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**Re: Federal Register Announcement:**

<https://www.federalregister.gov/documents/2023/03/24/2023-06069/agency-information-collection-activities-submission-for-omb-review-comment-request-occupational>

Dear Ms. Bouchet:

SkillTRAN LLC is a small private company that builds PC and Web-Based solutions to easily navigate a wide variety of data about occupations, occupational requirements, and labor market information. We have customers in all 50 states. We serve multiple markets, including public and private vocational rehabilitation organizations, vocational experts, the Veterans Administration, worker compensation programs, long term disability insurance companies, claimant disability representatives and attorneys, and the Social Security Administration. Collectively, tens of thousands of people serving the varied needs of people with disabling conditions continue to rely on the Dictionary of Occupational Titles (DOT) for detailed information about what it takes to perform occupations. At present, reliance on the DOT for disability related issues is essential because O\*NET does NOT cover all aspects of the various demands surrounding real world performance of occupations. The Standard Occupational Classification System (SOC) is a simple economic classification consisting of a 6-digit code and a simple title. It lacks any further detail. The Occupational Requirements Survey (ORS) remains “a work in progress” and so far, incomplete in its coverage of all SOC occupations.

SkillTRAN products integrate the steadily aging DOT data with its 12,761 unique occupations and 72 occupational characteristics per DOT occupation with other DOL BLS data resources such as employment numbers reported at the SOC 2018 classification level in the Bureau of Labor Statistics (BLS)

- Occupational Employment and Wage Survey (OEWS) program
- Long term Employment Projections (EP)
- Industry as classified in the North American Industry Classification System (NAICS)
- County Business Patterns (CBP)
- Current Employment Statistics (CES)
- OEWS staffing Patterns

SkillTRAN's thousands of users rely on us to build, support, and integrate solutions with all this data to address their real-world challenges. SkillTRAN pioneered a unique method to guide job placement and estimate employment at the DOT level by creating a special cross-reference table from the DOT to appropriate NAICS industries. This was in response to the government's prior complete failure to disclose this information (although it IS now disclosed in the OEWS program by SOC code).

Since 2019, SkillTRAN is the first company to have integrated the newest available ORS data into many of its products for super easy, one-click access to this new ORS data set. We know these data sets very well. We understand what it takes to both integrate new data with older data sources like the DOT and to maintain it as these various other classification systems change on a regular basis.

**Q. Is the proposed "Third Wave" of data collection necessary? ...of practical utility?**

**A.** Given the age of the DOT (last formally updated in 1991, but with 80% of the DOT occupations unreviewed since 1977), there is no question that 30+ and 45+ year old DOT data is long overdue for an update! However, collapsing the 12,761 unique DOT occupations into a mere 848 civilian SOC 2018 Groups is a major shift in level of precision, particularly when considering the multiple factors by which each group is rated. The reality is that about 75% of the SOC groups contain multiple DOT occupations – ranging anywhere from 2 DOT occupations to one 6-digit SOC group with more than 1,500 DOT occupations! You can imagine (and I can show) the diversity of different levels of Strength and Specific Vocational Preparation (SVP) as the number of related DOT occupations increases in a SOC group. This leads to a lot of heterogeneity in many factors reported by SOC Group, particularly SVP, Strength, and many other physical demand factors.

To collapse so many occupations into a simpler system (DOT → SOC), **it is crucial that valid and complete ORS SOC group data of sufficient sample sizes be collected and fully reported for ALL six-digit SOC Groups and particularly for all variables critical for use by SSA.**

As I examine the current 4<sup>th</sup> year ORS data set, there is a high Standard Error of Measure (SEM) in various Physical Demand variables. We see that the maximum weight lifted values are collected more often than the Sedentary (S) Light (L) Medium (M) Heavy (H) Very Heavy (V) values are reported. **Why?** Will the Max Wt Lifted be converted to SLMHV values at final release late this year? **The SLMHV values are a critical component of nearly all hypothetical questions asked by Administrative Law Judges (ALJ) in Social Security Hearings.**

**There is wild inconsistency in the reported frequency of many variables.** This is likely a function of some areas (such as Physical Demands and Worker Characteristics) **being skipped** during time-constrained interviews with employers/HR personnel and collecting perhaps only Mental-Cognitive|SVP factors rather than the full set of factors.

