The Occupational Requirements Survey (ORS)

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Learning Goals

- Highlight key differences between DOT and ORS, especially key data parameters

- Explain how VEs can navigate both DOT and ORS successfully

- Explain how representatives can follow the navigation of both systems

- The importance of understanding data collection differences

- The value of VE having observation/placement experience with jobs they testify about responding to hypotheticals

- Options (and cautions) to approaching job numbers math

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DOT – or – ORS?

DOT: Dictionary of Occupational Titles

- Taxonomy for understanding jobs, descriptions, physical demands and training requirements, environmental considerations based on individual job titles majority of which were studied most recently in 1970s
- Data collected by trained BLS Job Analysts on-site with employers, 72 variables
- Job activities were expressed by frequency category (occasional, frequent, constant), and within each frequency, maximums were assumed
- Mental/cognitive demands not addressed
- Last updated 1991 but 80% of occupations were unreviewed since 1977 along with DOT supplement, Selected Characteristics of Occupations.
- SOC groups vary widely in DOT titles per SOC, some are 1 or 2 DOTs in SOC; others are 1500 per SOC
- Includes transferable skills framework of titles studied
- 60.1% of DOT titles are in production jobs which are now only 5% of US labor force
- Basis of SSA disability regulations and adjudication decision-making

ORS: Occupational Requirements Survey

- Taxonomy for understanding occupational group requirements on occurrence of selective physical, cognitive and mental demands, training and communication reported as percentages of the group
- Data collected by BLS Economists surveying employers and HR representatives with annual on-site surveys and observations, average of 141 variables but up to 343 data points possible
- Selected job activities are expressed as a percentage within a physical range (i.e. 9.5% lift between 11lbs-20lbs max)
- Mental/cognitive demands addressed
- Latest update for 2022 available Fall 2023
- ORS crosswalks to SOC groups not DOT codes
- ORS percentages crosswalk to OEWS job numbers survey
- VEs can analyze many significant ORS data points using selected DOT definitions to respond to ALJ hypotheticals more precisely with current survey data
- SSA's Occupational Information System (OIS) is still in development
- Many occupations have multiple titles for similar types of work, therefore representative generic titles based on SOC grouping are discussed rather than DOT titles. This is permitted by SSA in Vocational Expert Handbook

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What is ORS?

- **BLS/SSA partnership to produce occupational data on:**
  - physical demands
  - environmental conditions
  - education, training, and experience
  - cognitive and mental requirements of occupations.
- **Survey data are regularly updated providing more dynamic labor market information.**
- **Although data is collected by SOC, % estimates within the SOC allows for better job number estimates specific to the hypothetical.**

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Why ORS?

- **ORS is SSA's answer to the aging DOT**
  - Congress has increased the pressure on SSA to release the new Occupational Information System, which is ORS
  - Recognition that continuing to use an outdated data source is problematic at best
  - Recognition that DOT no longer adequately captures the unskilled labor market
- **ORS provides a means of estimating job numbers** with specific parameters in mind, i.e. one can estimate job numbers specific to a given hypothetical.
- **We have an ethical and professional duty to use updated and appropriate information sources.**

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Strength by DOT vs ORS

	DOT Frequency %	ORS 2018 %	ORS 2022 %
Sedentary	11	26.6	29.1
Light	49.6	26.6	32.8
Medium	29.6	35.5	28.4
Heavy	9.1	9.6	8.7
Very Heavy	.7	1.7	1.0

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SVP by DOT vs ORS

	SVP	DOT Frequency		ORS 2022%
Unskilled	1- Short Demo Only	191	(1.5%)	2.8%
	2- Up to 30 Days	2934	(23.0%)	31.2%
Semi-Skilled	3- 30 Days to 3 months	2199	(17.3%)	4.5%
	4- 3 to 6 months	1637	(12.8%)	2.6%
Skilled	5- 6 to 12 months	1205	(9.5%)	5.1%
	6- 1 to 2 years	1328	(10.4%)	13.7%
	7- 2 to 4 years	2055	(16.1%)	20.1%
Highly Skilled	8- 4 to 10 years	1146	(9.0%)	17.7%
	9- 10+ years	46	(.4%)	2.2%

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Differences Between ORS and DOT

- ORS *does not use the DOT* for any classification taxonomy.

- In simple terms, ORS does NOT yield a DOT result.

- ORS does not have specific job titles, rather representative job titles.

- There are no "ORS title codes" to reference.

- The DOT describes occupations studied as they were performed *33-50 years ago*.

- DOT describes activity in terms of frequency (occasional 0-1/3, frequent 1/3-2/3 or constant >2/3). These are *maximum demands* for the activity occupation.

