

ABVE 2014 Annual Conference Recap March 28-30



Vocational experts gathered in Nashville, Tennessee March 28-30th for the ABVE 2014 Annual Conference. The venue proved to be popular, resulting in a sold-out room block and the need to house attendees at nearby hotels. Strong attendance also led to lively discussions in the general sessions and specialized workshops.

Speakers were drawn from the Nashville area and from our membership. Local speakers included three attorneys: Alan Crone, specializing in employment law; Molly Glover, with expertise in personal injury and medical negligence; and William Bates, practicing in ADA and employment law cases. Three sessions featured an ABVE member teaming up with an attorney or economist to discuss teamwork and collaboration.

Sessions on Social Security Vocational Expert testimony drew many participants to a separate Sunday morning track. ALJ Deborah Lefebvre from Franklin, TN, and John Yent, claimant representative with prior VE experience, offered guidance and discussed the important of VE testimony from their perspective. A pre-conference session, *Tuning Up Your SSVE Practice*, had 48 participants.

Other sessions focused on the impact of anxiety and depression on vocational earning capacity, revisions to the DSM-5, motivating clients, early intervention recovery models, estimating employment numbers, vocational testing, history of the vocational expert, formulating expert opinions that lay a foundation for the economist, and ethical business considerations.

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Executive Director

Glenn Zimmermann
<mailto:glenn@btfenterprises.com>

Account Manager

Stephanie Munoz
<mailto:Stephanie@btfenterprises.com>

National Headquarters

3540 Soquel Avenue, Suite A
Santa Cruz, CA 95062
Phone: (831) 464-4890 FAX: (831) 576-1417
<http://www.abve.net>

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President's Message

By Cynthia Grimley, President, 2013-2015



Ciao!

Those of you who did not make it to Nashville missed out on a great conference! I am so sorry to have missed you! The conference was fabulous not to mention the wonderful entertainment that this city has to offer. Our conference had many great presenters and a special thanks goes out to the conference committee which was chaired by Estelle Hutchison. John Berg was instrumental in exploring entertainment for our President's Reception. I hesitate to say that this will become a routine part of our conference; however as our budget permits we will certainly will try to make this happen at every conference. We were fortunate to have a solo guitarist by the name of Matt Jenkins. He is very talented and it certainly appeared that people enjoyed his music.

You should have already received The Journal of Forensic Vocational Analysis, Vol. 15, 1, Spring 2014 in your mailbox. Chad Duncan and Chrisann Schiro- Geist did an excellent job on this journal providing us with a nice variety of interesting articles to review.

ABVE will have an exhibit booth at the APA conference in Washington, DC this August. We have several ABVE members who are also APA members that will be staffing the booth for us. The goal is to expose more APA members to our organization with the possibility of adding new members to ABVE.

As many of you are aware the Certified Vocational Evaluator (CVE) credential no longer exists to those who wish to pursue this area of certification. The ABVE Board of Directors has been in discussion for well over a year with the Board of Certified Vocational Evaluators (BCVE) to determine if there is a way to collaborate and resurrect the CVE. After months of verbal discussion, ABVE submitted a formal proposal with several ideas on how collaboration could take place. A letter was received from the BCVE discussing the idea of franchising the CVE as an affiliation with ABVE. There was no formal proposal from BCVE as to how they saw ABVE's involvement with this project. I made a follow up inquiry to the BCVE President asking for more detail as to how ABVE could help and become involved. To date there has been no response from the BCVE.

At the ABVE Board Meeting in Nashville, TN, Scott Whitmer, our membership chairperson proposed to the ABVE Board of Directors that ABVE develop a test certification that would essentially permit those who are interested in this type of certification to once again have the opportunity to become certified. Scott was interested in making this a dissertation project for his PhD providing that ABVE was interested and his mentors at Capella University approved. The ABVE Board of Directors voted and approved to explore this further under Scott's direction.

I am pleased to announce that ABVE Board of Directors will soon be presenting to our membership the changed By-Laws and criteria/process for obtaining the "International Psychometric Evaluator Certification" (IPEC). Capella University has approved this as a dissertation project for Scott Whitmer. The IPEC is a certification being created out of a national, scientific, pragmatic and forensic movement to train and maintain competency of Master's Degree and above counselors and evaluators in

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2014 Conference Recap Continued from Cover

While in Nashville, attendees were able to dine on Southern comfort food, visit the Ryman Auditorium and the Country Music Hall of Fame, and listen to good music of all kinds!

Thank you to all members who presented at the conference! A special thank you goes out to Michelle McBroom Weiss who lives in the Nashville area and was a great help in identifying and recruiting local speakers.