This 4th year of second wave data collection by ORS reports a total of 60,150 data points for only 426 of the 848 civilian SOC groups. There are 141 data values on average reported (of 343 data points possible to report). Within these 426 reported ORS SOC occupations, **sometimes the reported data omits even the very basic essential factors for SSA (such as SVP and Strength).**

**There is tremendous variability within a 2-digit SOC Group. “Averaged” data for the 6-digit SOC Groups within each 2-digit SOC Group should NOT be done without careful proportionate weighting of the values by its relative employment (as reflected in the 6-digit Occupational Employment and Wage Survey – OEWS). Further, the OEWS program sometimes uses “hybrid groups” to combine multiple SOC Groups into a single “new” OEWS group. This problem worsens with a very incomplete reported ORS data set.**

When data was collected for the DOT by the (now discontinued) Field Analysis Centers, **trained BLS Job Analysts (not economists) went on-site to collect data by interview and direct observation.** About 75,000 of these on-site job analyses were done, **each with full job descriptions and ratings for every one of the 67 discrete variables.** Through a data collection period of about 5 years (late 1972 – 1977) and excellent quality control, **the Fourth edition of the DOT was published in 1977 with data for all 67 variables for each of 12,099 descriptions. This was data collection of 810,633 data points in 5 years ... by hand ... before computers!**

Contrast this with current public reporting of the 4<sup>th</sup> year second wave data collection by ORS, which at the end of 2022 reports a total of 60,150 data points for only 426 of the 848 civilian SOC groups. There are 141 data values on average reported (of 343 possible data points to report). **Within these 426 reported ORS SOC occupations, sometimes this reported data omits even the very basic data elements essential to SSA (such as SVP and Strength).** In fact, within the publicly reported data set, **Strength (Sedentary, Light, Medium, Heavy, Very Heavy) is only reported for 220 of 426 reported SOC groups (51.6% of reported SOC groups and 25.9% of all 848 SOC groups).** Specific Vocational Preparation (SVP) is reported for only 339 of the reported 426 SOC groups (79.6% of reported SOC groups, but only 40% of all SOC groups). **SVP coverage ranges from 100% to 0% of these SOC groups.**

Reported ORS data **completely lacks disclosure of reporting by SOC by NAICS 4-digit** – There should be no danger of disclosure of employer identity at this level. **This is essential to know since some variables (such as Strength) may well vary by industry.**

**With at least \$300 million spent by ORS so far, this is an average cost of \$704,000 per occupation and nearly \$5,000 cost per single data point. This data collection is half complete (in terms of reported data) with only 50.2% of SOC occupations reported with some missing data that is vitally important to SSA.** I would be delighted if ORS could complete its job by the end of the second wave of data collection (end of FY 2023), but I have no such expectation. The third wave of data collection is planned now for yet another 5 years (FY 2024-2028).

As a taxpayer, I have a very difficult time digesting the amount of time and money that this project is consuming at its current pace and price. I support completion of this essential task because current and complete data is needed by SSA to better adjudicate its 2+ million disability claims per year. I expect nothing less than full collection | reporting of all the necessary data for each of the 848 civilian SOC occupations by the end of this “Third Wave”. **Any lesser result would be completely unacceptable and would fail SSA in meeting its obligations.**

The total number of respondents per year does not equal the total number of responses since ORS is/should be targeting multiple occupations at a single employer, not just one response per establishment.

**Q. Evaluate the accuracy of the agency’s estimate of the burden and cost of the collection, including the validity of the method and assumptions used.**

**Sample Size.** The data collection for ORS at present is reported for just 50% of all the 848 SOC groups. It is difficult to expect that after 8 years of data collection (first + second waves) that magically all these 848 SOC groups will be reported for the final set in Fall, 2023. The absence of a complete data set is NOT an acceptable outcome of this second wave data set.

**Complex Math.** The mathematics involved in implementing this SOC based system of ORS factors with OEWS data is quite complex (see the “Pooled Variance (90%) Math” for just 1 ORS variable for 1 SOC group: <https://www.bls.gov/ors/factsheet/calculating-occupationalemployment-for-job-requirements.htm>) to compute “job numbers”. The result for calculating just one factor then needs to be repeated for as many additional factors as are involved for each of the subsequent hypothetical disabling conditions.

