July 30, 2018

Office of Information and Regulatory Affairs
Attn: OMB Desk Officer for DOL-BLS
Office of Management and Budget
Room 10235
725 17th Street NW
Washington, DC 20503

Re: OMB Control Number 1220-0189

Dear Michael Smyth et al:

The following submission reflect my comments on the proposed changes to the Occupational Requirements Survey. I favor the continuation of this survey program, but only after considering suggested procedural and form changes to improve the consistency of the various factors across the multiple forms involved in this complex survey process.

Properly done, the Occupational Requirements Survey (ORS) is a critical step to gaining more insight into the various physical and cognitive demands placed upon the workers in our economy. My desire is that the survey be as comprehensive as possible, truly reflective of current economic and workforce activity and that there be as much useful detail available as possible for as many occupations as can be identified. The Social Security Administration (SSA) needs fresh data to better adjudicate its many disability claims every year.

My review of the information made available in this ICR request is that some improvements are encouraged in methodology and that considerable improvements be implemented in the forms submitted for ICR review / approval. Notably, Forms ORS 4 OJT 1P and ORS 4 OJT 1P should NOT be approved in their current format because they were not updated to reflect the revised physical demands factors nor were there revisions for the mental/cognitive factors detailed in the other forms submitted for approval.

To enhance the quality, utility, and clarity of the information to be collected, I have included some very detailed notes (pp. 3-11) that should enable rapid improvements to the proposed forms. Additionally, I choose to comment on some of the procedures detailed in the background information included as part of this ICS request.

Methodology Comments

The background documents for this ICR provide a considerable amount of detail surrounding this project. One pitfall surrounding these documents is the lack of any dates at which these documents were prepared, something that leads to confusion about the sequence of studies undertaken at what point of maturity in this project. I hope that date labels can be affixed to these documents at some point to help develop a longer range maturational view of this project.

The Handbook of Methods (Attachment 4, p. 4) notes that survey questions are being asked of HR Managers or specialists, occupational safety managers, or supervisors. There is little or no direct

observation of the work being performed. As a result, this could easily be characterized by the legal community as second-hand information rather than known, directly observed and ideally measured data. It would be tragic to have expended the dollars and the effort to collect this critical data, only to have it fail to meet legal standards due to the collection being "hearsay" evidence.

The Handbook of Methods, page 5, indicates that the ONET-SOC 2010 occupation coding is being used. The OES program is switching to use of the 2017 SOC coding. Will ORS begin its next data collection round using this new 2017 SOC system?

There is a fallacious assumption that many of the characteristics being collected in the ORS will be fairly homogeneous in nature. This may be true for O*NET-SOC groups with only a few DOT occupations associated with it, but for many O*NET-SOC groups, there will be a very wide range across critical factors like SVP, Strength, and other Physical Demand factors, particularly when an O*NET-SOC group has many DOT occupations associated with it. Will ORS oversample in these problematic groups to gather enough data to tease out greater "Fitness For Use" by NAICS industry (3-digit or better)? Or will this effort result in some additional breakouts of these codes into newer occupational groups beyond the existing O*NET-SOC grouping? My best guess is that greater homogeneity will be seen for these groups on a 3-digt (maybe 4-digit level) of NAICS industry level. This would help with better determination of the number of people employed in a specific occupational group in a specific NAICS. Such NAICS-based data becomes truly functional and helpful to the SSA adjudication process.

The Handbook of Methods (page 7) describes sample selection as coming from a probability proportional to size (PPS) approach survey of the economy. I support the process of identifying employers in this manner, as often the greatest employment and diverse range of occupations is found among the largest employers. A great deal more refinement must be applied than a 2-digit NAICS code to this selection process. For example, there is huge variation in the 2-digit manufacturing sector (NAICS 31xxxx, 32xxxx, and 33xxxx). No less than 3-digit NAICS sampling strata should be chosen for MOST NAICS sectors, as each digit added narrows the industry to a more homogeneous pool from which better related (and more consistent data can be obtained). A 4-digit NAICS levels may be needed sometimes.