Estelle Hutchinson
Conference Chair



*Excellent conference.
Glad to hear so much
on SSVE testimony...
very appropriate
for this VE.*



*Very good content.
Enjoyed the participation of non VE professionals
(attorneys, judge, economist, vocational evaluator).*

2014 Board of Directors Meetings

June 18 | September 17 | December 3

Unskilled Light and Sedentary Occupations; Comments and Thoughts:

**Submitted by: Scott Stipe, CDMS, CRC, LCP, ABVE/D
Director at Large - CEU Chair (2014-2017)**

Whether a VE's primary practice is in Social Security or in other types of forensic cases all vocational experts must often rely upon unskilled Light and Sedentary options.

There is, and probably always will be, differences of opinion as to whether a Sedentary or Light occupation exists at all, has been combined with other occupations, or exists in substantial numbers. It seems that all vocational experts can agree that the numbers employed in such occupations have been in significant decline for various reasons including automation and declines in US manufacturing.

By benefit of doing so much other forensic work, which often requires job analysis and labor market survey, vocational experts who practice in a variety of venues find it more and more difficult to simply dispense information

found about many long cherished default occupations.

There seems to be essentially two types of vocational experts utilized at ODAR. One type tends to be a practicing vocational rehabilitation counselor/vocational evaluator who must perform (or have others perform) extensive vocational research, job analysis, labor market survey and interpretation of numbers data. The other type tends to be a full time or nearly full time ODAR vocational expert who often may not have performed job placement, job analysis and survey work for many years (if at all). Administrative law judges often ask vocational experts why their responses to questions differ as much as they do. My response speaks to the issue described above with the two major types of experts. While there are always exceptions in which experts who do no other work aside from SSA also do LMS/JA to

maintain current skills, as well as VE's who only do other forensic work who do no JA/LMS, it has been my experience that experts who perform a variety of forensic work provide sometimes markedly different answers to hypothetical questions by benefit of practice in a variety of areas.

Does an occupation described as sedentary and unskilled requiring only "occasional handling" (election clerk) satisfy a hypothetical when that occupation was last analyzed by DOL in 1997? Does it really exist in substantial numbers as a full time occupation when the job description itself describes activities performed "during elections". Can any clerical occupation really only involve handling one third of a day?

Is it appropriate (or even logical) to utilize the VE default darling, Surveillance System Monitor when the job description

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the administration, scoring and interpreting of psychometric tests and measurements. Scott is very passionate about this topic and recognizes the need of competency based psychometric evaluation within ABVE and in many counseling disciplines. Our ABVE board shares his passion and I know many of you feel the same.

As far as criteria I can shares this much at this time. The IPEC will be for Master's Degree and higher only applicants. The ABVE Board of Directors feel strongly about this and will not lower the standards which would only drive down the quality of the credential and give managed care power over our fees. And secondly, we are going to create a grandfathering status for those qualified for the purpose of building the grassroots movement, trainers and beta data.

This no doubt will be a major contribution to our field by Scott Whitmer while serving and meeting his need for a PhD dissertation. ABVE members and other outside non-ABVE members who are more professionally oriented will reap the benefits of being able to increase the competency and professional image to the courts.

The ABVE membership will have the opportunity to review the proposal of the IPEC and the suggested By-Law changes prior to asking for a vote of the members. It will be emailed and placed on the ABVE website under the Member Section. We will be asking for comments or inquires to be email to the Board Members prior to a vote of the members. We also will offer a telephone conference call for members who wish to have an open discussion about the IPEC prior to requesting a vote. As an ABVE member we hope that you will

support this project and see this as a value to our field even if you do not feel the credential is for you.

This project, though only starting is complex by design and will take several years to implement. This will be a defining moment of career development and contribution by Scott Whitmer to our field. All, I can say is how fortunate, privileged and blessed ABVE is as an organization to be able to acquire a new certification that is so important to our professional image. Thank you Scott!

More to follow soon!

2015 ABVE ANNUAL CONFERENCE

March 20-22, 2015
San Antonio, TX

CEUs & Networking

The banner includes images of a riverboat on the San Antonio River, the Menger Hotel, the Alamo, and a theater interior. It also features the American Board logo and a 'San Antonio Deep in the Heart' logo.

Save the Date!

The **2015 ABVE conference** will be held at the Menger Hotel, established in 1858 and rich in history. Only a short walk from the Alamo and the Riverwalk, there will be no shortage of things to do.

To learn more, visit:
www.mengerhotel.com

Apply to Present

Deadline to apply is August 15, 2014! We are now in the process of recruiting speakers and we need your help!