**A Social Security Administrative Law Judge (ALJ) always asks hypothetical questions that involve many more than a single factor.** Because of the mathematical complexity of this calculation, this probability math will have to be automated to be swiftly, properly, and reliably done. Further, each time a factor is added into the ALJ hypothetical, the SEM of the resulting calculation will increase while the calculated job number estimate decreases. At some point the SEM will become so wide as to render ALJ decision making about calculated job numbers both confusing and perplexing. How does this facilitate the decision-making process of the claims examiner or ALJ?

**There is inadequate descriptive disclosure about its sample by ORS about each reported SOC.**

1. Reporting by the ORS does not include the sample size by 6-digit SOC group
2. There is no indication of the NAICS (4-digit only) of the businesses that were surveyed, nor the proportion of the survey dedicated to each NAICS.
3. There are no descriptive statistics about the percentage of respondents and geographic distribution where factors were collected.
4. Multiple SOC groups are sometimes combined by BLS to a single (new) OEWS group. I do not see any evidence of proportionate weighting in these groups.

5. There is no description of respondents by role (e.g. Human Resources / Direct Supervisor / Worker / Job Analyst / CEO / ? etc.)

These items are basic descriptive statistical reporting about sample size. At a 4-digit level of NAICS coding, there is no chance of disclosing employer identity for a surveyed establishment. This same depth of reporting by NAICS level is already done by sister agencies within the BLS, including both the OEWS Survey Group and the Employment Projections survey group. Both these groups report data down to 30-50 people nationally by 4-digit NAICS industry coding! There is no reason why ORS cannot similarly disclose both its sample size per SOC group and the proportion of NAICS industries it has surveyed at the 4-digit level of NAICS coding in its sample collection so that it can be directly compared to the OEWS survey results. This assures that the ORS sample closely emulates the OEWS sampling, which is not verifiable in the currently released data set. The OEWS includes data for sometimes hundreds of NAICS.

Disclosure of numbers at the 4-digit NAICS level will still protect employer confidentiality and establish that ORS has indeed sampled appropriately following the same stratification sampling by the excellent OEWS program. **For SSA to use this data confidently, this kind of data must be disclosed by ORS.** Federal constraints on data reporting to protect employer confidentiality apply equally to all BLS programs. **ORS has failed to disclose any of this data thus far.**

**Too little time is allocated per occupation to get full responses from each interview for all targeted occupations.** This has resulted in shortcuts to reported data in critical areas including SLMHV values (vs. Max Wt Lifted) – These should all sum to 100% per occupation. Showing the frequency of data collected at each NAICS4 level enables confirmation that ORS is properly and proportionately stratified when compared to the OEWS survey.

The use of data reported for “rolled up” two-digit SOC codes (e.g. 51-0000 Production Occupations) overestimates employment in basic areas such as Strength (Sedentary and Light) and Specific Vocational Preparation (SVP) because data for the underlying 6-digit SOC codes remains very incomplete and because each of the 6-digit SOC codes occurs with different frequency (per OEWS data). **Applying rolled up ORS data (which appears to assume equal distribution across all the SOC codes reported) is a serious error and could potentially overestimate the number of sedentary unskilled occupations by many times.** Using Sedentary Strength for SOC 51-xxxx, only 3 of the 107 SOC groups report any Sedentary employment.

In this SOC 51-0000 rollup, there are a total of 107 6-digit SOC groups with corresponding OEWS data for 105 of these SOC groups. **ORS is reporting data for only 57 of these 6-digit SOC groups. For 50 SOC groups in SOC 51-xxxx, nothing is reported by ORS.** This is why 2-digit rollups of ORS data cannot be used at this point ... and when they are calculated, they must be reported as proportionately weighted to each of the related OEWS values at the 6-digit SOC level.

In the SOC 51-xxxx Group, only three of 107 6-digit SOC groups report Sedentary strength. None are reported among the other 54 reported SOC or in the 50 unreported SOC codes. Unfortunately,

BLS economists (and others) are making grand and likely inaccurate statements about the proportions of some of these characteristics for “All civilian workers” on its main web page at <https://www.bls.gov/ors>

**Any calculations and percentages must be couched in the context of proportional weighting by the reported frequency in the OEWS survey and for which ORS data is available only. **This is not being done and it is leading to exaggerated “facts”.****

ORS staff say that the reported values for each 2-digit SOC group are being proportionately weighted by employment numbers at the 6-digit SOC level, but my analysis of reported (publicly available) data does not confirm this statement.