The current plan is to sample 30,000 establishments across a 3-year period. This represents less than 1% (only .3866%) of all establishments (per 2016 County Business Patterns).

Probability sampling of occupations (Phase 2) as described is biased towards capturing data about only the most frequently occurring occupations. The assumption here is that all occupations occur with equal frequency … and this is simply NOT TRUE. Study the data at http://www.bls.gov/oes to understand that the range and diversity of employment in available SOC occupations is huge. In 2017, the OES survey estimated 390 people employed nationwide in SOC Group 49-9093 Fabric Menders, Except Garment. Compare this to the 4.4 million employed in SOC Group 41-2031 Retail Salespersons. There are 777 of the 1,382 SOC Groups in the OES Survey (56% of the SOC Groups) with estimated employment of under 100,000 employed in that SOC group. SOC occupations do NOT occur with equal frequency.

The PSO Phase 2 process must also include a PROPORTIONATE, NAICS-focused inquiry to determine the NAICS industries in which a SOC is most likely to be found. This information is already publicly available as staffing pattern data collected in the current OES Survey. The PSA Phase 2 MUST incorporate this information so that lower frequency occupations (for which sampling has been a problem during these first 3 years) can be adequately sampled to be able to produce a "Fit For Use" dataset.

Page 9 of the Handbook of Methods shows a graphic with multi-digit O*NET-SOC occupations and states that there are 1,100 O*NET-SOC 2010 occupations. The reality is that data is collected and reported for only 974 of these unique O*NET-SOC codes. The remainder are aggregate codes without data behind it.

Weighting, nonresponse adjustment, imputation, and benchmarking

In the Handbook of Methods, pp. 17-18, first paragraph, the process of dealing with a nonresponsive employer is to impute missing values from other data already collected. While this is efficient, the effect of this is to "poison the existing pool" by using only what is already known. This will drive to a more homogenous solution, but it may NOT reflect the current reality of the labor force.

Instead, I recommend substitution of an equivalent size establishment in the same NAICS industry to replace the non-responsive employer. This will generate real data from real employment of real persons employed in real occupations. This is the whole objective of this ORS survey. Since there are only 30,000 establishments to be surveyed from a pool exceeding 7 million establishments, it should not be difficult to find an equivalent, responsive employer to provide necessary data.

Any kind of 2-digit NAICS-based nonresponding adjustment is not-advised as manufacturing can only be examined at a 3-digit or greater level of NAICS coding to have any value. The "manufacturing sector" is far too diverse to have any meaning at a 2-digit level, particularly at the occupational level.

Item level imputation is not desirable, but acceptable provided that a similar 3-digit or 4-digit NAICS code equivalent is used for the imputation of a similarly sized establishment.

Post stratification/benchmarking adjustment is a good choice, provided that the industry adjustments are at a 3-digit NAICS level at a minimum.

The 1991 Revised Handbook for Analyzing Jobs includes a chapter devoted to the concept of General Educational Development. Missing from this ORS design are these useful concepts of cross functional skills developed to support Reasoning, Math, and use of Language by a worker. See https://skilltran.com/rhaj/rhaj7.pdf for details. Will this concept be incorporated now or at some point going forward? If not, why not?

COMMENTS ABOUT THE FORMS

ORS Form 15-1P – Establishment Collection Form for Private Industry
ORS Form 15-1G – Establishment Collection Form Government

p. 3 Product Description – Will this be coded to one or several levels of UNSPC codes?
This would be just as appropriate as coding at the NAICS level, and it may help build a link to O*NET

ORS Form 4 PPD-4P – ORS Private Industry Collection Form
ORS Form 4 PPD-4G – ORS Government Collection Form

Page 1 – These forms should carry its descriptive label for its purpose. Missing from page 1 heading

In the first block of text describing confidentiality, missing is the sentence that says :
==“Per the Federal Cybersecurity Enhancement Act of 2015, Federal information systems are protected from malicious activities through cybersecurity screening of transmitted data.”==
Does this phrase need to be present on these forms?

