher cardiovascular requirements. Jobs may be classified as having low, medium or high cardiovascular demands or can be reported as variable based on work contexts in a given profession.
- Carrying
- Let carrying be measured on the scale V, H, M, L, and S.
- Define as transporting an object over a distance through walking, usually holding the load in the hands or arms.
- Measure by strength.
- Climbing (increased specificity).
- Need more detailed information such as a breakout of the various kinds of climbing (e.g., stairs, ladders, ropes, scaffolding, ramps, etc.).
- Define as ascending or descending ladders, stairs, scaffolding, ramps, poles, and the like using feet and legs or hands and arms. Body agility is emphasized.
- Measure by aptitude/skill.
- Crawling
- Measure by frequency.
- Define as moving about on hands and knees, hands and feet or on the abdomen.
- Crouching
- Combine under Low Work Postures.
- Measure by frequency.
- Dizziness

- Forward bending (bending the body downward and forward from a standing position by bending the spine at the hips/waist--the hips must be flexed more than 20 degrees and the knees are kept relatively straight (flexed no more than 25 degrees)).
- Kneeling
- Combine with low work postures.
- Measure by frequency.
- Lifting
- It is worth considering breaking down lifting into floor to waist, waist to shoulder, and shoulder to overhead in a later phase. If not, lifting should be understood to at least include floor to waist and waist to shoulder?
- Replace the term "lift/lifting" with "carry/carrying" in the DOT definitions.
- Low lifting (raising or lowering an object using one or both hands below knee level).
- Knee lifting (raising or lowering an object using one or both hands from knee to waist level).
- Midrange Lifting (raising or lowering an object using one or both hands from waist to below-shoulder level).
- High Lifting (raising or lowering an object using one or both hands at shoulder level or above).
- Measure by strength.
- Low Work Posture (bending at the trunk and knees to work with the hands below knee level from a kneeling, crouching, squatting or sitting posture).
- Motor and praxis skills.
- Define motor as actions or behaviors a client uses to move and physically interact with tasks, objects, contexts, and environments. Includes planning, sequencing, and executing new and novel movements. Define praxis as skilled purposeful movements. Ability to carry out sequential motor acts as part of an overall plan rather than individual acts. Ability to carry out learned motor activity, including following through on a verbal command, visual-spatial construction, ocular and oral-motor skills, imitation of a person or an object, and sequencing actions. Organization of temporal sequences of actions within the spatial context, which form meaningful occupations. For example: lifting a box of materials; bending and reaching for a piece of equipment; pacing tempo of movements to clean the room; coordinating body movements to complete a job task; maintaining balance while walking on an uneven surface; anticipating or adjusting posture and body position in response to environmental circumstances, such as obstacles; and manipulating keys or lock to open the door.
- Operating foot/hand controls.
- Define as ability to perform work activities that require operation of controls using one or both feet.
- Measure by frequency.
- Pulling

- Measure pushing and pulling using the DOT frequency ratings of N, R, O, F, and C.
- Define as exerting force upon an object so that the object moves toward the force.
- Measure by strength.
- Pushing
- Measure pushing and pulling using the DOT frequency ratings of N, R, O, F, and C.
- Define as exerting force upon an object so that the object moves away from the force.
- Measure by strength.
- Rotating/twisting the neck.
- Flexion, extension, twisting/turning head, length of time in each position, static neck position.
- Head turning (rotating the head 45 or more degrees in either direction).
- Measure by frequency.
- Consider repetitive movements or static positioning of the neck and back.
- Running
- Combine with walking.
- Measure as aptitude/skill.
- Semi-Sedentary.
- 50% sitting and 50% standing or walking.
- Shuffle
- Sitting
- Let sitting, standing and walking each be measured like posture and manipulation (stoop, squat, handle, etc.) are measured currently in the DOT, using the frequency of job demand components N (never), O (occasionally), F (frequently) and C (constantly), but add R (rarely) between N and O.
- Sitting work tolerance (rated using frequency scale).
- Define as remaining in a seated position.
- Measure as frequency.
- Squatting
- Standing
- Let sitting, standing and walking each be measured like posture and manipulation (stoop, squat, handle, etc.) are measured currently in the DOT, using the frequency of job demand components N (never), O (occasionally), F (frequently) and C (constantly), but add R (rarely) between N and O.
- Standing work tolerance (rated using frequency scale).
- Define as remaining on one's feet in an upright position.
- Measure as frequency.
- Stooping/forward bending
- Measure as frequency.
- Trunk rotation/twisting.
- Walking

- Let sitting, standing and walking each be measured like posture and manipulation (stoop, squat, handle, etc.) are measured currently in the DOT, using the frequency of job demand components N (never), O (occasionally), F (frequently) and C (constantly), but add R (rarely) between N and O.
- Ambulation agility (ability to quickly move about on foot for short periods of time while walking, jogging or running).
- Ambulation stamina (ability to move about on foot for long periods of time while walking, jogging or running).
- Measure as aptitude/skill.
- Eliminate as a strength factor.
- Sensory/Motor
- Better correlation between vision and environmental factors.
- Feeling
- Measure as frequency.
- Hearing
- Hearing sensitivity (telephone, acute fine detail, near or far distance).
- Define as ability to detect or tell differences between sounds that vary in pitch and loudness.
- Measure as aptitude/skill.
- Smelling
- Measure as frequency.
- Specialty sensory or perceptual skill demands.
- Actions or behaviors required to locate, identify, and respond to sensations and to select, interpret, associate, organize, and remember sensory events based on discriminating experiences through a variety of sensations that include visual, auditory, proprioceptive, tactile, olfactory, gustatory, and vestibular.
- Touch sensation needed for mechanics working in areas where they cannot see their hands (stereognosis).
- High visual acuity for airplane pilots.
- Positioning the body in the exact location for a safe jump in a firefighting drill.
- Hearing and locating the sound of equipment alarms.
- Locating the right screw in the underbelly of a car when it cannot be seen (i.e., stereognosis).
- Timing the appropriate moment to change lanes by determining one's own position and speed relative to the speed of traffic.
- Regulating sensory information so work can be accomplished without distraction.
- Speech
- Speech clarity (ability to speak clearly so that others can understand)
- Measure as aptitude/skill.
- Tasting
- Measure as frequency.
- Vision

