



## SOCIAL SECURITY

### MEMORANDUM

Date: December 28, 2009 Refer To: 09-2139

To: Regional Management Officers

From: Susan Swansiger /s/  
Director, Division of Field Procedures

Subject: Use of Electronic Occupational References for Administrative Law Judge and Senior Attorney Adjudicator Decisions - **UPDATE**

This memorandum is an update of the memorandum of the same name issued on October 10, 2008. It reflects the policy guidance revisions stated in the Office Disability Programs (ODP) Question and Answer (Q & A) Number 09-026, "What acceptable electronic occupational resources are currently available for use?" dated June 9, 2009. This memorandum supersedes all previous guidance regarding the use of electronic occupational references by ODAR adjudicators, and should be shared with all Administrative Law Judges (ALJs), Senior Attorney Adjudicators (SAAs), and Hearing Office Management Teams (HOMTs). These tools are not intended to replace reliance on the regulations, rulings and vocational expert testimony.

Consistent with Q&A 09-026 and the reminders listed below, four acceptable electronic versions of the Dictionary of Occupational Titles (DOT) are currently available at <http://ssahost.ba.ssa.gov/digitallibrary>:

- **OccuBrowse:** This program is searchable through a series of tabs along the top. The "Browse" tab allows users to search for occupations in multiple ways. Through the "Trait" button, users can search for occupations at any skill level that are within a claimant's residual functional capacity (RFC). On the "Browse" page, they can perform searches based on keywords within the job title, within the task description, or within both. This program also allows searches by a variety of other lists such as industry, Guide for Occupational Exploration (GOE), or occupational group, all of which can be useful when performing a transferability of skills analysis. After locating an occupation, users can find all DOT and Selected Characteristics of Occupations (SCO) information on the "Description," "Requirements," and "Codes" tabs. The "Requirements" tab also provides definitions of terms.

- **SkillTRAN, Job Browser Pro:** This program provides a searchable copy of the DOT. Users can search by job title, DOT code or keyword(s) within the title, and task description. After selecting an occupation and clicking "Details", users can find all DOT/SCO information on the "Quick View – Codes" button. Through the advanced search, it also allows searches by a variety of other lists, such as GOE or occupational group, all of which can be useful when performing transferability of skills analysis.
- **OASYS:** This program contains much the same functionality as OccuBrowse but with a different user interface. It can perform a wide variety of searches.
- **Westlaw Direct, SSA Excellence:** This program is a web-based version of the DOT. Formally known as LawDesk, this program provides a searchable copy of the DOT through the "SSA Excellence" tab on the main page of Westlaw Direct. The search is based on keywords within job titles and task descriptions. This results in a list of occupations containing the keywords and descriptions of the individual occupations. The descriptions look like a printed copy of the DOT and keywords are highlighted. SSA Excellence also provides a searchable version of the SCO.

## REMINDERS

All of the above references contain DOT occupational information developed by the Department of Labor (DOL), meet the requirements of Social Security Ruling 00-4p, and are acceptable sources of occupational information for adjudicating disability cases. However, users are reminded that the references also contain information that we do not use in our disability adjudications, including:

- Access to web crawlers that provide listings of job vacancies for an occupation. Medical-vocational evaluation guidelines are based on the existence of jobs, not job openings.
- DOT ratings for General Education Development (GED). We do not rely on these ratings to conclude whether a claimant can perform a particular occupation when we cite occupations that demonstrate the ability to do other work. However, adjudicators should consider GED ratings that may appear to conflict with the claimant's RFC and the cited occupation(s); for example, an occupation with a GED reasoning level of 3 or higher for a claimant who is limited to performing simple, routine, or unskilled tasks. (See POMS DI 25015.030)
- DOT ratings for Temperaments and Aptitudes. These ratings are not to be used because they reflect the personal interests, natural abilities, and personality characteristics of job incumbents rather than limitations or restrictions resulting from a medically determinable impairment(s), as are required for SSA's disability programs.

- DOT ratings for Guide for Occupational Exploration (GOE) codes and DOL's O\*NET. These ratings and rating systems are not to be used in the medical-vocational evaluation process to identify the demands of work (e.g., walking, lifting, stooping, handling, etc.), but may be used to find similar DOT occupations for a transferability of skills decision.
- The SkillTRAN, Job Browser Pro available through commercial means contains occupational groups created by SkillTRAN to enable access to OES data for specialized teaching occupations and other Occupational Employment Statistics (OES) occupations to which no DOT occupations have been linked; however, this data has been removed from SSA's version of the program.

While OccuBrowse, SkillTRAN, OASYS, Job Browser Pro, Westlaw Direct, SSA Excellence, and "Social Security CD Library" are useful electronic occupational references tools, they cannot be relied upon to produce results that always conform to SSA medical and vocational policy, nor do they replace reliance on SSA regulations and rulings, VE testimony, and adjudicative judgment and decisionmaking.

Nevertheless, the use of the above-referenced tools provide quick access to DOT occupational information and to employment data that ALJs and SAAs may use to support fully favorable decisions without having to obtain testimony from Vocational Experts in every case. However, ALJs must continue to use VEs as appropriate in partially favorable and unfavorable cases.

If you would like to discuss this matter with me, please let me know. My staff contact is Attorney-Advisor Richard Ciaramello, who may be reached at 703-605-7957.

cc: Regional Chief Administrative Law Judges  
Regional Office Management Teams