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Vocational Experts



2012 ABVE Conference a Success in Las Vegas, NV

Over 150 vocational forensic professionals attended the ABVE 2012 Conference from March 23-25, 2012 in Las Vegas, NV for what was one of our largest conferences in ABVE

history. The expert led sessions, the sharing of experience among VEs from across the U.S and Canada, and the networking and camaraderie among our attendees makes ABVE's Conference the place to be each year.



“This was one of the best ABVE Conferences in terms of quality, content, and use-ability of information/presentations! A lot of value added aspects, such as round tables, web design services, and social networking. This conference also offered more likelihood that information will actually be applied to my job. Also increased contacts with colleagues during this conference that will help improve aspects of my practice.”

Conference program materials and the attendee list are available at <http://www.abve.net/conference2012.htm>. There are links to resources shared by our many excellent speakers that are of great value in our work all year round.

ABVE looks forward to having another top-rated conference in Scottsdale AZ, April 12-14, 2013.

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President's Message

By H. Gray Broughton, President, 2011-2013

I hope everyone had an enjoyable time at our recent Annual Conference in Las Vegas. The speakers were great, the facility was pleasant (except for the smoke) and the conference overall was a huge success. Many thanks to Estelle Hutchinson and her committee for doing a wonderful job. Our conference next year will be in Scottsdale, AZ and the conference chair will be Cindy Grimley. If you would like to assist Cindy in planning this conference please contact her at cpgrimley@gmail.com or ABVE Headquarters.

As most of you know we are in the process of deciding on a Certified Associate Level of membership. In 2009 the Board agreed on enacting the new certification level which was originally "ABVE Basic Forensic Certification." The new level was taken to the membership for a bylaw vote and passed in December 2009 along with the 2010-2013 electronic board elections. At the membership meeting at the 2012 ABVE conference in Las Vegas, some concerns were raised about the new level of membership. After our recent June board meeting the board has decided to form a committee to review the certification level and its requirements and form a new set of guidelines which will be presented to the board at the December board meeting. The Board will send out the final product to the membership after the December board meeting and will welcome comments via email and phone, and allow discussion at 2013 Spring Conference in Scottsdale, AZ. The final product will be presented to the entire membership for a bylaw vote after the Spring Conference. We hope we can address the concerns of all the members while continuing to keep the organization's membership strong in numbers and reputation.

I look forward to a prosperous fulfilling year! I hope everyone has a wonderful summer!

Sincerely,

H. Gray Broughton

Do You Have Your 42 CEU's for the 2010-2012 ABVE CEU Cycle?

Letters were mailed out June 25th providing information on the number of ceu credits we have on file. You may also sign in to the members only section of ABVE's website to see your current status, which is located at the bottom of your profile.

For an overview of all ABVE CEU policies please visit
<http://www.abve.net/contedoverview.htm>
or contact us at ABVE Headquarters
(831) 464-4890

Treasurer's Message

By Estelle Hutchinson, ABVE Treasurer, 2010-2012

Having a successful annual conference each year is critically important to the financial health of the American Board of Vocational Experts. 2012 proved to be a year with good turnout from the membership as well as others interested in membership and/or the content of the conference. Conference revenues totaled \$75,702 which exceeded expectations. Net profit was approximately \$16,000. Four pre-conference workshops helped to increase revenues. Two were targeted towards those new to the field and the other two offered specialized training for experienced forensic experts.

The other important source of revenue for the organization is membership dues. Membership has been stable and new members have joined the organization. At this point in time, 11 months into the fiscal year, membership dues are more than \$4,000 over budget.

An important initiative for the fiscal year beginning July 1st will be new membership development which will require an investment of time, energy and financial resources. Although ABVE is financially stable, the organization depends heavily on the volunteer efforts of its members to process new member applications and CEU's, proctor examinations, and many other tasks. Consider ways that you can contribute to the health and vitality of the organization! Our deep appreciation is extended to all who do.

Membership has been stable and new members have joined the organization.

At this point in time, 11 months into the fiscal year, membership dues have exceeded our budgeted income by more than \$4,000.

Don't miss out on the ABVE Group on LinkedIn

Conversations taking place on LinkedIn in the last month:

- **Minimal Sitting Tolerance for a Sedentary Occupation**
- **Sixth Circuit Reiterates Standards for Expert Witness Admissibility**
- **Designation Without Retention**

Join the conversation or just listen in.