- Use Snellen charts to screen near and far visual acuity, rather than rating a person's ability by frequency during the workday.
- How far away are the visual stimuli? For example, is the individual looking at a computer screen or documents (reading) all day or into the distance near vs. distance vision? Is a full range of vision needed or does the individual focus only at a specific distance?
- Depth perception required.
- Visual fields—at which point can an individual no longer perform a task?
- Can the job be performed if individual has vision in only one eye (good eye is 20/20)? Monocular vs. binocular vision?
- Near acuity (computer screen, fine print, etc.).
- Define near acuity as clarity of vision at 20 inches or less.
- Far acuity (driving, etc.)
- Define far acuity as clarity of vision at 20 feet or more.
- Accommodation
- Color vision
- Fine precision
- Vision factors are not well addressed by current descriptors.
- Measure as aptitude/skill.
- Environmental
- Chemicals
- Exposure to toxic, caustic chemicals.
- Cold
- Electricity/electrical fields
- Explosives
- Exposure to radiation.
- Exposure to weather.
- Need to clarify atmospheric conditions.
- Heat
- Heights
- Humidity
- Allergens
- Dust
- Fumes
- Lighting
- Proximity to moving mechanical parts.
- Size of machinery.
- Moisture/wetness
- We would anticipate problems addressing factors such as mold/mildew exposure in work setting with an employer when collecting data for the OIS and subsequently when put into practical use. Such information could potentially expose an employer to litigation
- Noise
- Safety sensitivity.

- An important component in industry and which must be considered is the way that medications, cognition, psychosocial, sensory, physical and emotional regulatory factors may limit a person's ability to perform certain positions safely.
- Presents a clearly significant life-threatening danger to the employee, his fellow employees, or the general public and is performed in a manner or place inherent with or inseparable from such danger.
- Requires the exercise of discriminating judgment or high degree of care and caution.
- Separate from the ability to discern impaired or enhanced performance by direct supervision.
- Is not reasonably subject to other valid and available means of observation and evaluation.
- Space demands
- Physical environmental requirements of the activity (e.g., size, arrangement, surface, lighting, temperature, noise, humidity, ventilation).
- Special considerations related to intensity of sensory stimuli in the work environment should be given.
- The ability to control or regulate the environment (such as temporarily leaving or altering the environment) and special situations such as work in confined spaces, elevated spaces or shift demands must be considered.
- Vibration

### **Extra data elements**

#### **Specific extra data elements**

- Accommodations
- Do not consider job accommodation.
- General ability to accommodate (such as low, medium, and high) related to areas of demand described in the job-side elements above is beneficial for both simple and complex recommendations.
- Alternative postures
- Whether or how occupations allow workers to perform core work activities in alternative ways (e.g., sit-stand option).
- Can the individual sit or stand at will at the work location (sit-stand option)?
- Define sit/stand as ability to perform work activities that can be done with a choice of either sitting or standing.
- Need to elevate one's foot or leg during the workday.
- If there is to be a new OIS, it should describe work as it typically exists and avoid trying to find "options" in jobs.
- Likewise, factors like the ability to "alternate position", such as a sit/stand option, and the ability to use assistive devices can be employer-specific and could again expose an employer to litigation. Although as a profession we would find this information valuable to have, we also see the difficulty in documenting this in such a widely used OIS.

- If there is to be a new OIS, it should describe work as it typically exists and avoid trying to find "options" in jobs.
- Alternative work arrangements (e.g., telecommuting).
- Barriers to hiring
- Criminal history
- Monocular vision
- Chronological work history
- Educational attainment
- Indication of acceptable methods of preparation for entry into occupations, such as formal education required, vocational school, apprenticeship, in-service training, on-the job training, certification and licensure issues, and prior experience needed.
- Descriptions of educational experience
- On-the-job training
- Vocational training
- High school
- Associates degree
- Bachelors degree
- Masters degree
- Doctoral degree
- Language requirement
- English
- Driving requirement
- Literacy
- Motor and praxis skills
- Define motor as actions or behaviors a client uses to move and physically interact with tasks, objects, contexts, and environments. Includes planning, sequencing, and executing new and novel movements. Define praxis as skilled purposeful movements. Ability to carry out sequential motor acts as part of an overall plan rather than individual acts. Ability to carry out learned motor activity, including following through on a verbal command, visual-spatial construction, ocular and oral-motor skills, imitation of a person or an object, and sequencing actions. Organization of temporal sequences of actions within the spatial context, which form meaningful occupations. For example: lifting a box of materials; bending and reaching for a piece of equipment; pacing tempo of movements to clean the room; coordinating body movements to complete a job task; maintaining balance while walking on an uneven surface; anticipating or adjusting posture and body position in response to environmental circumstances, such as obstacles; and manipulating keys or lock to open the door.
- Occupational prerequisite information
- Type of experience needed
- Length of experience
- Pain

- Pain factors continue to be problem for everybody; while the pain scale of 1 to 10 is helpful, it really isn't specific enough.
- The effect of pain on mental functions and emotional regulation can also significantly alter work performance.
- Personal qualities
- Organization
- Frustration tolerance
- Initiative
- Flexibility
- Team orientation
- Communication skills
- Reliability
- Indication of preferred personal qualities of workers for successful performance, including attitude, initiative, persistence, resourcefulness, etc.
- Significant Numbers
- Include jobs existing in significant numbers.
- Obtain hard data on unskilled, sedentary jobs that exist in "significant" numbers.
- Stamina
- Stamina rated as an aptitude or MET level
- Sustainability
- Other terms used: fatigue, endurance, stamina, mental fatigue.
- Task variability (how many different types of tasks the job requires and the ability to switch between tasks quickly to meet demand).
- Task rotation.
- Simple, routine, repetitive tasks.
- Technology involved in task completion.
- The OIS needs to capture the following: "categories of technologies that reflect how work gets done and what gets done as a result of the work activity; purpose of the job."
- Work environment.
- Factory, office, outdoors, freezer, etc.
- Work options.
- While becoming more common, ergonomic equipment such as sit/stand desks and lifting devices are not universal. Ability to accommodate will depend significantly on the resources of the employer.
- Work schedule (full-time; part-time).
- Flexible work schedule vs. fixed (flexible starting and ending times).
- Acceptable rates of absenteeism.
- For measuring breaks, the frequency categories, N, R, O, F, and C understood as before, can be used where N and R would be understood as less than the normal three breaks, O would be the normal three breaks, and F and C would be more than normal breaks, where C would mean that there is no work station presence requirement in the occupation.

- What is the tolerance for taking more frequent breaks, for taking rest breaks, and for taking unscheduled breaks?
- Hours worked weekly or daily in occupation(s).
- Seasonal or year-round.
- Year of birth.