How is it that only 57% of Firefighters and Paramedics are reported as lifting > 100 lbs? This is a basic requirement to qualify for either of these occupations. There is no other data reported for the remaining 43% of these SOC Groups. **All SOC Groups should add up to 100% for Physical Demand data.**

Close additional study of the reporting of the nine levels for the SVP factor in the 51-xxxx SOC Group occupations show that SVP data is not being reported at any SVP level for 11 SOC Groups in which any ORS data has been reported. Further, when the reported percentages of SVP values are summed across all of the reported SOC 51-xxxx groups, NONE of these sums equal 100%. **The non-proportionate sums ranged from .5% to 98.4% with an average of 61.4%.**

**What this means is that there is a severe quality control issue, where economists are submitting surveys without getting all the required data collected! Incomplete surveys should neither be accepted nor tolerated.** I firmly believe that this problem comes from the absurd expectation that all of the ORS values can be collected on as many as 8 SOC Groups within a 66 minute average at a single employer.

Our further analysis of the SOC 51-0000 Production occupations is interesting in that this single 2-digit SOC grouping cross-references to 60.1% of all occupations in the DOT (n=7,663/12,761). Yet SOC 51-0000 covers only about 5% of the entire civilian labor force. This confirms that the DOT went “overboard” in its data collection in the Manufacturing Sector. This supports exactly why ORS must report the 4-digit NAICS for each SOC in order to appropriately and proportionally weight by OEWS.

**Q. Enhance the quality, utility, and clarity of the information collected.**

**A.** Not collected in this ORS survey is any information about the WORK Fields or MPSMS codes to provide appropriate methods for transferability of skills searches, a Code of Federal Regulations (CFR) requirement [([http://www.ssa.gov/OP\\_Home/cfr20/404/404-1568.htm](http://www.ssa.gov/OP_Home/cfr20/404/404-1568.htm) - Section (d) (4)] for certain kinds of claims decision making by SSA. There is no equivalent concept in the SOC 2018 system for WORK or MPSMS, in this ORS Survey, nor in O\*NET itself. In my opinion, **NAICS codes could be a suitable proxy for MPSMS codes. But there is no**

**alternative to WORK fields being collected. This is a glaring oversight to not find some way to collect and confirm WORK fields in this data collection.** I do have some ideas about how this could be discerned if there is interest in making this happen as both WORK fields, SVP, and MPSMS are critical elements to the analysis of transferable skills required for older workers.

ORS data collection forms include areas for job description and lists of tasks performed. Yet **nowhere in the released ORS data is this information being publicly shared. Task data should be reported,** but so far has not been disclosed in either the final First Wave or Second Wave data to date. **The SOC 2018 code system lacks any task statements at all.**

ORS data is being collected from employers and human resources people. This is very different from direct job observation, for which economists are not truly trained to collect nor to recognize the difference between what is said vs. how jobs actually do get done, which trained job analysts detect and objectively report.

I REALLY appreciate ORS efforts to act on some recent suggestions. I do look forward to as much published data as ORS can for this final year of Second Wave data collection. From the user perspective, if it is not published it does not exist.

Business owners and HR respondents may not be truly knowledgeable about all the areas for which ORS data is collected. An employer's judgment/rating may be influenced by their worker compensation experience rating for claims incidents filed or due to OSHA or local worker's compensation requirements, which could artificially alter the true requirements of the job at that employer. **Nowhere in reported ORS data is there disclosure of the frequency by job role of the respondents to this survey. These subtle influences are likely sources of respondent bias.**

**Where unchanged variables can be combined to increase sample size and expand reporting, combine (First), Second, and Third Wave data sets to increase and report the N per variable. This also enables comparative functional alignment with the critical OEWS data set.**

One of the key differences between the DOT data collection and the ORS data collection is the nature and methods of data collection. The DOT was collected by BLS trained job analysts, collecting about 75,000 different job analyses, which included both interview with the employer PLUS direct observation (and rating) of the occupation being performed, which often revealed subtle differences NOT KNOWN by the human resources (HR) respondent. With every job analysis conducted by SkillTRAN customers in their unique circumstances (particularly private rehabilitation practitioners, worker compensation, long-term disability and even Ticket to Work providers), **on-site job analysis with direct observation and measurement of worker requirements is the standard practice.** The on-site visit almost always reveals many more details about the occupation that are NOT known by HR personnel.

