

Loss of Earning Capacity in Pediatric Cases

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Abstract: The loss of earning capacity and vocational choices upon reaching adulthood may have significant effects on a child with an acquired disability. In order to properly address this issue, vocational professionals must be aware of the relevant psychological, sociological, and rehabilitation literature in conjunction with a strong understanding of the child's and parents' educational and vocational characteristics. This article introduces one model as a contemporary tool to address the issue of loss in earning capacity. The Abilities and Residuals (AR) Model of Pediatric Earning Capacity is a theoretical model which compares a child's pre-injury Abilities, Access, and Awareness of occupations (A+A+A) to their post-injury Residual Abilities, Residual Earning Capacity, and Reasonable Accommodations (R+R+R). The AR Model is named for the pre-injury A variables which are compared with the post-injury R variables which provide a foundation for the vocational professional to address a child's loss in earning capacity by applying theory and literature to the individual child.

Court Decisions Under California's 2005 Schedule for Rating Permanent Disabilities: Impact of Expert Testimony on Diminished Future Earning Capacity

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Abstract: Abstract: Attorneys representing employees with a work injury have lodged numerous attacks against California's new *Schedule for Rating Permanent Disabilities (Schedule)* (California Division of Workers' Compensation, 2005), often regarding the future earning capacity (FEC) adjustment factor. Court decisions are summarized regarding the use of diminished future earning capacity (DFEC) expert testimony in rendering decisions. This article discusses payment of DFEC expert fees in relation to various court decisions for DFEC cases and related cases as well as several issues that require further research and clarification in evaluating DFEC.

Employer Validation of Jobs Performed with One Arm

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Abstract: The issue of employability for persons having the use of only one arm and/or the assistance of a prosthesis is often a perplexing hypothetical for some vocational experts (VEs) when testifying in Social Security Administration hearings or in other litigation. Since the *Dictionary of Occupational Titles*, *Classification of Jobs*, and other related resources all assume bilateral hand and arm function, there essentially exist no resources on potential jobs for persons with one arm. As such, VEs must rely on their education, training, and experience in delineating whether certain jobs can be performed using one arm despite the fact that few of us get the opportunity to actually observe workers with one arm. The present study was designed to alleviate VE uncertainty by presenting preliminary empirical validation by interviewing 361 employers and employees about whether certain jobs could be performed by workers having the use of only one arm. Results are provided for 19 job titles in 13 different work settings. Vocational experts are thus provided with employer-validated opinions in order to minimize challenges.