### ***OIDAP Recommendation 3***

- Classification system that is aggregated to support individualized disability assessment and that can be cross-walked to the United States' Standard Occupational Classification (SOC).
- The overall strength physical classification system is overly broad in grouping strength and positional tolerances.
- Need a comprehensive, updated taxonomy of acquired skills, maybe similar to the GOE descriptions in Selected Characteristics companion to DOT.
- Each occupation should have one (SVP) skill and one strength classification
- The International Classification of Functioning, Disability, and Health (ICF) is the World Health Organization's framework for measuring health and disability at both the individual and population levels. These classifications are widely accepted.
  - Classifies health and health-related domains into the structures and their functions, activity and participation.
  - Includes list of environmental factors since an individual's functioning and disability occurs in a context.
  - Can provide the framework for a comprehensive and coherent disability-related social policy at the individual, institutional, and societal levels.
- Methods should be established for integrating the new database with existing related classification systems (SOC, O\*NET, NAICS, etc.).
- The database should be integrated with updated companion databases, including the GOE.
- Recommend expansion of the GOE classifications to further refine the question of ability to perform work activity on qualitative and quantitative bases.
- Incorporate maintaining the DOT/SCO occupations that have been updated, but linked to a SOC classification.
- The recommendations made an error in assuming that the idea of a "job" rationally implies statistically valid homogeneous features of "jobs."
- Need to review the data limitation of the SOC itself and recognize that the Census data tied to the SOC are estimators, based upon employer self-report in cursory census forms.
- Preserve the emphasis on the important distinction between a job position and an occupational definition.

- SSA should define, collect, and aggregate job analysis to build a reliable new obis database. Software development should be done by experienced software developers who have a firm grasp of SSA and the industry's needs.
- The aggregation of discrete job analyses gathered from multiple employers to form a new occupational definition will be a challenging process. Clear criteria and homogeneity in observations should be achieved to more accurately consolidate an occupational definition from its member job analyses.
- Before beginning the process of aggregating the many collected job analyses into an occupational definition, clearly delineate the methodology to be followed to "know" when a unique occupational definition is warranted. This may be a function of particular skill set involving a certain level of complexity with a limited set of industries.
- Revisit the concept of complexity of an occupation. It may be a useful measure based on the characteristics of component job tasks and the number, diversity and/or rand of required tasks.
- Avoid over-aggregation like O\*NET.
- Be sure that observed/measure variables have a small standard deviation.
- Collect enough sample job analyses from multiple employers to be statistically defensible.
- Add many new occupational definitions in the health care and technology industries.
- SSA will have to determine the "sweet spot" in terms of just how many discrete OIS definitions are needed to adequately reflect the national economy.
- Establish a minimum number of new job analyses per occupational definition.
- Let no occupational definition be published without fresh job analyses.
- How the new OIS is used in the disability process may be more critical than the proposed changes to the classification system itself.
- It would be expected that the OIS classification process for these occupations should produce results that are consistent with the DOT if the classification system is valid.
- It is essential that the disability industry has complete information about how the OIS classification system compares to O\*NET and the DOT.
- The SOC groupings should not include too many discrete occupations.
- OIS job descriptors should be flexible and based upon common occupational activities--not titles.
- Hope that there's a way that we can break out the numbers (number of jobs) from SOC or Census or Current Population Surveys or something to the effect that there could be a positive and a negative---not a positive--that we can break those specifics down so that whatever the taxonomy becomes , that it really is usable, can be validated--validated; and, in the end we can use those things as a representative or VE sitting in a hearing.
- Use the word "competency level" rather than taxonomy. That's really what it's all about.
- SSA should examine various job classifications based on the common metric.

#### ***OIDAP Recommendation 4***

- Regularly and randomly select jobs for audit to keep the database current.
- Schedule review of OIS items for usefulness vis-à-vis expired and emerging work content.
- Ongoing assessment of how long skills in various occupations remain viable, aligning SSA policy for how far back in claimants' job histories adjudicators must go in determining relevance and transferability.
- The database author should have a vocational rehabilitation person on staff for the development phase and for customer support.
- Changes in the labor market need to be continuously monitored and reflected in the database.
- Project staff should work closely with OES Long-Term Projection Survey and other BLS statisticians to learn of new and emerging occupations and industries.
- Sufficient funding must be provided to develop an improved database to ensure its maintenance into the future.
- Involve professional organizations in the development of content model or the future proposed tool (such as the American Psychiatric Foundation's Partnership for Workplace Mental Health, American Psychological Association, American Psychiatric Association, American Medical Association, American College of Occupational and Environmental Medicine and International Association of Rehabilitation Counselors).
- SSA is encouraged to solicit assistance from a wide variety of government and private organization to look for creative ways to collect such a large data set.
- Involve experienced professionals from the private sector to learn about research and other practical initiatives for processes relating to the integration of labor market information, the analysis of transferable skills, and new HR practices to pattern match work history with available job openings. This includes techniques for finding the "best" applications from massive pools of data and pointing one person to current job opportunities that best meet their past experience and current skills sets.
- Endorses the concept of using VE and other trained professional to be the arms and legs of SSA to go out to appropriate industry location to collect fresh data.
- The data collection process should take advantage of the use of modern technology to collect, transmit, analyze and appropriately aggregate the collected data. Internal expertise will be needed to confirm and shape the evolving taxonomy.
- The use of externally contracted parties to collect data for SSA will help to defuse the potential quandary of the fox in the hen house.
- Carefully examine the meticulous work prepared by the US BLS in the realm of long-term employment projections.

- Monitor public and private sources of information about new occupations.

### **Job analysis**

- The use of only trained/qualified professionals as job analysts.
- Determination of how job analysts will be trained and retrained.
- Identification of whether job analyses will be completed solely by resurrected field office within the public sector or with help from the private sector.
- Use of an online system for input of job analysis data, with quality controls, for input and output of data ensured at all stages of development of the database.
- Insurance that the database reflects the economy/labor market.
- The total number and range of attributes should be limited to what analyst can handle without diminishing the quality of the data being gathered.
- Train job analysts using internet-based technologies.
- Use VEs as a resource for conducting on-site job analyses.
- Test/certify job analysts using internet-based technologies.
- Periodically recalibrate the job analysts to be sure that assigned ratings remain stable.
- Accept job analyses collected from state worker compensation agencies and insurers.
- Be sure the back end of this project has as much support and backing as the initial introductory phase.

### ***OIDAP Recommendation 5***

- Occupational data that is empirically established as valid, accurate, and reproducible.
- Conduct a pilot study on the jobs most frequently held by SSA disability claimants.
- Explore and consider the feasibility of conducting empirical research that quantitatively links the cognitive and mental abilities that are required to meet the demands of work.
- Research to establish a standard for repetition for physical activities.
- Study the effect of education as a vocational factor.
- A comprehensive multilevel, stratified sampling plan.
- An audit to identify where occupations are found within businesses and industries of all sizes, including small employers and self-employment.
- Each job listed should require a work study evaluation made by a number of vocational experts both in the same region and in the various regions of the country and then combined in conference to determine that the job is being both accurately described and the characteristics and requirements are accurately determined.