Join the ABVE Group today!

The ABVE group is part of a network of vocational experts and other rehabilitation professionals to connect with colleagues, share resources and exchange ideas. The ABVE Group is open to all ABVE Members, other vocational rehabilitation professionals and professionals seeking the services of vocational experts.



CALL FOR PRESENTERS!

2013 ABVE Conference
SCOTTSDALE, AZ
April 12-14, 2013



The theme of our conference next year is
New Ideas with an Old Familiar Twist.

If you would like to present at the 2013 ABVE Conference please visit our website at www.abve.net/conferences.htm and download the RFP.
The deadline to submit your proposal is August 1, 2012.



2012 Conference
Photos

OIDAP To Disband

By Cynthia Grimley, ABVE President-Elect 2011-2013

The Occupational Information Development Advisory Panel (OIDAP) Committee for The American Board of Vocational Experts currently consists of Jan Lowe, Bonnie Martindale, Cheryl Chandler and Cynthia Grimley. Your ABVE Board of Directors allocated funds so that ABVE could have representation at the most recent quarterly meeting of the OIDAP panel which was held on March 22, 2012 in Baltimore, MD. Jan Lowe and Cynthia Grimley attended this meeting on behalf of the ABVE membership.

Mary Barros-Bailey, Ph.D. continues as the Chair of the OIDAP Panel. Sylvia Karman, Office Director, Office of Vocational Resources Development reported as well as many other various Subcommittee Chairpersons. There are a total of fourteen panel members.

Although funding has been cut significantly monies were approved to hire two Industrial Organizational Psychologists. Jane Papenchock has taken the lead in this role. This was found to be necessary because panel members questioned the construct development of the project; it became quite apparent that evidence of measurement and the methodology for the taxonomy were missing. Ms. Karman reported that this has not yet been developed.

David Rust, Deputy Commissioner, Office of Retirement and Disability Policy reported to the panel and indicated that this is a very unpredictable time right now due to an election year. The term for the Commissioner of the Social Security Administration expires in January 2013 and the 2013 budget is unknown. He added that the project will continue but it will depend on the level of funding and support. He continued that "this is an important project because the DOT is so outdated." Commissioner Astrue renewed the Charter for OIDAP on

January 6, 2012 which is good for six months.

Shanan Gwaltney Gibson, PhD., Subcommittee Chair, for the Taxonomy/Instrumentation Subcommittee advised the panel to not eliminate things. She commented, just because it is not relevant now does not mean it won't be in the future. Apparently there has been a "filtering process" where some things were removed. Dr. Gibson advised the panel that "outside manpower" (outside contract labor) maybe needed outside of the Social Security Administration to complete this project.

The Disability Evaluation Constructs (DEC) should be completed by May 2012. This was scrutinized by committee members and stakeholders who were in attendance at the hearing asked as to why this has not been released to the public. It was stated that this is not a stand-alone document and must be held in context with other work and its use in taxonomy development. At some point this will be made available to the public.

Mary Barros-Bailey, Ph.D. noted that the development of an Occupational Information System was added to the Charter as the eighth recommendation.

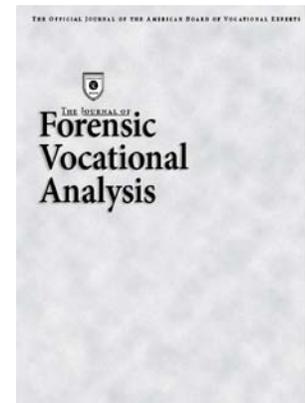
The OIDAP panel had no public deliberations because they all got "hashed out" in private sub-committee meetings. Public comments were welcomed. Tom Sutton, Esq. representing the National Organization of Social Security Claimants' Representatives (NOSSCR), Jeff Truthan representing Skill Tran, Lynne Tracy presenting IARP and Cynthia Grimley representing ABVE spoke to the panel. Cynthia Grimley thanked the panel for their hard work with the task to develop a new Occupational Information System (OIS). She noted that it is difficult for the public to know and understand the process and how things are moving forward since not all information has been

released. She stressed that, as Vocational Experts in the private sector, we depend on and are in desperate need of having an updated OIS because we are the professionals that are providing evaluations on a day to day basis. Ms. Grimley stated that this project is very important because in the past the Social Security Administration has led our field and in terms of how we perform our evaluations.