p. 2   Driving – Also establish the following:

- Within establishment?
- Public Roads?
- CDL Required?
- Time Spent Driving per day/week/month: ____ (hours)

SVP – Minimum Education – It would be helpful to learn what language(s) are acceptable for use in the establishment at the level of SVP. There may be considerably greater diversity at lower levels of SVP. Add something like this:

Primary language(s) used/acceptable:

Pre-Employment Training: These should be cross-coded to:
- Classification of Instructional Programs (CIP) codes - https://nces.ed.gov/ipeds/cipcode/
- Career Pathways - https://www.mycareerpathways.org/
- Registered Apprenticeship Information System (RAIS) - https://www.dol.gov/apprenticeship/

p. 3 - Cognitive Elements

Work Pace is missing option (E) Other (specify)   [as on ORS Form 4 PPD-4PA – page 5]

4th group – Work Flow is missing category label assignments such as (A), (B), or (C)

p.4 – Level of 'people skills' required – missing category assignment such as (A) or (B)

Add the additional explanation from ORS Form 4 PPD-4PA and ORS Form 4 PPD-4GA
(We define a crowd as a situation in which a lot of unfamiliar people are present considering the space available, movement is restricted, and a certain level of disorganization is present.)
to the "work around crowds" question below the people skills question.

If work from home or telework is permitted, probe more deeply for answers to such additional questions as:

- How many days per week does a person work from home or telework?
- Does the job start out with this arrangement or does it become possible after in-establishment training and experience?
- How long is in-establishment training/experience required prior to availability for work from home/telework?

p. 5 – Separately rate the activities of Standing from that of Walking. These are two very different physical activities.

Lifting/Carrying (lbs.) – Add: **(Breaks at 1/10/25/50/75/100)** to be consistent with ORS Form 4 PPD-4PA and ORS Form 4 PPD-4GA)

Be consistent with ORS Form 4 PPD-4PA and ORS Form 4 PPD-4GA, adding a time legend like this:

More than 2/3 of the time	**More than 5 ½ hours of an 8-hour workday**
1/3 up to 2/3 of the time	**From 2 ½ to 5 ½ hours of an 8-hour workday**
2% up to 1/3 of the time	**From 10 minutes up to 2 ½ hours of an 8-hour workday**
Seldom (up to 2%)	**Up to 10 minutes of an 8-hour workday**

To Pushing/Pulling, add more definition from ORS Form 4PPD-4PA and ORS Form 4 PPD-4GA:
"Using at least 10 lbs of force, or using any amount of force for 2/3 or more of the work day (more than 5 ½ hours per 8-hour work day)."
Suggest using a column label called "**Duration**" to the left of the One/Both rows. It should indicate hours per 8-hour workday or % of 8-hour workday.

Capture how much walking is required, in-house structures navigated, terrain

Keyboarding: Some keyboarding is easy, menu driven choices – vs. writing vs. transcribing – how is this captured and differentiated here? There are very different cognitive skills at work for simple data entry in a canned application vs. transcribing vs. complex composition/writing.

Postural:

Stooping can be better defined/qualified as: **Stooping (Bending spine at waist)**
Add this additional clarification each time the word Stooping is used.

p. 6 – Hearing Requirements – In-person speaking – Does this also imply/require comprehension of specific language(s)?

Add to the list of Auditory/Vision data collected:

- Depth Perception (Y/N)
- Color Vision (Y/N)

p.7 – Environmental Conditions

Add wording from ORS Form 4 PPD-4PA and ORS Form 4 PPD-4GA to better define Extremes of Heat and Cold. For example:

Extreme Heat (non-weather related)
[90° or above in dry environment; 85° or above in humid environment]

Extreme Cold (non-weather related)
[40° for more than 5 ½ hours/8-hour workday or 32° if less than 5 ½ hours/8-hour workday]

Add the **PPE** notation to each cell of both Extreme Cold and Wetness conditions. Gloves, insulating garments, goggles, masks, face shields may be required in these environments

