

The following is a detailed outline (not a transcript) of Jeff's comments to OIDAP at its last meeting 7/5/2012.

Thank you to the panel members for the opportunity to speak today. I have already submitted written comments. I would like to expand a bit more on those items and add a few more.

The sunset of the OIDAP Panel is premature. Continued public and independent input is essential to building a new Occupational Information System that meets the needs of SSA.

**My comments today are directed primarily to SSA - rather than OIDAP**

- The final recommendation #9 as published is the foundation for a scientific framework and methodology that should deflect and survive legal challenge.
- Failure to adhere to these recommended standards will very likely lead to costly legal challenges.
- The implied "weight" of the argument "we ARE the federal government and no one can challenge us" did not stop the National Academy of Science in 1980 from publishing its book challenging the DOT. They criticized not so much the DOT constructs, but rather compromises made by federal managers during the data collection process.
- Any new work performed by SSA and/or DOL will be subjected to the same, and perhaps even more intensive scrutiny by the legal community.
- Do not proceed on this new O\*NET path without a clear understanding of the scientific rigor by which new data must be collected.
- SSA will be challenged on this new data ... it must be prepared to defend properly collected and properly aggregated data.

**Some facts about O\*NET**

There are many good aspects to O\*NET, but we need to remember where O\*NET came from ... it began with the same DOT published in 1991:

- 12,761 DOT occupations were collapsed into 1,100 different occupational groups.
- These 1,100 occupational groups were directly linked to the Standard Occupational Classification (SOC) system to be able to utilize labor market information collected by various other programs, including data collected by the Bureau of the CENSUS (household survey data) and OES (Occupational Employment Survey) collected directly from employers.
- These O\*NET groups consist of anywhere from 1 DOT occupation to 1,587 DOT occupations.
- The four largest O\*NET groups cover nearly 3,000 DOT occupations - or almost ¼ of all of the DOT occupations in 4 groups!
- Obviously, many of the unique DOT occupations have gone away through automation, technology, off-shoring, consolidation with other DOT occupations and sheer obsolescence. Using existing government data sources, there are ways to synthesize and "read between the lines" of this occupation by industry data to determine which DOT occupations are the most likely to exist and not to exist. SkillTRAN has pioneered this newer process and has championed its adoption since mid-2008.
- Be wary of O\*NET's improper reporting of the frequency of existence of occupations. O\*NET reports numbers based only on its underlying SOC code (OES) group. These numbers often contain multiple O\*NET subgroups. Unfortunately, onetonline.org reports the total number for the entire OES group, with no interpretation or even warning that more than one O\*NET group may be a part of the statistics being shown. This could lead to a significant misinterpretation of the labor market information that O\*NET reports. SSA claims decisions based on this erroneous data will lead to increased litigation costs and reversals at the costly hearings level.

Some of the existing O\*NET data elements may be helpful to SSA, but most will require improved "tweaking" and certainly far more functional anchor points for the measurement scales. These new scales must correspond to the language used by treating health care and other professionals.

There is no existing factor in O\*NET that covers even the basic concept of the Strength requirement. What are SSA's plans for addressing this critical missing element? As this new Strength data element is defined, take the

opportunity to keep O\*NET's good disaggregation of standing, walking, and sitting from the revised definition. It clouds the concept of functional strength. Consider isolating the revised Strength factor to a single element, such as lifting requirements.

Release the de-duplicated pool of Disability Evaluation Constructs (DEC). Not all of this data may be relevant nor should be captured in Job Analysis, but it will be helpful to understand the range of relevant factors submitted by many interested parties.

It is essential to use qualified professionals to collect, by objective measurement when possible, job analysis data or data that is supplemental to existing O\*NET data directly from employer locations, when possible and appropriate. Legions of these people can be quickly trained up to the new criteria and assigned the hands-on process of Job Analysis. Rehabilitation professionals, such as members of the IARP and ABVE, are constantly in the field already collecting this same kind of data for worker compensation and insurance claims.

Use qualified, independent contractors to assist with project management, data collection, and data aggregation. This will still be a significant data collection effort, but it must be done, and it must be done quicker than the 10 year cycle of data collection currently in place at O\*NET.

Create a national data bank of job analyses that are voluntarily contributed by professionals, associations, employers, insurers and particularly by worker's compensation agencies, including State agencies and the Federal Office of Workers Compensation (OWCP). This rich pool of recent data will supply some additional insights and possibly open the opportunity to do on-site job analysis in some locations.

From the SSA-RFI-12-1022 early this Spring, SSA did receive some responses from parties and teams of collaborating partners (SkillTRAN was among the respondents) interested in helping SSA with this work. Those parties remain interested in assisting with this mission critical work at SSA.

Data collected, or at least the summary of this collected data (at the occupational level) should be in the public domain. This will promote greater adoption of the new data elements. Create a new set of standards for data collection. Encourage these other parties to use the new standards and to share data they collect with SSA and/or DOL.

Promote use of those standards within the Human Resources community, which already voluntarily has developed its shared standards (available at HR-XML.org). SSA can lead the way to establishing voluntary standards that employers could choose to follow when developing its job postings on the internet. This would ultimately help in SSA's RTW efforts as well as supplement data collection efforts.

SSA's role in the disability community is not only one of adjudication. It is also an agent for rehabilitation, as witnessed by various programs that it funds for RTW efforts, including Ticket to Work (TTW), Plan To Achieve Self-Support (PASS), and the Benefit Offset National Demonstration (BOND) program. New data collected should include Aptitudes and Interests, as these are fundamental to career exploration and the identification of other occupations a person might be able to perform with suitable training.

Numerous prior studies have repeatedly shown that better rates for RTW can be achieved by inviting applicants to consider vocational rehabilitation services at the same time as the claim is filed. This helps to promote independence, not an ever increasing number of claims that are rapidly depleting the disability fund.

SSA has received plenty of excellent input from the OIDAP committee and from hundreds of stakeholders. Take all of it, use what remains relevant, but do actually DO SOMETHING. The time for continued study is over. Get on with what needs to be done!