The June 4, 2012 meeting was the OIDAP's last public meeting as a panel established to provide advice and recommendations to the Social Security Administration (SSA) for the development of an occupational information system to replace the Dictionary of Occupational Titles in SSA's disability programs.

The Journal of Forensic Vocational Analysis

**Watch for the latest
issue in the mail!**



If you are interested in
contributing articles please
contact abve@abve.net

Secretary's Report - Serving Others

By Howard Caston, ABVE Secretary 2012-2015

Over the years as I went through my work activities on a day-to-day basis like many people, I did not give a great deal of thought to the work and effort that many people put into this profession. I tended to take it for granted that these professional organizations that we belong to just exist; the newsletter and journals would be written by somebody else, conferences planned by someone else and organizational structure maintained and operated by someone else. However, as I began to actually read the journal articles, read through the newsletters, and examine my day-to-day activities I gradually became aware that many people have gone beyond what is required in our profession and contributed to this occupation. Then I felt guilty that I have not done much to help this organization. Many have volunteered time and effort in order to improve this profession. The result has been to assist the rest of us in performing our jobs better and have access to resources, knowledge, training and references that we use on a regular basis. The high standards of our profession that are recognized by the professional legal community are maintained by ABVE. Upon arriving at this awareness it occurred to me that I should help the organizations that have benefited me and this profession. I made several presentations at conferences. At the urging of Larry Sinsabaugh and my wife I decided to serve on the board of ABVE. Then, it was suggested that I could serve as a secretary on the board of ABVE. I accepted without any regret.

The rewards that I've received from serving on the board have been valuable. It has helped gain a better understanding of the functionality of ABVE, has brought me in contact with colleagues that I ordinarily would not see on a regular basis and has improved my awareness and skills as a vocational expert. I would strongly encourage all members;

especially newer members to volunteer to serve on a committee, submit articles of interest to this newsletter, write a journal article, assist with the annual conference, speak at a conference, and/or run for a board office. You will get much more than what than you give. You will find that it is truly a labor of love. Please contact myself at:

hcaston@castonassociates.com or (513) 985-9151 to discuss any articles you would like to submit. Feel free to contact any Board member in order to also serve ABVE and your profession by working on a committee or assisting with the conferences.

Future ABVE Conferences

Mark Your Calendars
Now!



April 12 - 14, 2013
Firesky Resort
Scottsdale, Arizona



March 28 - 30, 2014
Doubletree Hotel
Nashville, Tennessee

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

**Submit a Newsletter
article!**

**Our next newsletter article
deadline is
September 21, 2012!**

**Contact ABVE or
the newsletter editor
for more info**

**ABVE Headquarters:
abve@abve.net**

**ABVE Newsletter Editor
Howard Caston:
hcaston@castonassociates.com**

Annual Awards



Left to Right: John Berg, Estelle Hutchison, Gray Broughton, Carl Gann, Michael Graham, Ron Smolarski, and Cheryl Chandler

David S. Frank, Ed.D. **Lifetime Achievement Award**

Is presented to
Carl Gann

In recognition of his contribution and service to the principles of the American Board of Vocational Experts

Scott E. Streater **Learning and Educational Award**

Is presented to
E. Davis Martin Jr.

In recognition of his contribution and service to the learning and educational base of the American Board of Vocational Experts

The American Board of Vocational Experts expresses sincere gratitude to:

Jayne Barton
Director-at-Large, 2009-2012

Cheryl Chandler
Secretary, 2009-2012

Ron Smolarski
Director-at-Large, 2009-2012

Larry Sinsabaugh
President 2009-2011
Past President 2011-2012

For their remarkable service and tireless commitment to the success of ABVE.

WELCOME NEW ABVE MEMBERS!

Certified Members:

Lisa Ann Croceni
Genex Services, Inc.
Troy, MI

Jeffrey Kiel
Vocational Solutions, LLC
San Antonio, TX

Shelley Lewis
Owings & Associates, Inc
Seattle, WA

Luis O. Mas
Luis Mas & Associates
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The Green Northern Consulting
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Kathryn McKenzie Tweedy
Auburn, AL

Consummating the Ideal Agreement

By Rosalyn Pierce, MA, CRC, CDMS, CCM, CLCP, LPC, NCC, ABVE/D

Have you debated an attorney about your assignment?