ORS Form 4 PPD-4PA – Private Industry – Cognitive Elements Recording Form

ORS Form 4 PPD-4GA – Private Industry – Cognitive Elements Recording Form

Page 1 – These forms should carry its descriptive label for its purpose. Missing from page 1 heading

p. 3   Driving – Also establish the following:

- Within establishment?
- Public Roads?
- CDL Required?
- Time Spent Driving per day/week/month: ___ (hours)

p. 3   SVP – Minimum Education – It would be helpful to learn what language(s) are acceptable for use in the establishment at the level of SVP. There may be considerably greater diversity at lower levels of SVP. Add something like this:

Primary language(s) used/acceptable:

Pre-Employment Training: These should be cross-coded to:
- Classification of Instructional Programs (CIP) codes - https://nces.ed.gov/ipeds/cipcode/
- Career Pathways - https://www.mycareerpathways.org/
- Registered Apprenticeship Information System (RAIS) - https://www.dol.gov/apprenticeship/

p. 5 - Cognitive Elements

Item 2 – Wording of this element description and its 3 items is different on this form vs. ORS Form 4 PPD-4P and ORS Form 4 PPD-4G (page 3). Please choose one set of definitions or the other or combine the two … but do not be inconsistent here.

p.6. Item 3. Can workers step away from their work area easily outside of scheduled breaks **(e.g. short bathroom breaks)?** Please add the **(e.g. short bathroom breaks)?** To this for clarity and consistency with ORS Form PPD – 4P and ORS Form PPS – 4G (page 3).

p.7 – There are two missing data items not being collected on this form! See p4. ORS Form 4 PPD-4P and ORS Form 4 PPD-4G. Missing are the items about verbal, work-related interactions and people skills! These are very important items to collect for the primary purpose of this survey (SSA claims).

p.7 – Level of 'people skills' required – missing category assignment such as (A) or (B)

If work from home or telework is permitted, probe more deeply for answers to such additional questions as:

- How many days per week does a person work from home or telework?
- Does the job start out with this arrangement or does it become possible after in-establishment training and experience?
- How long is in-establishment training/experience required prior to availability for work from home/telework?

p. 8 – Separately rate the activities of Standing from that of Walking. These are two very different physical activities.

Capture how much walking is required, in-house structures navigated, outside terrain

p. 9 – Add to the definition of Exertion – Pushing/Pulling

"Pushing/Pulling is present when a worker uses at least 10 lbs of force, or using any amount of force for 2/3 or more of the work day **(more than 5 ½ hours per 8-hour work day).**"

The term "Duration" for all characteristics (pp. 9-15) is undefined on the forms for both use of hands/arms and feet/legs. This should this be specified as <u>either</u> the number of hours/8-hour workday OR a Percentage of the 8/hour workday.

p. 10 – Modify definition of 2. Reach at or below shoulder level as follows:
(At/Below the Shoulder Reaching is present when there is Reaching **away from the body forward or sideways**, but it does not meet the threshold for Overhead Reaching.)

p. 11 - Keyboarding: Some keyboarding is simple data entry and/or menu driven choices – vs. writing vs. transcribing – how is this captured and differentiated here? There are very different cognitive skills at work for simple data entry in a canned application vs. transcribing vs. complex composition/writing.

p. 12 - Postural:

Stooping can be better defined/qualified as: **Stooping (Bending spine at waist)**
Add this additional clarification each time the word Stooping is used.

Section 1A asks about low postures (Stooping, Crouching, Crawling, Kneeling) to determine whether the postures are a) company required, b) worker choice, c) Not required, and d) unknown. This is completely different from ORS Form 4 PPD-4P and ORS Form 4 PPD-4G, in which the data is collected for duration. **There needs to be consistency across each form. Please decide which way (or both) are to be collected and do so on both forms.**

p. 12 Postural – Climbing

Option 1 states "Yes – Structure" but does not define what this means. A second option states "Yes – Work-related". ORS Form 4 PPD-4P and ORS Form 4 PPD-4G (page 6) Show Structure only (non-work related) and a second choice for Work-related time.