- Perform a comprehensive review of pertinent empirical research of cognitive, mental and behavioral impairments.
- Consider the use of psychological tests with validity checks.
- Consider the co-morbidity of chronic pain and psychological concerns.
- SSA should assess its needs by capturing, categorizing, analyzing and mining its own data at the critical steps for every claim.
- Harvest occupation data obtained through normal claim processing to detect new and alternate job titles.
- Carefully study the work of the HR-XML consortium.
- Set a threshold value for significant number of jobs existing for an occupation.
- Use existing federal resources and private resources to comb through massive amounts of information about employers and current job openings.
- Use the Master Business File to target certain employers for job analyses.
- Examine the US Bureau of Labor Statistics works on long-term employment projections.
- Coordinate data with other federal and state sources to ascertain and regularly update the number of jobs in the national and local economy to include in the vocational analysis only jobs that are present in significant numbers.
- A comprehensive review of literature to identify physical demand factors that have been established and reliable functional job analysis and worker assessment methodologies.
- Any elements for which data are collected via direct rating must be capable of being validated through direct observation.
- Obtain hard data on jobs that allow a sit/stand option.
- Obtain hard data on unskilled, sedentary jobs that exist in significant numbers.
- Identify the jobs most frequently cited by VC/VE at steps 4 and 5.
- By what method will the jobs be detailed and described in the new OIS? Direct job observations, which were conducted for the DOT, would be cost-prohibitive.
- There are a large number of studies to be conducted recommended in the report. The studies are not fully detailed and the logistics of bringing the studies to conclusion will be challenging (e.g., page 43 of the report concerning the Work Taxonomy pilot study recommended "Obtain job level data by interviewing job incumbents during the pilot study.").
- The Mental/Cognitive subcommittee recommendation includes a table that SSA developed of the top 100 occupations by employment for 2008 and projected to 2016. The occupations were ranked by total employed (in thousands). It was noted that approximately 65% of persons in the U.S. labor force work in one of these 100 occupations. Cross walking these occupations to studies or tests of abilities of successful job incumbents seems a good springboard for occupational development.

- We support a quality study and measure of variables. We would like to add that we are concerned that the process could be mired down by studies and caution (having too many pilot studies).
- We support the use of Vocational Experts (VEs) in the pilot study to conduct job analyses.
- SSA VEs can also assist in the collection of information to avoid the need for OMB approval.
- We would like to suggest that any data collection pilot studies of physical demands and cognitive/mental demands be done together.
- Recommendation B. 1. b) ii. States that job incumbents would be surveyed during the pilot survey. We wish to raise the potential issue of access to job incumbents through employers, and suggest consideration be given as to how this will be accomplished.
- Under the Glossary of Terms, 'Holistic Rating' states that "-rating of a whole occupational construct or trait (Level 5 or 4) on some metric, as opposed to separating said activity into its observable (Level 2 or 3) parts for purposes of analysis." We would request some clarification on this point as it was our understanding that part of the problem with the DOT was rating data at different levels. Does this definition not imply that there will still be different levels of data used in the new OIS? We may have a basic misunderstanding and therefore respectfully request some clarity on this point.
- During the voting, the research and methodologies sections were removed from the WEA recommendations. We feel it is important to include research and methodologies in the final recommendations so they do not fall to the wayside.
- With regard to the Data Analytic study completed of SSA Disability Research Files, we would like to offer to also gather data for the OIDAP from Social Security VEs with the intent of providing SSA and the OIDAP with additional information on the frequency of occupations seen in disability claims at the hearing level.
- We would propose to ask IARP VEs to gather the following data at every hearing they participate in for approximately the next one to two months: 1. Job title listed by the claimant as their past relevant work (PRW); 2. VEs classification of the job title (PRW); 3. Exertional classification of the occupation per the claimant's report; 4. Exertional classification of the occupation per the DOT; 5. Exertional classification of the occupation per the VE if differing from the DOT; 6. Notation as to whether the work history was adequately reflected on the work history form to allow proper classification.
- As part of a study being conducted, we understand that disability cases are being reviewed to determine the most common jobs done by the claimants. While this seems like it is a good place to start, we question whether jobs might be missed. Hopefully, validation of the project will confirm the accuracy of the results.
- We would like to add another applied research pilot for the Panel to consider following identification of all data elements. This pilot would test to see if an

adjudicator can effectively use our current disability policy in conjunction with the new tool and would point out areas that need to be improved or changed.

- Rather than assign this task [job analysis] to one group and place stakeholders or potential vendors in a competitive situation, the critical task of job analysis should be multi-professional and not oriented to the exclusive taxonomy or agenda of any one professional group.
- I would strongly urge you to work with the Department of Labor on this. They have the expertise. SSA is expert in many things, but not this.
- Warns of common information sampling bias: "This meant that the group reiterated what it knew, but innovation and expansion of "non-group" information was inhibited, thereby skewing the sample more towards the center and decreasing both standard deviation and the range of the degrees of freedom ... I think the study of jobs will resemble SSA -- more than the study will resembles the economy."
- "Hard data should be obtained regarding unskilled jobs at the sedentary and other exertional levels that currently exist in significant numbers in the national economy."
- "*Daubert*-type standards for vocational experts that would hold vocational evidence to a high scientific standard and reject the 'better th[a]n nothing' mentality that pervades the current adjudicative framework ..."
- More research to find measures that currently exist.
- Any type of stand-alone standardized functional assessment criteria and instruments must be able to identify or capture the individual differences, yet significant limitations, of people with disabilities who legitimately merit a finding of "disabled."
- It is difficult to see how a limited number of stand-alone, abbreviated, functional activity measures can adequately or accurately measure total function.
- The person who treats an individual's cognitive or mental abilities is in the best position to evaluate that individual's functional abilities and limitations.
- We strongly oppose a rating system that would provide a bright line to determine who is and is not disabled.
- Establishing criteria in the OIS and SSA disability a process that assumes reasonable accommodations by the employer may potentially establish barriers for the individual by shifting the employer's burden of compliance with the ADA onto potential employees (i.e., claimants).
- Measures are needed for literacy/oral language. Does the job require the person to speak English? Understand directions in English? Read and Write in English? Have a certain level of English proficiency?
- The creation of operational measurements definitions to improve reliability and validity when collecting data during a Job Task Analysis.
- The creation of a rating system for repetitions or repetitive movements.
- Individualized assessment.
- Like to see the use of a simple functionally related scale.
- Consistency of scales, lower at zero going up to five or whatever.