**Too much money is being spent for economists to do these surveys. Consider use of private sector Job Analysts / well trained survey workers instead.** In ORS, economists are the data

gatherers, who for the most part, do not typically observe the occupation being performed. Economists focus on high level aspects of various conditions. There is a SUBSTANTIAL QUALITATIVE DIFFERENCE in the methodology of each type of occupational observation (econometric vs. ergonomic). **Will economists replace vocational experts in subsequent SSA vocational expert consultations for ALJ claimant hearings?**

**Q. Minimize respondent burden, including electronic submission of responses.**

**A.** ORS estimates that it takes approximately 66 minutes to complete a single survey. On average, it is my understanding (again no formal published ORS data) that the average number of SOC occupations surveyed per employer is about 5. In 66 minutes (average) there are 3,960 seconds. Each survey (example Form PPD-4PF) has 70 variables for data collection. With 5 SOC occupations on average per employer survey, that is 350 data points to be collected in those 3,960 seconds. The average amount of time for the employer to hear the question, ponder, respond, and record the response is about 11 seconds per question. **It is not possible that high quality nor complete data can be gathered this quickly for each of the 70 questions per five occupations in just 66 minutes.** Good job analysis takes more time than allotted and represented in this estimate of respondent burden.

**Direct observation of the occupation being done is far more reliable than simple interviews.** Supplement ORS data collection by using Job Analysts and well-trained survey workers.

Ideally, electronic capture, submission and reporting of survey data would reduce the burden on ORS staff. Any electronic version used directly by employers must be very clear, simple, and articulate, with excellent tool tip (hover over help) and help file explanation of sometimes obscure questions so that the respondent is able to discern a proper response. This will take much careful user testing to assure ease of completion.

**SUGGESTION:**

Having observed nearly 8 years of data collection (with a First Wave “false start” on Mental-Cognitive data elements ([that I foretold in 2014](#)), with barely one half of all SOC occupations covered so far, and with serious voids in reporting of all ORS data elements during every survey for every SOC occupation, **perhaps it is time to engage the paid, contracted participation of qualified private sector job analysts (properly trained for ORS data collection) to:**

1. Do on site job analyses using ORS data forms / applications
2. Gather/report task data by SOC Group
3. Complete ALL requested factors for every assigned occupation at specific employers
4. Submit completed surveys electronically to BLS for quality assurance and aggregation
5. Submit supplementary, anecdotal information as appropriate
6. Be appropriately compensated upon accepted completion of each survey

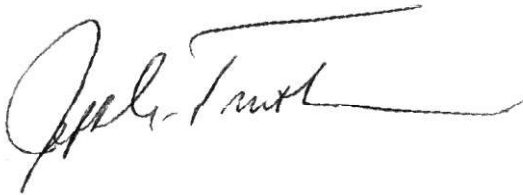
Drawing from the resources available in the diverse SkillTRAN customer base, **SkillTRAN and/or its associates can gather and manage a primary or supplementary corps of qualified job analysts from:**



- **Experts in vocational rehabilitation**
- **Social Security Vocational Experts (who are expected to remain in touch with current employment requirements)**
- **Vocational Evaluators**
- **Workers Compensation and Long-Term Disability Vocational Rehabilitation Consultants**
- **Vocational Counselors & Job Placement Specialists from the Ticket to Work Program.**

This corps of private, skilled Job Analysts can be managed virtually and would be widely geographically dispersed. Many already have substantial knowledge about employment in specific industries. **I would be very interested in additional conversation about this option as a mechanism to supplement the current ORS data collection effort.**

Please accept my responses here as evidence of my continuing strong interest in the best possible collection of ORS data for the proper use of the **fully collected data set to support the accurate determination of disability claim outcomes for persons with disabilities.** This same completed data set will further help to guide millions of persons with disabilities toward a suitable, sustainable vocational goal and successful return to work.

A handwritten signature in black ink, appearing to read "Jeffrey A. Truthan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**Jeffrey A. Truthan** – MS – Rehabilitation Counseling, Certified Vocational Evaluator  
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