There needs to be consistency across each form. Please decide which way (or both) are to be collected and do so on both forms.

Typographical error 1 A. How much of their day do employees in this job climb ramps or stairs?

p. 13 – Item 2 – hear and understand in person speaking?
Does this also imply/require comprehension of specific language(s)? If so, which languages?

p. 14 – Add to the list of Vision data collected:

- Depth Perception (Y/N)
- Color Vision (Y/N)

Material handlers, assemblers and driving occupations without depth perception are dangerous.

People without color vision will not be as efficient in color coded tasks. Safety/quality could be an issue.

p.14-15 – Add the **PPE** notation to both Extreme Cold and Wetness conditions. Gloves, insulating garments, goggles, masks, face shields may be required in these environments

ORS Form 4 OJT 1P –ORS – Job Observation Test Recording Form - Private Industry

ORS Form 4 OJT 1P –ORS – Job Observation Test Recording Form – Government

p. 1 - In the first block of text describing confidentiality, missing is the sentence that says :
<mark>"Per the Federal Cybersecurity Enhancement Act of 2015, Federal information systems are protected from malicious activities through cybersecurity screening of transmitted data."</mark>
Does this phrase need to be present on these forms?

Will Job Observation only ever be done for a maximum of two jobs at an establishment? If present, I certainly endorse as many live observations as possible to validate supervisor reported values!

Page 2-3 – This form is closely related to newly revised ORS Forms 4 PPD-4P and 4 PPD-4G. The short list of variables collected should match/align with these other revised forms (pages 3-7).

p. 2 - For consistency, follow the same order as in Sit/Stand/Walk as in the other forms (and separate Standing from Walking):

       Sitting
       Standing
       Walking
       Sitting vs. Standing at Will

p. 2 – Separately rate the activities of Standing from that of Walking. These are two very different physical activities.

MISSING is collection of data about Driving requirements. I suggest:

    - Within establishment?
    - Public Roads?
    - CDL Required?
    - Time Spent Driving per day/week/month: ____ (hours)

Capture how much walking is required, in-house structures navigated, terrain

Lifting/Carrying– Add: **(lbs.) (Breaks at 1/10/25/50/75/100)** to be consistent with ORS Form 4 PPD-4PA and ORS Form 4 PPD-4GA)

Be consistent with ORS Form 4 PPD-4PA and ORS Form 4 PPD-4GA, add a time/duration column heading for "Duration:"
Add a legend like this:

More than 2/3 of the time	More than 5 ½ hours of an 8-hour workday
1/3 up to 2/3 of the time	From 2 ½ to 5 ½ hours of an 8-hour workday
2% up to 1/3 of the time	From 10 minutes up to 2 ½ hours of an 8-hour workday
Seldom (up to 2%)	Up to 10 minutes of an 8-hour workday

To Pushing/Pulling, add more definition from ORS Form 4PPD-4PA and ORS Form 4 PPD-4GA:
"Using at least 10 lbs of force, or using any amount of force for 2/3 or more of the work day (more than 5 ½ hours per 8-hour work day)."
Suggest using a column label called "**Duration**" to the left of the One/Both rows. It should indicate hours per 8-hour workday or % of 8-hour workday.

Delete "Feet Only" row as it is no longer included on Forms 4PPD-4PA or 4PPD-4GA

Keyboarding: The breakouts here "(Traditional, 10-Key, Touch, Other (document)" differ from what is used in ORS Form 4PPD-4PA and ORS Form 4 PPD-4GA. **Please update for consistency of data collection.**

Some keyboarding is easy, menu driven choices – vs. writing vs. transcribing – how is this captured and differentiated here? There are very different cognitive skills at work for simple data entry in a canned application vs. transcribing vs. complex composition/writing.

Postural:

Stooping can be better defined/qualified as: **Stooping (Bending spine at waist)**

Climbing Ramps or Stairs

Option 1 states "Structure only (non-work related)" but does not define what this means. A second option states "Work-related climbing". ORS Form 4 PPD-4P and ORS Form 4 PPD-4G (page 6) Show Structure only (non-work related) and a second choice for Work-related time.