- ORS describes *similar occupations* in an entire SOC group
  - ORS is unconcerned with identifying an *average or maximum demand* to arrive at a singular description of an occupation in an SOC group.
  - Rather it seeks to describe the *range of requirements*, physical, mental, environmental, cognitive and so on found in an SOC group.

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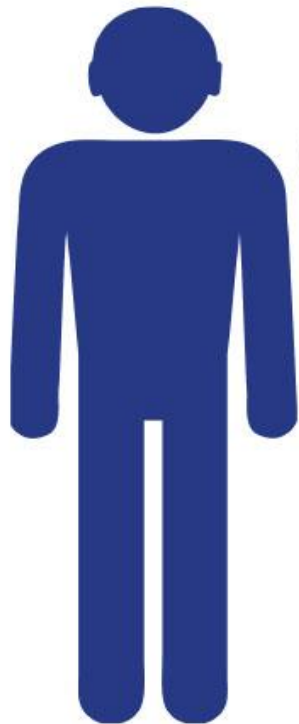
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Occupational evidence provided by a VE or VS generally should be consistent with the occupational information supplied by the DOT. When there is an apparent unresolved conflict between VE or VS evidence and the DOT, the adjudicator must elicit a reasonable explanation for the conflict before relying on the VE or VS evidence to support a determination or decision about whether the claimant is disabled. At the hearings level, as part of the adjudicator's duty to fully develop the record, the adjudicator will inquire, on the record, as to whether there is such consistency.

Neither the DOT nor the VE or VS evidence automatically "trumps" when there is a conflict. The adjudicator must resolve the conflict by determining if the explanation given by the VE or VS is reasonable and provides a basis for relying on the VE or VS testimony rather than on the DOT information.

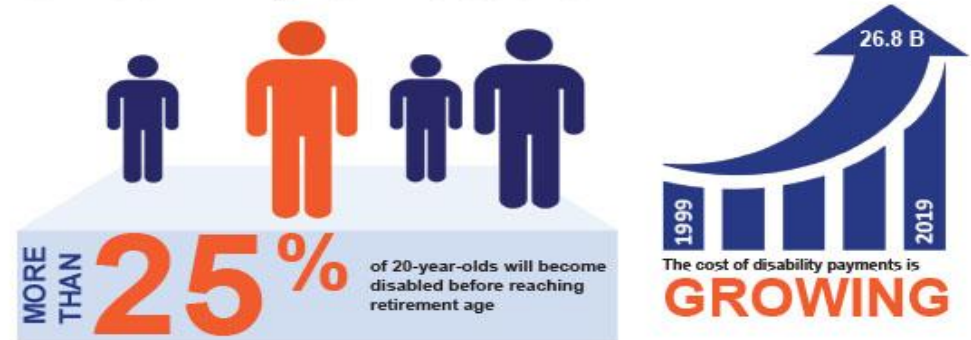# What is the Occupational Requirements Survey (ORS)?

The BLS conducts this survey under an agreement with the Social Security Administration (SSA). The goal of the ORS is to collect and publish information about specific work-related requirements that will be available to the public and used by SSA to help make decisions for their disability programs. For more information on the ORS, see www.bls.gov/ors.

Education, Training & Experience: Minimum education, Experience, Non-degree credentials, On-the-job training

Cognitive & Mental Requirements: People skills, Work pace, Problem solving, Control of workload

Physical Demands: Sitting, Standing, Climbing, Reaching, Keyboarding, Lifting or carrying

Environmental Conditions: Extreme heat or cold, Heavy vibrations, Hazardous contaminants, Outdoors, Noise level, Wetness, Humidity

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Occupational Requirements Survey ORS: Why It Matters

MORE THAN 25% of 20-year-olds will become disabled before reaching retirement age

26.8 B
1999 — 2019
The cost of disability payments is **GROWING**

OVER $193 BILLION was spent on disability payments in 2019, more than on food stamps and housing assistance combined

$105.01 Billion
Food Stamps & Housing Assistance

$193.06 Billion
Social Security Disability Payments

ORS data affects lives and moves dollars

Better decisions begin with better data

DOT — Updated: 1991

SSA is developing a new Occupational Information System (OIS) to replace the Dictionary of Occupational Titles (DOT) that is currently used to adjudicate disability claims.

The new OIS will use **ORS data** to better define jobs that exist in our modern economy to support an accurate and fair disability determination process.

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Sources: Social Security Administration, U.S. Department of Agriculture, Office of Management and Budget, U.S. Department of Labor

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BLS ORS Project

BLS/ORS survey to replace use of DOT classification

Combined project of SSA and BLS to expand the use of National Compensation Survey (NCS) program conducted by BLS.