- Self-management is one of the scales that has been talked about being used and we see serious problems with that.
- SVP deconstructed.
- Regarding unskilled work, we feel that all work has some skills, even at the lowest level.
- More objective functional capacity testing.
- We agree that physical demands worker traits would benefit from further refinement and expansion of the traits. And we applaud the need for more details, but also felt like this should be tempered with sort of a practical need when you evaluate this on the job.
- The type of rating scale that's appropriate for the factor is also important because there's a big difference between a frequency-based rating scale or one that's based on percent of day or perhaps even tying in numbers of repetitions.
- Suggested a revised strength scale be designed that has levels ranging from zero to four or five with zero starting at not present to a number of five which would represent really an exceptional level of ability requirements.
- The existing strength scale does not really show the percentages of frequency at a high enough percentage of what the person could do on a maximum or occasional basis.
- Sit-stand work: is it possible to classify the availability of that work activity by a percentage of time or percentage of the day?
- Error rates should be published.
- Publish inter-rater agreement levels.
- Incumbent self-reporting of job description should not be used.
- Question whether the sample size is sufficient.
- As surveys of incumbent workers are conducted, it will be very important to distinguish between work options that are very widespread and work options that have developed between one employee and one employer.
- Recommended that the methodology be clearly stated with appropriate reference citations provided.
- Suggest that OIADAP publish each step in the development of the person-side scales.
- The key to a useful and practical OIS ongoing job analysis by trained observers, analysts using a verifiable and replicable methodology.
- As you're looking at what you're studying, this is one of the things that you're debating is looking at this top 100 jobs or whatever number you come up with that seem to pop up in past relevant work for claimants; want to caution that there are an awful lot of other occupations that at some point will need to get assessed.
- We felt like that the criticalness of each factor should be analyzed based on whether reliable and quantifiable methods exist that are currently utilized by professionals that are evaluating the worker's ability or job demand.

- There are some mixing factors from the proposed list; quite obvious that some of the well-established factors that have established tests and methods for evaluating were missing from the proposed list.
- Suggest that the research pool be enlarged to include the wider community of users.

### ***OIDAP Recommendation 6***

- Use items scaled per a) frequency of job occurrence, b) duration of required performance for the job, and c) other scales as needed.
- Maximum continuous duration of an activity that is required.
- Refinement or creation of scales which reflect physical activity or duration which is appropriate for SSA's adjudication needs.
- Need better measures for frequency, duration, and intensity.
- Each data element should be clearly defined.
- Boundaries between unskilled and semi-skilled work need to be better defined. A SVP of 3 is often interpreted as being unskilled and not semi-skilled and this often makes vocational sense, if not regulation sense.
- Add an instrument to have an individual identify preferences, perhaps something like an expanded interest inventory but possibly more open-ended, in which the person describes their likes and dislikes in the work environment (set their own goals/schedules, etc. versus knowing what is expected each day, being able to do different tasks in a day versus assigned tasks, working independently versus working with others, etc.).
- Occupational descriptors should more clearly define the job requirements, such as frequent to constantly repetitive (assembly line worker), frequent unpredictable changes (ER doc/nurse), unpredictable changes with periods of relative inactivity (firefighter, police officer), typically responsible for meeting set goals, i.e. budget, quotas (managers, sales representatives, quality assurance, etc).
- The Classification of Jobs (COJ) rating scales for dexterity (1 being high-level skill and 5 being low-level skill) can be used.
- A simple rating scale of low, medium and high can be used to define social demands within jobs.
- Cross matching existing resources, such as O\*NET and the ICF would provide unity and reduce duplication of existing material. For example, using O\*NET's behavior anchor scales and the ICF functions and activities measures together would unify the two systems to provide the degree of specificity needed for SSA.
- Where applicable, rating scales used above [O\*NET, ICF] to describe job requirements can mirror existing scales derived through standardized testing.
- Let lifting be measured on the current scales for V, H, M, L, and S.
- Let carrying be measured on the scale V, H, M, L, and S.
- Let sitting, standing and walking each be measured like posture and manipulation (stoop, squat, handle, etc.) are measured currently in the DOT,

using the frequency of job demand components N (never), O (occasionally), F (frequently) and C (constantly), but add R (rarely) between N and O.

- Measure pushing and pulling using the DOT frequency ratings of N, R, O, F, and C.
- For measuring breaks, the frequency categories N, R, O, F, and C, understood as before, can be used where N and R would be understood as less than the normal three breaks, O would be the normal three breaks, F and C would be more than normal breaks, and C would mean that there is no work station presence requirement in the occupation.
- Use the measurement scale of none, mild, moderate, marked and extreme, which needs to be brought up to date in minor respects.
- Use job temperaments from the SCO and ratings for the data elements upon the percentages required of the essential job-worker functions.
- Find methods to measure and evaluate the individual's ability to withstand work environment stressors.
- Identification of variables needed in order to complete a transferable skills analysis-job match. Once these are identified, develop scales with use of accepted psychometric practices to increase reliability.
- Development of improved definition and indicators for attributes and scales for each.
- The coding methodology used for data collection must make sense.
- Avoidance of incumbent ratings due to reliability problems with this data.
- Multiple measures for each attribute.
- Appropriate scaling for each attribute and sub-measures that make sense.
- Proper instrumentation and equipment must be available to conduct objective and measurable job analyses rather than strictly by observation.
- Need a methodology, which can reliably and verifiably document numbers of jobs that will consistently remunerate at SGA (full- or part-time) and remain within the region or several regions within the country.
- Need a methodology to discern the impact of increasing functional limitations upon those job numbers.
- Retain the DOT rating scale of never, occasionally, frequently and constantly.
- Consider use of term "rarely" on the DOT rating scale.
- Stamina rated as an aptitude or MET level.
- Modify the DOT frequency rating scale for physical demands to specificity repetition ranges in addition to percentage of time (e.g., 1-12 reps per hour for occasionally, 13-30 reps per hour for frequently, 31-60 reps per hour for continuously).
- Scales need to be fully reviewed, additional indicators considered for application, multiple indicator use to provide fuller range of conceptual and practical areas covered by each attribute.
- A simple rating scale can be used to identify areas of higher cardiovascular requirements. Jobs may be classified as having low, medium or high cardiovascular demands or can be reported as variable based on work contexts in a given profession.