Have you ever had a plaintiff refuse to sign your disclosure form?

Have you ever attempted to persuade an attorney to amicably settle a case?

Are you challenged in convincing your staff to cheerfully adhere to your procedures and emulate your company attitude and spirit?

If you answered yes to any one of those questions, continue reading.

Take time to develop a relationship, with the opposing party, before the negotiation begins. Find out about their likes, dislikes, and personal interests. Try to arrive early to chat casually. Do not view the other party as an adversary, then it will be easier to separate your relationship with them from the problem at hand. You must constantly work on separating the people and foster the idea that you are working to resolve the problem together.

There are three criteria by which to evaluate a wise agreement: (1) Did it improve or at least not damage the relationship between the parties? (2) Did it meet the legitimate interests of

each side to the extent possible? (3) Is it a durable agreement and does it take community interests into account?

Arguing over positions can produce undesirable agreements. It is inefficient if it endangers an ongoing relationship. When there are several parties involved, positional bargaining can also be detrimental to the desired outcome.

Negotiations between two parties are described as distributive and integrative. In the distributive case there is one single issue. Integrative bargaining involves two parties addressing several issues to be negotiated. The two parties are not strict competitors and they can cooperate in order to achieve a beneficial outcome for both parties.

Positional bargaining is described as soft or hard. Soft negotiating emphasizes building and maintaining relationships such as those that occur between family, friends, and sometimes co-workers. Each party exhibits generosity, honesty, although the agreement is more likely to be attained it may not be the wisest, most practical agreement.

Hard negotiating participants are usually adversaries. The goal is victory

versus agreement and concessions are demanded. The process is manifested by distrust, threats, one-sided gains, applying pressure, a contest of wills, and misleading the other party as to your bottom line.

In order to produce a wise outcome, change the game and employ a method of Principled Negotiation / Negotiation on the Merits. Pointers for this type of negotiation employ straightforward methods such as: a focus on people, interests, options, and criteria.

The following elements comprise the Principled Negotiation Method:

- People – Separate the people from the problems
- Interests – Focus on interests not positions.
- Options – Generate a variety of possibilities before deciding what to do
- Criteria – Insist that the result be based on some objective standard.

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Are You Displaying Your ABVE Credential?



AMERICAN BOARD OF
VOCATIONAL EXPERTS

If you are a Diplomate or Fellow, don't miss an opportunity to add to your credibility by listing ABVE/D or ABVE/F on your CV, expert witness listing or marketing material.

**Would you like to add
the ABVE logo to your website?**

Email abve@abve.net subject line "ABVE logo" and we will send you a high resolution logo to add to your website.

Consummating the Ideal Agreement (Continued)

People - People have strong emotions with radically different perspectives and perceptions and we have often experience difficulty communicating clearly. Be careful to prevent emotions from becoming entangled with the objective merits of the situation. Avoid having your ego tied to the position or situation. Both parties should view themselves as working side-by-side attacking the problem not *each other*.

Interests - Do not become hung up on a party's stated position when the actual objective of a negotiation is to satisfy underlying interests. Compromising between positions is unlikely to produce an agreement that will address the human needs that lead to the adoption of the stated positions.

Options - Before attempting to come to an agreement, invent options for mutual gain. Set aside a designated time to think of a wide range of possible solutions that advance shared interests and creatively reconcile opposing interests. The terms should be based on a fair standard such as market value, expert opinion, custom, or law to determine the outcome. Try to obtain a result based on standards independent of will power. Be reasonable and yield to principal and not pressure.

Barriers to Successful Problem Solving

People have emotions, deeply held values, different cultural backgrounds and view points, and we are all unpredictable. The human aspect of negotiations can be helpful or disastrous. Consider our desire to feel good about ourselves and our concerns about other's perceptions of us may possibly make parties more sensitive to another negotiator's interests.

On the other hand, folks get angry, depressed, hostile, frustrated, and easily offended. Egos can be easily bruised and occasionally people may only view the world from their own vantage point and confuse their own perceptions with

other people's reality.

Parties involved in a negotiation have an interest in reaching an agreement that satisfy their substantive interests, they also have interest in a relationship with the other party (such as family members, professionals, government officials, business partners, and clients.) The ongoing relationship can be more important than the outcome of any particular negotiation. Do not regard the person and the problem as one. Carefully posed statements can avoid misinterpretation as having negative intentions or a poor attitude for a particular individual. Caution must be exercised not to inadvertently convey that you do not value the relationship with the opposing party.