The ORS gathers job-related information regarding physical demands, environmental conditions, mental and cognitive demands, and vocational preparation requirements of jobs by BLS labor economists.

Most data is collected via survey with annual onsite observations of selected occupations

Data is collected by SOC/OEWS code so it still requires VE to estimate by skill, exertion and hypothetical RFC

Annually updated, representative survey methodology

Plan to provide more detail within SOC groups with significant variation in skill and exertion.

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ORS Data Collection Process

Field economists contact respondents

- HR professionals, owners, recruiters, supervisors, safety or risk managers, lead workers, workers

ORS: How can I use it?

SSVEs are allowed to deviate from the DOT because it is outdated

It can be used to provide foundation for the number of jobs that allow sit/stand at will

It can be used to provide foundation for the number of jobs that do not require overhead reaching

At Step 5 occupations and national job numbers need to be *consistent with the hypothetical but not necessarily DOT based*

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- If testimony is different than DOT, the VE must explain foundation and basis for opinion—ORS is current survey data from employers and specific to typical SSA hypothetical limitations.

- VE can use ORS to supplement those areas not addressed by DOT – sit/stand option, overhead vs forward reach, bilateral vs unilateral hand use, cognitive and mental demands, etc.

- You can use a single factor, i.e. choice of sit/stand or skill levels. Think about *Cashiers* (41-2011) where 96.6% (ORS 2021) are now unskilled

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Job Titles & Descriptions Evolving since DOT

- Everyone can acknowledge the workplace has evolved since the *1970s and 1980s*
- VEs can explain modern work compared to previous DOT update
- Many DOT titles based on manufacturing have been outsourced to countries outside of the United States
- VEs should be able to explain a modern description compared to a DOT description
- VEs understand modern descriptions by understanding modern employment trends within work settings they cite as part of their testimony

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Physical Demands

27.4% Sedentary

33.4% Light

28.4% Medium

9.4% Heavy

1.3% Very Heavy

1.30%
9.40%
27.40%
28.40%
33.40%

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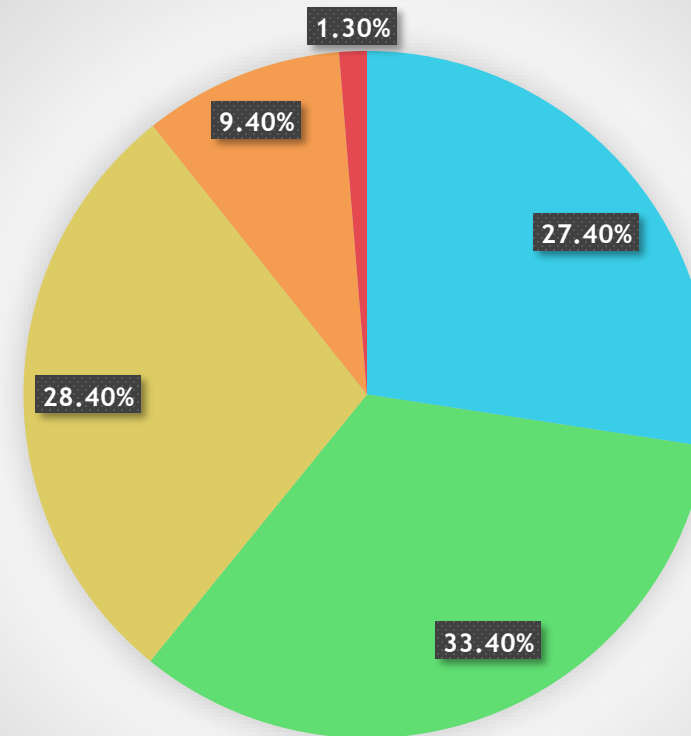
SVP Levels

