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**Investigating O\*NET's Suitability for the Social Security Administration's Disability Determination Process**

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*Abstract.* The paper documented the results of analyses that the American Institutes for Research conducted for the Social Security Administration (SSA). The research was designed to determine the appropriateness of SSA's replacing the Dictionary of Occupational Titles with the Department of Labor's Occupational Information Network (O\*NET) as the occupational information source that SSA would rely upon in its disability determination process (DD). The investigation included analyses of the O\*NET Content Model and of the quality of O\*NET scales and data. The results demonstrated both advantages and disadvantages of SSA's using O\*NET. Recommendations were made concerning ways that O\*NET could be adapted to SSA's current DDP.

**Transferable Skills Analysis and Vocational Information During a Time of Transition**

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*Abstract.* Vocational case managers, counselors, and experts are faced with a dilemma about Transferable Skills Analysis (TSA) because the U.S. Department of Labor (DOL) is making a transition from the venerable Dictionary of Occupational Titles (DOT) to the new Occupational Information Network (O\*NET) system. The DOL is no longer updating the DOT, and it has actively promoted O\*NET as a replacement for the DOT for career exploration and workforce investment purposes. Yet, an examination of O\*NET reveals that it is not suitable for disability adjudication and vocational rehabilitation use. The DOL acknowledges the fact that O\*NET is not designed for forensic use, and has been working with the Social Security Administration for two years to identify types of additional data that are needed to augment O\*NET-SOC information for forensic purposes. This article describes the historical context of the DOT, explains some challenges facing both the aging DOT and the new O\*NET, identifies the dilemma confronting vocational professionals because of this transition, and most importantly, suggests some interim solutions.

**Utilizing Vocational Experts in Employment Discrimination Cases**

Craig S. Johnston, MRC

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*Abstract.* In cases involving allegations of discrimination in employment, vocational experts are often asked to assess the vocational loss and monetary damages arising from employer bias or wrongful termination. The role of the vocational expert in the damages phase of a lawsuit is to assist the courts in understanding the employment and economic impact of alleged prejudice. The expert can identify whether the plaintiff has been adversely impacted by the employer's actions, and thereby experienced a loss in access to their local labor market, or whether the individual has the potential to find comparable employment, thus mitigating damages. Experts can also serve as valuable resources in gauging liability, particularly in cases relating to the American with Disabilities Act. Through such methods as assessing an employer's compliance with existing laws, their attempts to offer reasonable accommodations, and their willingness to offer job modifications, the vocational expert can assist the court with adjudging violations of existing statutes. This article provides a general discussion on employment discrimination, including statutes protecting individuals from discrimination, the role of the vocational expert in such cases, and what plaintiff and defense attorneys need to know when retaining an expert to assist in their case.

**Transferable Skills Analysis and Standards of Practice: Wherever the Two Shall Meet?**

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*Abstract.* This study examined the Standards of Practice for the execution of transferable skills analysis (TSA). Specifically, it investigated the relationship among rehabilitation case type, method of transferable skills analysis, and TSA computational procedure. No statistically significant relationship among the variables was found causing concerns about the application of TSA in forensic settings. Respondents reported using computer programs to perform a TSA approximately 56% of the time. This percentage is problematic because of issues of interrater reliability, differential application to case types, and the arrival of O\*NET.

### **The Ticket to Work: The Unintended Consequences of an Imperfect Law**

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Judith L. Drew, M.A.

*Abstract.* Like many new legislative acts, the Ticket-to-Work law administered by the Social Security Administration has produced some unintended consequences. The Act was not meant to assist every beneficiary in obtaining employment, and it certainly cannot replace the State-Federal system of VR. Yet, the unintended consequences of this law have created problems that are rendering it ineffectual. As a result, it appears this new law will not achieve the goal of restoring the fiscal integrity of the SSA Disability trust fund unless its implementation is restructured. This article outlines some of these changes, and that the problems with the law that would be remedied.

### **Effect of Non-Exertional Limitations on Sedentary and Light Occupations**

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Wendy L. Patten, B.S.

*Abstract.* This article presents research on the non-exertional requirements of Sedentary and Light jobs in the Dictionary of Occupational Titles. Results indicate that Sedentary and Light jobs require a high level of reaching, handling and fingering but not climbing, balancing, stooping, kneeling, crouching and crawling. Results of this study are important to Vocational Experts as they analyze non-exertional limitations on their clients in the forensic setting.