- Improve anchor points to be consistent with the variable being rated.
- Consider capturing discrete physical demand and environmental data at the task level.
- Take non-disruptive videos/photos of people performing jobs.
- Use available standard push/pull and other physical instrumentation to actually measure forces and working conditions involved in performing an occupation. When possible, objectively measure factors such as weights lifted, pushed or pulled, distances carried, decibel levels, and such.
- Rate factor related to manual materials handling using a revised strength scale with discrete, functional levels ranging from 0 to 5 (0 Not present, very light, 2 light, 3 medium, 4 heavy, 5 exceptional) for the following: low lifting, knee lifting, midrange lifting, high lifting, carrying, pushing, and pulling.
- Measure strength to better correspond with existing ergonomic risk assessment and exercise physiology, such as 0 none; 1 very light 1-10 lbs max and a negligible weight frequently; 2 light 11-25 max, up to 15 lbs frequently, or negligible amount of weight constantly; 3 medium 26-40 lbs max., 11-25 lbs frequently, or up to 15 lbs constantly; 4 heavy 41-70 lbs max., 26-40 frequently, 11-25 constantly, 5 exceptional >70 lbs max., >40 lbs frequently, or > 25 lbs constantly.
- Rate work tolerances (standing, sitting, sit/stand, head turning, low work postures, crawling, forward bending, forward reaching, high reaching, gripping, pinching, one-hand work, operating foot controls) using a revised frequency scale: 0 never, 1 rare, 2 occasional, 3 frequent, 4 constant, 5 exceptional.
- Rate physical aptitudes (ambulation agility, ambulation stamina, climbing, keyboarding speed, finger dexterity, and manual dexterity) using a revised aptitude scale: 0 not present, 1 very low ability, 2 low ability, 3 medium ability, 4 high ability, 5 exceptional ability levels.
- Maximum continuous distance that work is performed should be described.
- Additional terms to describe the strength factor of jobs, especially between medium and heavy.
- Add intermittently or repetitively as frequency measure.
- Ranges should be neither static nor indeterminate and be supplemented by the rehabilitation professional.
- We are concerned about the ability to adequately measure and capture symptoms that wax and wane (such as many psychiatric disorders).
- Under the Glossary of Terms, 'Holistic Rating' states that "-rating of a whole occupational construct or trait (Level 5 or 4) on some metric, as opposed to separating said activity into its observable (Level 2 or 3) parts for purposes of analysis." We would request some clarification on this point as it was our understanding that part of the problem with the DOT was rating data at different levels. Does this definition not imply that there will still be different levels of data used in the new OIS? We may have a basic misunderstanding and therefore respectfully request some clarity on this point.
- Seeking to quantify things, which cannot be quantified, is a common failing of bureaucracies.

- Any type of stand-alone standardized functional assessment criteria and instruments must be able to identify or capture the individual differences, yet significant, limitations of people with disabilities who legitimately merit a finding of "disabled."
- It is difficult to see how a limited number of stand-alone, abbreviated, functional activity measures can adequately or accurately measure total function.
- Assessment of the mental/cognitive limitations of an individual claimant requires an individualized assessment.
- The person who treats an individual's cognitive or mental abilities is in the best position to evaluate that individual's functional abilities and limitations.
- Measures are needed for literacy/oral language. Does the job require the person to speak English? Understand directions in English? Read and Write in English? Have a certain level of English proficiency?
- A 12-minute test of general cognitive ability is not the standard for disability adjudication; it has limits in its use in older individuals, women, and minorities.
- The use of a simple test such as the Wonderlic test to determine disability raises a number of questions.
- Like to see the use of a simple functionally related scale.
- Consistency of scales, lower at zero going up to five or whatever.
- Regarding unskilled work, we feel that all work has some skills, even at the lowest level.
- The type of rating scale that's appropriate for the factor is also important because there's a big difference between a frequency-based rating scale or one that's based on percent of day or perhaps even tying in numbers of repetitions.
- Suggested a revised strength scale be designed that has levels ranging from zero to four or five with zero starting at not present to a number of five which would represent really an exceptional level of ability requirements.
- The existing strength scale does not really show the percentages of frequency at a high enough percentage of what the person could do on a maximum or occasional basis.
- Sit-stand work: is it possible to classify the availability of that work activity by a percentage of time or percentage of the day?
- Concern with G existing as the predictor of performance.
- Literature shows that neither the holistic nor the reconstructed methods of job analysis are particularly reliable, each has its limitations.
- An issue exists as to whether any work should be classified as unskilled.
- The severity of many illnesses wax and wane over time and therefore more than a snapshot of intelligence and testing on one day is necessary.
- Concern about the committee's recommendation to create as a standard the test scores of successful job applicants to use as a comparison measure with claimant scores. It expresses intent to include all the workers of the universe of successful workers that are working with accommodations.

- We are of the opinion that some of the scales of measurement found in the 1991 DOT remain relevant and can be validated by empirical studies, especially using observations.
- Like to see us getting away from impairment-based types of definitions and scales.
- Want to see the uncoupling of strength factors.
- Very concerned with the developing of proprietary measures with the time and the cost to validate them, so we would like to see more research to find measures that currently exist.
- We would like to see consistency of scales.
- Self-management is one of the scales that have been talked about being used, and we see serious problems with that.
- Under work tolerances, we see the benefit of adding a level such as "rare" at the lower end and a level of "exceptional", which represents maybe more than an 8-hour-day type of exposure.
- The general intelligence functioning, verbal functioning, and numerical functioning really throw off an actual analysis because they are not as robust.
- Concern that there are times that suggest a reliance on this g as a predictor of performance; to say that g equals performance misses all of the other elements that play a vital role in determining whether this person really can perform every day.

### ***OIDAP Recommendation 7***

- The Panel should issue a "Beneficiary Impact Statement" to determine the impact of its proposed changes on specific applicant groups.
- Error rates should be published.
- Publish inter-rater agreement levels.
- The new database of occupational definitions and the related occupational characteristics must be in the public domain.
- Disclose prototyped and final definitions of the existing and new data elements.
- Build and disseminate a timetable and overall work plan.
- Use web-based training tools to more economically bring stakeholders up to speed.
- Hold panel meetings via web broadcasts.
- Input from stakeholder groups needs to be more far-reaching.
- Is there a way of having us (stakeholders) like a red phone so that we're part of this decision-making stuff so that you do constantly have input, so as we're not just out of the picture completely, so that we're part of the inner circle.