SVP 1	3.1%
SVP 2	30.5%
SVP 3	4.7%
SVP 4	2.7%
SVP 5	5.3%
SVP 6	14%
SVP 7	20.1%
SVP 8	17.5%
SVP 9	2%

SVP-All

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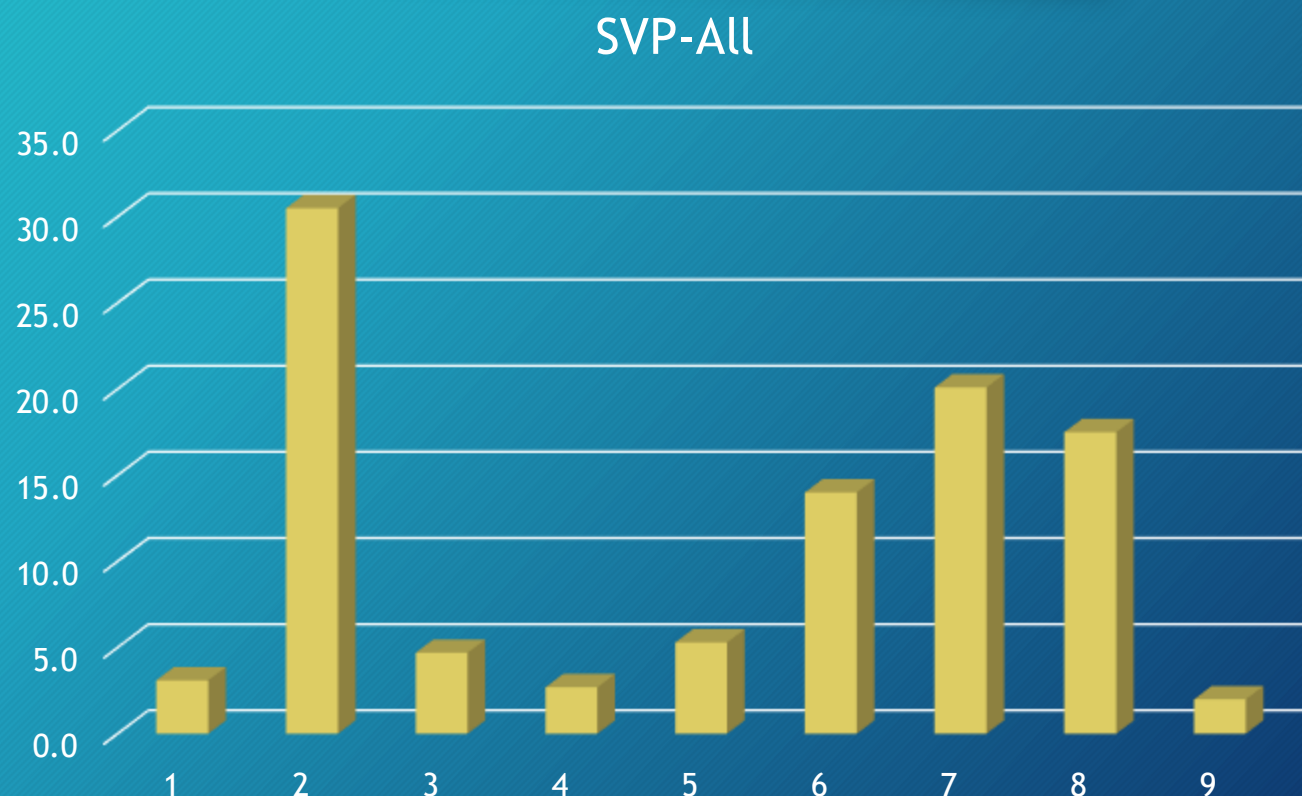
All Production Workers

OEWS Data	5/2022		Production Occupations	51-0000	8,408,030
https://www.bls.gov/oes/					
Census Data	2019		Production Occupations	B24124	7,324,192
https://data.census.gov/					