External Speakers: Do you know an attorney, judge, mediator, economist, medical provider or other specialist who would be an informative and engaging speaker? We are especially interested in speakers from San Antonio or surrounding areas in order to minimize travel costs.

Members: Have you developed an area of expertise that you could share with your colleagues? This is a great way to facilitate professional growth and get known for your expertise!

Pre-Conference Workshops: What ideas do you have for topics and speakers for hands-on workshops that will increase knowledge and sharpen skills?

Presentations should relate to at least 1 of the 15 Core Competency Areas. In addition we are looking for sessions that cover ***best business practices and ethical issues.***

- Forensic Testimony & Related Legislation, Rules & Regulations
- Standardized Vocational Testing & Work Samples
- Statistical Analysis, Foundations & Theories
- Research Methodology and Forensic Applications
- Standardized Psychological and Neuropsychological Testing
- Vocational Theory and Forensic Applications
- Job Surveys and Job Placement Techniques
- Seminal Vocational Texts & Applications (i.e. Dictionary of Occupational Titles, Handbook for Analysis, and others)
- ABVE Standards, Code of Ethics and Professional Ethical Behavior
- Transferable Skills Analysis; Theories and Forensic Applications
- Physical Capacity Evaluation, Assessment of Functionality & Work Applications
- Occupational Information Network (O*Net Applications)
- Life Care Planning; Resources, Techniques, Competencies
- Pain Measurement, Pain Management, Work Implications, Treatment Modalities
- Determination of Earning Capacity; Theories, Sources & Applications

Download the RFP at www.abve.net/conferences.htm

Technology, Communication, and Consequences

Submitted by: John F. Berg, Chair of Technology/Communications

Technology can and does change our priorities at work, home, or leisure. Technology is now key to communication to the masses and provides information for careers, purchasing, scheduling, and recreation.

Who and what controls your time now? Is it you, your boss, the computer, “smart phone”, email, Facebook, LinkedIn, or Twitter. 6 billion smart phones have sold in less than five years based on an interview with Google and CISCO systems CEO’s. The smart phone is the single most powerful tool existing today. Just look around and see nearly every teen at school plugged into iTunes, digital music, taking “selfies” and other forms of narcissism. I have so many notification systems mostly not asked for, which sometimes appear to direct me and my attention to hand held devices, television, or the PC. Google, business blogs, email with special sounds to alert oneself, text messages, airfare alerts, stockbroker news, and almost an endless number of sales commercials on-line. We are mandated to stop, listen, read, watch, click, “like”, share, tweet enter your PIN number and purchase.

I doubt many of the readers of this newsletter place ads for your business on radio ads, (AM/FM), TV or yellow pages unless it is a freebie. No cost partial solutions may include LinkedIn, Facebook, or Twitter. Facebook has over 500 million subscribers, of which 250 million go on-line daily and have the average of 130 “friends”. 250 Million Access Facebook using a mobile device and 1-million advertisements appear per month; 2-million connect to some business person. LinkedIn has 277 million people and 187 million log-on monthly with 200 countries, 60% are outside the USA. LinkedIn is used by 94% of job recruiters to vet candidates for

hire. Twitter has 1-billion registered users as of 2013 but 250 million are actively on-line each month. Many of us use website’s to promote our firms and services but what is the cost-benefit? How many referrals do you draw from a website vs. word-of-mouth? Google + has 540 million active members as of 2013, many focused on photo sharing. 1.5 billion photos are uploaded per week on Google + but average users spend only 6 minutes and 47 seconds per month. Facebook reported the average user spends 6-hours and 44-minutes per month on-line. A relatively new social media is Reddit used by musicians having only 6,026 active subreddits. This platform offers one to create a themed version for their music on-line by audio and video images. Other niche communities exist such as r/Guitar, r/HipHopHeads, and r/Mashups. 84% happen to be male users. Still another platform is VINE, for micro-videos especially comedy performances (It is a Twitter of the video world). In 2012, 3-million users existed the first month growing to 40-million the first year. Can anyone say “exponential growth”? Twitter purchased Vine for \$30 million after the first year. Websites sprang up to broadcast the BEST – OF on Vine Scope and Best Vines. When surfing the internet, one may stumble on no other than StumbleUpon. This

is not a social media program but integrates some social networking features. These are paid personal recommendations of 80,000 brands of stuff and recommendations for pages, websites, used by roughly 30 million, mostly mobile-focused users. Can I go on to even more? Yes, check out Flipboard, a personalized magazine mobile APP with 56 million users as of March 2013 growing to 90 million by October 2013. This platform offers newsfeeds for non-TV folks, Twitter handles, hashtags, keywords to cross other platforms and RSS feeds. Flipboard has both a mobile APP as well as a web platform and can follow your digital “traffic” back to your website or blog. “Hashtags” are a word or unspaced phrase prefixed with the number (“#”) sign used as a metatag to connect to other groups thus allowing more tracking and increased connections to a target audience. I have seen them used in music, entertainment and the last political Presidential election. RSS means “Really Simple Syndication” a technology to track favorite websites as opposed to the OLD use of Bookmarking on your PC.