### ***Other Comments***

- SSA must consider the implications of the Panel recommendations on program efficiency, beneficiaries, and claimants.
- The Recommendations represent a complete overhaul of SSA disability program and if implemented will result in the denial of disability benefits to otherwise eligible claimants.
- SSA should look at non-adjudicative methods for deciding disability.
- The Panel's report seems to be aimed at changing the overall disability process, which is beyond its mandate.
- The project is outside of SSA's area of expertise.
- There is the impression that SSA wants to create the OIS so it can control the outcome of disability determinations.
- The panel and its leadership have lost all objectivity.
- SSA should take advantage of the enormous amount of data it collects by capturing, categorizing, analyzing and mining its own data at the critical steps for every claim.
- Extend the offer of vocational rehabilitation services to applicants at the point of initial claim, not post-claim decision.
- Require functional capacity testing at appropriate times during the SSA application process.
- The Panel's approach appears to devalue the evaluation of symptoms in the disability process.
- In many ways, implementation of the Panel's report and recommendations as currently constituted would effectively change the definition of disability contained in current law.
- SSA should include some overt statement in its final product that its interpretation and definition of occupation was developed for the specific needs and purposes of the SSA and should not be construed or interpreted as the standard for definition of occupation construct, but rather is just one of many that may exist.
- Extremely important that whatever is developed is user-friendly and can be followed by examiners with only two or three years of experience.

### **Data Use**

- The methodology used will need to be explained in the simplest of terms as possible for ease of customer understanding and use.
- Processes and methodologies, as well as results of data usage, must be easily explainable to ALJs/judges, juries, attorneys, etc.
- Development of crosswalks should be well explained.

## **Policy**

- Delete section 3 from the SSA-3368 and rely solely on the SSA-3369 (and/or contact with the claimant).
- Eliminate use of the DOT/new OIS from step 4 of the sequential evaluation process.

## **Composite Jobs**

- Composite jobs have multiplied as companies have downsized and done “more with less.” This may affect the number of unskilled jobs in the national economy, as these jobs have been incorporated into the duties of jobs that also involve more complex tasks (e.g., SSA Field Office managers opening the mail).

## **Concerns**

- Reassessment of the vocational rules and the occupational bases they represent (number of jobs in the national economy that are unskilled, sedentary, light, medium, etc.) given the changes from a manufacturing to an information and services-based economy and the technological changes that have transpired since the vocational grids were created. The current vocational rules were created for a different society and do not take into consideration today’s reality of older workers remaining employed longer. They also do not reflect the technology advances that have caused an overall shift to lighter, less English-reliant work. How many unskilled, sedentary jobs currently exist, and what exactly do they require in the way of physical and mental abilities?
- Provide comprehensive training to adjudicators on the use of the occupational information tools.
- Consider expanding the Listings and possibly including some demographics (in the same vein that function has been added to some Listings) to reduce the number of claims for which a vocational analysis must be undertaken.

## **Residual Functional Capacity Assessment**

- The data for the RFC and MRFC can be addressed by using what already exists.
- Make coding consistent with the limitations as indicated on the RFC and the new OIS.

## **Transferability**

- A clear system for occupational analysis is essential to performing a methodological Transferable Skills Assessment.

- In determining transferability of skills, policy directives make it clear that a generalized categorization, assuming that the individual has acquired certain skills, is inappropriate.
- Consider eliminating the concept of transferability from the vocational analysis.
- Links to jobs with similar duties, tools/machines, skill sets, and industry for accurate, consistent transferability assessments. Where transferability of skills among a subset of jobs has been established, these lists should be readily available to all adjudicators, and their application should be official SSA policy for all adjudicative levels.
- Identification of variables needed in order to complete a transferable skills analysis-job match. Once these are identified, develop scales with use of accepted psychometric practices to increase reliability.
- Retain the areas upon which we base TSA functionality.
- Do not change the CFR description of transferable skills.
- SSA definition of transferability of skills stops short of the general rehabilitation understanding of this concept by excluding the claimant's trainability, interests, place of residence, temperament, etc.

### **SSA-3369 (Work History Form)**

- We suggest revising the SSA-3369, the Work History Questionnaire. We need an electronic version of the form for reporting work history.
- Revise SSA-3369 (Vocational Report) to ask claimants better questions about job descriptions, functional requirements, and skills in line with RFC categories and measures. Remove yes/no questions that do not provide needed descriptions. A detailed job description is critical information in every case decided at Steps 4 and 5 of sequential evaluation.
- Capture the NAICS code for each past employer when gathering PRW.
- Concerned that many FCEs are medically normed; suggest that more of a vocationally normed FCE that's geared more for what employers want.
- Concerned that the existing SSA evaluation process allows statements of functional ability that are predominantly supported by subjective reports from claimants or more medically oriented evaluations than we cited in the report, the study by Brewer, which found little agreement and correlation between claimant's self-report versus clinical exams by a physician versus actual functional testing.

### **Significant numbers**

- It appears that relatively few jobs constitute a large percentage of the actual jobs in the U.S.
- Update of the Sedentary, Light and Medium Unskilled jobs that have been given Administrative notice as occurring in significant numbers.

- A definition for “significant” that embodies the spirit in which this benchmark was intended and is less open to interpretation with the low threshold that has been upheld previously needs to be created.
- A mandate that experts testifying in regard to the incidence of jobs be required, when asked, to produce the supporting documents and methodology for their numbers so that they can be verified and reproduced.
- SSA should coordinate with other government agencies that maintain job census data to ascertain the existence of jobs in “significant” numbers.
- Hard data should be obtained regarding unskilled jobs at the sedentary and other exertional levels that currently exist in “significant” numbers in the national economy.

### **Software Application**

- Create a software application for the new OIS.
- Use Job Browser Pro and OccuBrowse for new OIS beginning, but add in additional data elements.
- Create a searchable database that allows adjudicators to cross-match specific skills from a claimant's current job with other jobs involving the same skill(s).
- Create a section for potential transferability to lower occupational bases.
- Software program should have the option to search by keyword(s)/phrase(s).
- Other databases like Dr. McCroskey, OASYS, and Skilltran can be used to update the DOT.
- Software program should not impede the speed/use of other software running simultaneously.
- Software should allow for "scanning" of related job titles in the list of jobs created by a search.
- Software should list "undefined related titles" such as that in OccuBrowse.
- Searchable by title, keyword, skills, tools/machines, etc. with progressive search options giving adjudicators the ability to efficiently narrow or broaden their search as needed.
- Cross-references for synonymous or closely related job titles.
- Built-in thesaurus of similar terms/titles.
- Glossary of tools, machines and other technology with which adjudicators may be unfamiliar.
- Other methods of providing greater understanding of the tasks, tools, and operations of jobs (e.g. links to video clips of how a certain machine is operated).
- Capacity to systematically retrieve lists of jobs to which skills could potentially be transferred once past work is identified - the adjudicator should be able to customize the list of duties, skills, tools, and work products for the claimant's actual job, input parameters such as RFC limitations, age and education, and obtain a list of jobs to which skills might be transferred. The adjudicator must still analyze these options and make the transferability decision, but a

systematic and well-built search mechanism would make these decisions more consistent and accurate.