Successful negotiations requires that you base the relationship on accurate perceptions. Clear communications, keeping emotions in check, and maintaining a positive, purposeful outlook are necessary.

Deal with "people problems" directly. If perceptions are inaccurate, try educating the listener; if emotions are volatile, find a way for each person to let off some steam or take a break; and when misunderstandings exists, improve communication. The majority of "people problems" typically fall into one of three categories: perception, emotion, and communication.

One of the most important skills a negotiator can possess is the ability to perceive a situation as the other side sees it. People tend to see what they want to see and they select and focus on the facts that confirm their perceptions. We tend to disregard and misinterpret facts that do not support our beliefs. To influence others we need to understand empathetically the power of their point of view. Understanding the opposing party's point of view is not the same as agreeing with it. The ability to do this will allow you to reduce the area of conflict and help you advance your

newly enlightened self-interest. Try to put a positive spin (or the best interpretation) on what the other side says or does.

Refrain from playing the blame game. It causes the other party to stop listening or to strike back with an attack of their own. When discussing the problem or situation, separate the symptoms from the person with whom you are speaking. Even when blaming is justified, it is usually counter productive. You are more likely to be taken seriously if you address the differing perceptions and discuss them openly. Invest in the process by communicating loudly and convincingly. Compliments or comments that will be well received by the other party are helpful. Try to convey a message different from what the listener expects. Acting inconsistently with the other's perception of you is the best way to make headway in a negotiation.

Both parties need a stake in the outcome to encourage participation in the negotiating process. William Ury stated, "If you want the other side to accept a disagreeable conclusion, it is crucial that you involve them in the process of reaching that conclusion." Even when the terms of an agreement appear favorable, they could be rejected due to suspicion because of their exclusion from the process. Agreement is attained easier if both parties feel ownership of the ideas. Both parties dislike the feeling of or the appearance of backing down or kowtowing to the other side. If the statements can be phrased or conceptualized so the outcome appears fair, both parties will accept the terms.

Recognize how negative emotions can derail a successful negotiation. The feelings of anger, fear, resentment, and hostility must be considered. Careers may be at stake, reputations, or finances. Sensitivity is key. Are folks

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Marketing Material Available to ABVE Members

ABVE makes available an informational and marketing brochure titled, "Expertise for the Legal Community."

The brochure educates attorneys about the value of the ABVE certification and why they should use an ABVE Certified Expert.

ABVE Members may order this marketing tool at \$0.25 each to disseminate information about the organization and market their services.

There is space on the back of the brochure to affix a label with members' contact information.

Email abve@abve.net to order your set of brochures today.

Consummating the Ideal Agreement (Continued)

responding to past grievances and looking for revenge? Are emotions spilling over from another unresolved issue? Are personal problems at home interfering with business or negotiations? Actually, address emotions and address them in a non-threatening way so you can get past them. The objective is to be free from the burden of unexpressed emotions so that people will be more likely to work on the problems. Allow the other side to let off steam and do not react to emotional outbursts. Do not hesitate to apologize to diffuse emotions and move negotiations forward.

Effective communication is the key. From personal experience we all know that spouses, families, co-workers who have known each other for years and decades, may still encounter difficulties in communicating effectively. Therefore, you are likely to experience challenges communicating effectively with new or unknown parties. Stop concentrating on your response to what the person is saying and pay close attention to what the other party is discussing with you. If you are not hearing what the other side is saying, there is no communication.

Listen and acknowledge what is being said by using reflective listening and paraphrasing the statements.

(Remember we learned these skills in undergraduate school?) As you repeat what you understood the speaker to have said, phrase it positively from their perspective making the case clear. Remember, it is a negotiation and not a debate so speak to be understood. You are trying to work out a joint solution that does not abuse either party. Do not condemn the motivations and intentions of the other side. Speak about yourself and convey information without provoking a defensive reaction. Speak for a purpose. You want the perfect amount of communication and not unnecessary verbiage, but enough to keep a dialog going.

In closing, always treat people with respect even when you disagree with them. Moreover, think positively and remain optimistic. Let your reach exceed your grasp.