There needs to be consistency across each form. Please decide which way (work-related or non-work related or both) are to be collected and consistently do so on all forms.

Auditory/Vision – Is missing collection of the following data collected in the other forms:

Auditory/Vision		
Communicating Verbally		
Hearing Requirements		
In-person Speaking	Y/N	
Telephone	Y/N	
Other Remote Speaking	Y/N	
Other Sounds	Y/N	
Near Visual Acuity	Y/N	
Far Visual Acuity	Y/N	
Peripheral Vision	Y/N	

In-person speaking – Does this also imply/require comprehension of specific language(s)?

Add to the list of Auditory/Vision data collected:

- Depth Perception (Y/N)
- Color Vision (Y/N)

Material handlers, assemblers and driving occupations without depth perception are dangerous.

People without color vision will not be as efficient in color coded tasks. Safety/Quality could be an issue.

Environmental Conditions – only Wetness is requested??? Add all environmental variables!

Environmental Conditions	Selected Occupation							
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
Outdoors								
Extreme Heat (non-weather related)								
Extreme Cold (non-weather related)								
Wetness (non-weather related)								
Humidity (non-weather related)								
Heavy Vibration								
Hazardous Contaminants* (Toxic, Caustic Chemicals; Fumes; Noxious Odors; Dusts)	PPE	PPE	PPE	PPE	PPE	PPE	PPE	PPE
Proximity to Moving Mechanical Parts*	PPE	PPE	PPE	PPE	PPE	PPE	PPE	PPE
High, Exposed Places*	PPE	PPE	PPE	PPE	PPE	PPE	PPE	PPE
Noise Intensity Level* (Quiet, Moderately Loud, Loud, Very Loud)	PPE	PPE	PPE	PPE	PPE	PPE	PPE	PPE

*Circle PPE if personal protective equipment is present.

Add wording from ORS Form 4 PPD-4PA and ORS Form 4 PPD-4GA to better define Extremes of Heat and Cold. For example:

Extreme Heat (non-weather related)
[90° or above in dry environment; 85° or above in humid environment]

Extreme Cold (non-weather related)
[40° for more than 5 ½ hours/8-hour workday or 32° if less than 5 ½ hours/8-hour workday]

Add the **PPE** notation to each cell of both Extreme Cold and Wetness conditions. Gloves, insulating garments, goggles, masks, face shields may be required in these environments

p. 3 - Cognitive Elements

This entire page is inconsistent with the newer collections being done on the new forms:

ORS Form 4 PPD-4PA – Private Industry – Cognitive Elements Recording Form

ORS Form 4 PPD-4GA – Private Industry – Cognitive Elements Recording Form

ORS Form 4 OJT 1P –ORS – Job Observation Test Recording Form - Private Industry
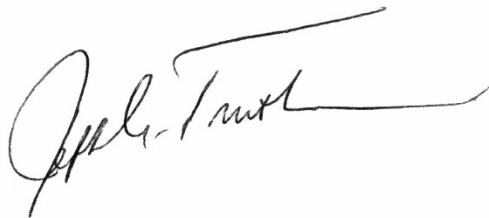
ORS Form 4 OJT 1P –ORS – Job Observation Test Recording Form – Government

I would highly recommend considering the changes I have outlined in the related section of these suggestions prior to rebuilding page 3 of this Job Observation Test Recording Form. It must be consistent with the data collected in the 4 above forms. It does not appear that this form has been modified from its 2014/2015 version to align with the newer data collection for cognitive elements.

As you might expect, I am very interested in seeing that the results of this ORS process produce highly usable data for all parties in the SSA adjudication process. There will be a good ripple effect throughout the rehabilitation and disability management industry when lots of good, reliable data emerges covering occupations in sufficient detail.

Please know that I am interested in assisting in this process in any way that may be helpful to you. I can be contacted below.

Most sincerely,

Jeffrey A Truthan - President

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