- Structured operation of the database guiding users through the steps of vocational analysis and providing ways for them to explain their step-by-step decisions (why they ruled in or out a job as being the one performed by the claimant, why they ruled in or out a job as offering transferability, why they ruled in/out the adverse vocational profiles and chose certain vocational rules, how they made decisions about remaining occupational base and citation of jobs within the claimant's RFC or lack thereof).
- Interface with the electronic folder so that the database search findings and the adjudicator's analysis of those findings become part of the file in a standard format.
- Easily updatable and supported by a routine, ongoing process of updating.
- Adaptable to future policy changes in such areas as RFC assessment and vocational analysis.
- User-friendly with a minimum of screen tabs/toggling required; options available for bulleted lists of duties and skills, rather than paragraphs, etc.
- Use of the platform by all levels of adjudication, including ODAR.
- OccuBrowse/OASYS—good key word search engine, helpful in finding related job titles and jobs with potential transferability, but very “green screen” and requires many screen changes/toggles. We need a comprehensive search engine that not only permits customizing the Worker Trait Search, but also incorporates the components of the GOE (Guide to Occupational Exploration), the MPSMS (Materials, Products, Subject Matter, and Services), and the WF (Work Fields).
- The software used to access data and performs transferable skills analysis and other tasks should be simplified wherever possible to reduce errors and improve understandability.
- It needs to be available as a stand-alone database of information, not solely as part of a transferable skills analysis product.
- End users should be allowed to search, compare, and retrieve information in the database.
- There should be the capacity to generate printed reports.
- Provide data to end-users in a variety of formats, including online and in print; it is particularly important that the data not require an Internet connection so it can be accessed during Social Security hearings.
- The database author should have a vocational rehabilitation person on staff for the development phase and for customer support.
- OccuBrowse/OASYS
- Job Browser Pro by Skilltran.
- The “less than” search function of the Denver DOT.

## Resources

- Occupational Outlook Handbook (Bureau of Labor Statistics web site) contains a wealth of information for a wide variety of occupations, revised every two years.
- O\*Net has some promising features, but lacks links to RFC categories and measures of limitations.
- “County Business Patterns” publications.
- Vocational experts.
- Any assessment tools used by rehabilitation or occupational therapy industries.
- Industries that may have developed comprehensive standardized job specifications and a process for updating them.
- Potential for collaboration with DOL and VR.

## Vocational Expert/Specialist

- Vocational experts used in hearings and vocational counselors used at the DDS level have varied, and sometimes deficient, educational backgrounds. Minimum qualifications must be established with ongoing training and education for any person accepted to provide vocational testimony to the SSA: Hold a Master's or Doctorate degree from an accredited institution in human service field specializing in vocational rehabilitation, psychology, vocational counseling, or a closely related field; have specific training and experience in such areas as assessment, functional capacity measures, psychological testing and measurement, job analysis, job placement, job surveys; and have experience providing testimony in these areas.
- It may be useful to establish a practice baseline of five (5) years, by which time an applicant would be deemed sufficiently qualified to apply for standing as an SSA VE.
- Maintain policy from SSR 00-04p that provides guidance on resolving conflicts between vocational expert testimony and the DOT.
- Need trained VEs that can provide relevant vocational information.
- Need trained VEs that can provide reliable vocational information.
- Keep the role of the VE as is in determining whether a claimant is disabled under the Social Security Act.
- Make standardized training available for VEs.
- Need to define what constitutes an expert.
- The Commissioner should publish a ruling that mandates and implements *Daubert*-type standards for vocational experts.
- Asked on the accuracy of the file; could a VE properly classify the job based on what was in the file correctly and when they could and when they could not.



## Appendix C

### Recommendation for Soliciting Feedback

The UN&R Subcommittee recommends that the Occupational Information Development Advisory Panel (“Panel”) adopt, and incorporate in its Operating Procedures, a strategy to solicit and obtain comment and feedback from the public on future recommendations reports<sup>3</sup>. In order to successfully accomplish its mission to provide advice and recommendations throughout the research and development phase of the OIS, the Panel must reach out to stakeholders using various methods and mechanisms.

#### *General Comments*

Members of the public can provide information to the Panel through in-person testimony at quarterly or teleconference meetings. The Panel should utilize *Federal Register* meeting notices to provide information related to the Panel’s upcoming activities in advance of each event. The Panel also accepts comments via email and surface mail. We recommend that the Panel continue to notify and inform individuals and organizations that it welcomes feedback at any time that may provide additional substance and insight to the advice and guidance the Panel provides to the agency. The Panel should also use its public website, [www.socialsecurity.gov/oidap](http://www.socialsecurity.gov/oidap), to post information on any comment process and as a tool to solicit online response.

#### *Specific Request for Comments*

On occasion, the Panel may request special issue reports that include recommendations, advice, and findings on various facets associated with its charter (e.g., formal advice on project activities or in response to requests from the agency to examine or review specific reports or literature). In those reports that include specific recommendations to SSA, as defined and tracked through GSA based on the Panel’s FACA designation, we recommend that the Panel include in its report process sufficient time to notify, receive, and process

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<sup>3</sup> Findings are conclusions reached after examination or investigations of other documents. A findings report is a document that contains statements about authoritative decisions and conclusions. Findings do not necessarily rise to the level of resulting in a recommendation, but may reinforce, clarify, or expand existing recommendations. Recommendations are advice or counsel on a course of action. Under FACA, recommendations are reported and tracked under GSA for response by SSA. Recommendations may be on technical, administrative, procedural, or other issues related to the development of the OIS and are the result of examinations from findings.

comments on its draft report from external stakeholders before engaging in deliberation or voting. When appropriate, the Panel should solicit comments through various sources (e.g., email notification, meeting announcements, during conference events, and, when possible, by use of electronic websites such as regulations.gov).

*NOTE: This recommendation from the UN&R Subcommittee to the OIDAP was voted on and passed unanimously on September 1, 2010 and will be integrated in the Panel's Operating Procedures.*

## Panel Contact Information

### Occupational Information Development Advisory Panel

Social Security Administration  
6401 Security Blvd  
3-E-26 Operations Building  
Baltimore, MD 21235  
Fax at (410)-597-0825

Email to: [oidap@ssa.gov](mailto:oidap@ssa.gov)

Website: <http://www.socialsecurity.gov/oidap/>

Anyone requiring materials in alternative formats or further information regarding this document or the Occupational Information Development Advisory Panel should contact the Panel staff. Records are maintained of all Panel proceedings in accordance with the Federal Advisory Committee Act and are available for public inspection at the Panel office, by appointment



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