

Volume 16, Number 1, Winter 2016

Vocational Apportionment: An Analysis of Medical and Vocational Factors Affecting Apportionment of Employability and Earning Capacity

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Abstract. Vocational apportionment can impact an applicant's or plaintiff's employability and earning capacity. Medical factors and vocational factors affecting apportionment are discussed. Numerous recent court decisions regarding vocational apportionment are summarized. A new vocational apportionment analysis process is presented.

Economic Damages from Job Displacement: Evidence from the Displaced Workers Survey

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Abstract. A large economic literature concerning earnings losses and time to re-employment for displaced workers exists. The consensus in this literature is that displacement leads to sustained earnings losses. This paper seeks to provide statistical information from the Displaced Workers Survey to aid vocational and economic experts in determining economic damages resulting from job displacement.

Effectiveness of a Comprehensive Intervention Aimed at Lowering Recidivism among Inmates

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Abstract. Recidivism outcomes were explored over a 3-year post-release period for participants of a multi-faceted vocational intervention. The voluntary 12-month program operated within a large mid-south prison in the United States. It was argued that individuals who participated in the Learning and Achievement to Decrease Dependency through Education and Rehabilitation (LADDER) program would have lower recidivism rates than the average recidivism rates of the local area. Results revealed a very low rate of reoffending (0%) at 90-days post-release ($n = 22$), and 5% at the 3-years post-release time interval ($n = 60$). LADDER program participants had significantly lower levels of recidivism in comparison to recidivism rates in the local area. Findings indicate that interventions conducted both while incarcerated and post-incarceration with multiple treatment modalities lead to long-term benefits in terms of low rates of recidivism.

Redux of Employer Validation of Jobs with a Sit/Stand Option

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Abstract. Vocational experts testifying in Social Security hearings as well as in personal injury litigation are frequently faced with determining vocational alternatives for individuals presenting with alleged chronic pain related low back injuries. Administrative Law Judges regularly present hypotheticals to vocational experts requesting the existence and type of jobs which may be performed with a sit/stand option. Since there is a paucity of literature on the topic, vocational experts must rely solely on their experience, if any. The present study involved targeted labor market analyses of 610 employers regarding 17 additional sedentary and light exertional level jobs as well as two previous jobs from an earlier study that could be performed with a sit/stand option. Employers acknowledged in over 90% of survey findings that indeed the jobs evaluated at both strength levels can be performed sitting or standing as needed without any perceived loss of productivity. The implications of these findings in assisting vocational experts with empirical data confirming their opinions is discussed in minimizing challenges by opposing representatives or attorneys.

Updated and Revised Methodologies for Evaluating Employability and Earning Capacity in Workers' Compensation, Civil, and Other Venues

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Abstract. Methodologies for evaluating employability and earning capacity evolve over time in response to new laws, regulations, and court decisions, and evolutionary refinements in the vocational evaluation process. The methodologies may be used by vocational experts in ways that were initially not anticipated. Established methodologies for evaluating employability and earning capacity are analyzed, revised, and updated in this article to make them consistent with current expectations of vocational experts in developing defensible opinions in multiple jurisdictions.