On the next newsletter, I plan to author some materials for concepts concerning Branding your practice and Marketing.

**Have something interesting to share
to ABVE Members.**

Submit a Newsletter article!

Our next newsletter article deadline
is September 26!

Contact ABVE or the newsletter editor for
more information

ABVE Headquarters
abve@abve.net





ANNUAL CONVENTION WASHINGTON, D.C. 2014

ABVE WILL BE EXHIBITING AT THE 2014 APA CONFERENCE

VISIT US AT BOOTH #521

INTERESTED IN HELPING PROMOTE ABVE – HELP MAN OUR BOOTH!
CONTACT STEPHANIE AT ABVE HQ FOR MORE INFO | STEPHANIE@BTFENTERPRISES.COM



American Board of Vocational Experts 2014 Annual Awards

David S. Frank, Ed.D. Lifetime Achievement Award:
Jeffrey A. Truthan

Scott E. Streater Learning and Educational Award:
Ronald Smolarski

Retiring Board Members:
Rosalyn Pierce, Director-at-Large, 2011-2014
Richard Baine, Director-at-Large, 2011-2014

Presidential Citations:
Eileen Fredrickson
Estelle Hutchinson
Scott Whitmer
Timothy Field



Scott Whitmer, Presidential Citation



Timothy Field, Presidential Citation

Unskilled Light and Sedentry Occupations Continued from page 4

describes it being performed in public transportation terminals, the government data suggests that there are only five DOT codes within SOC 33-9099 (three of which are SVP 3 or higher), 65.5% are part time and if the numbers (using SkillTRAN) suggest only a whopping 3,854 such individuals employed in the entire US? Defense of SSM often produces discussion of various types of related occupations with similar duties combined into security positions and higher skilled positions in casinos. In other words vocational experts who rely upon SSM are misinterpreting a semiskilled or skilled occupation performed in an entirely different work environment via typical example then calling it unskilled. I tell attorneys that when VEs rely on SSM it is code for there being no work with a perceived need to appease trier of fact, ALJ or retaining attorney. One can smell the desperation. Even if it does “exist” are the numbers substantial?

Does an usher simply “ush”? If the VE contacts employers he or she will likely learn that they perform a variety of other activities involved in clean up and concessions as well. A bakery worker on a conveyor line who reaches and handles only occasionally, really? Full time numbers with Skilltran suggest only 41 in the US and while some VE’s suggest it can be performed one handed, should we even be having this discussion?

As we all know we are dealing with a Department of Labor resource which has many occupations that were last analyzed in 1977 or 1986, simple regurgitation of this data without consideration of how such work (or if such work) is being performed nearly four decades later is not what makes a true vocational expert. Seizing upon a lack of a given physical demand when such is illogical and counterintuitive as if it were some type of odd prize to

satisfy a complex hypothetical is not a real vocational expert’s goal.

Increasingly, more experts in all venues are being asked about testimony which departs from the DOT. Increasingly vocational experts who perform extensive labor market research in their practices are assisting attorneys in cross examination of experts who don’t. We can all have interesting and intense discussions about the existence and numbers of various occupations. We will always note that what might exist in our region does not exist, or is performed differently in another. But perhaps we can all agree that over the last few decades it is becoming increasingly difficult to provide accurate vocational expert testimony utilizing only government publications, and experts will need to more often and increasingly rely upon job analysis and labor market survey in order to provide accurate information.

In summary, reliance upon our existing resources alone, in relation to some occupations and individual variables at play without testing them with employer sampling leaves experts vulnerable. It should, since change happens and assumptions can be inaccurate and misleading when passed off as expertise. As noted by Neulicht, Gann, Berg and Taylor (2007) most VEs do use and rely upon employer sampling to answer complex questions we all are asked. It is a standard method. It is not needed in every case. But the VE who never samples employers may provide desirable (yet incorrect answers) to trier of fact or retaining attorney and thus jeopardize an entire case. We practice in complex cases answering complex questions. Employers can help us answer many of them. If we pick up the phone and actually want to hear their answers, some of them just might conflict with the way things were decades ago. Our expertise will thereby be enhanced.

WELCOME NEW ABOVE MEMBERS!

Upgrade to Diplomate:

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Russ Gurley, LPC
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