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Production Workers ORS %

https://www.bls.gov/ors/

Skill /Education

SVP =1	2.5%
SVP =2	35.0%
SVP =3	11.7%
SVP =4	5.5%
SVP =5	9.0%
SVP =6	13.3%
SVP =7	15.5%
SVP =8	7.4%

SVP

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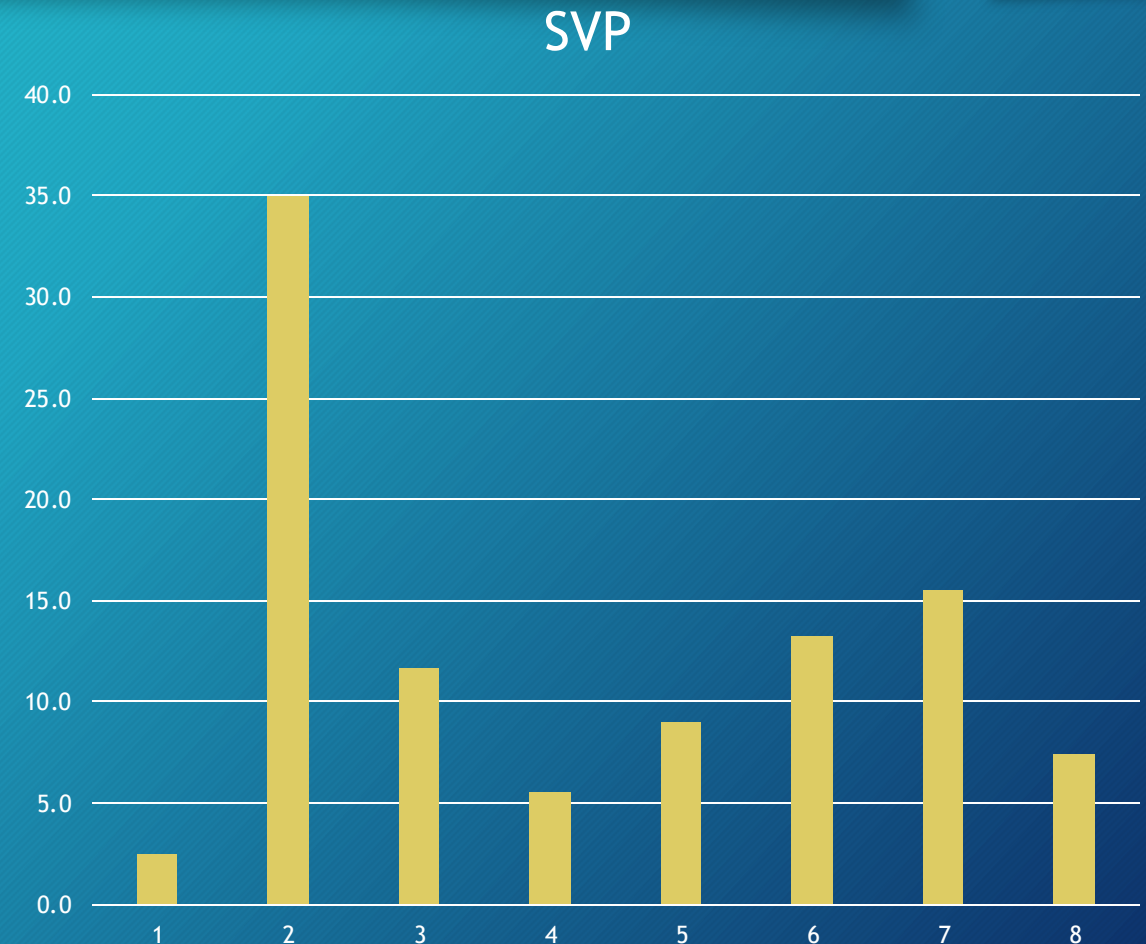
Production ORS Estimates

STRENGTH	Unskilled	Semi	Skill	TOTAL
Sed	1.9%	0.9%	2.3%	**5.1%**
Light	11.1%	5.1%	13.4%	**29.6%**
Med	19.2%	8.8%	23.1%	**51.1%**
Heavy	5.1%	2.3%	6.1%	**13.6%**
V Heavy	0.2%	0.1%	0.2%	**0.5%**
	37.5%	**17.2%**	**45.2%**	**99.9%**

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Production ORS Estimates

OEWS employ 8,408,030

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STRENGTH	Unskilled	Semi	Skill	TOTAL
Sed	136,143	59,562	174,248	369,953
Light	897,305	392,571	1,148,453	2,438,329
Med	1,667,750	729,640	2,134,538	4,531,928
Heavy	380,581	166,504	487,102	1,034,188
V Heavy	12,377	5,415	15,841	33,632
	3,094,155	1,353,693	3,960,182	8,408,030

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Production ORS Estimates

Census employ 7,324,192
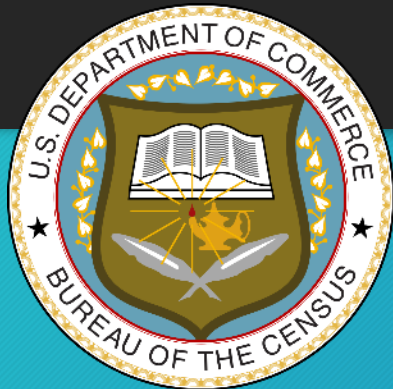
STRENGTH	Unskilled	Semi	Skill	TOTAL
Sed	140,075	64,248	168,837	**373,160**
Light	812,985	372,889	979,918	**2,165,793**
Med	1,406,245	644,998	1,694,994	**3,746,236**
Heavy	373,534	171,327	450,233	**995,094**
V Heavy	13,733	6,299	16,553	**36,584**
	2,746,572	**1,259,761**	**3,310,535**	**7,316,868**

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ORS Data Limitations

There are always data collection issues.

- In this case, an employer survey was completed with some onsite analysis
- The DOT was collected via job analysis by trained rehabilitation counselors

There is also the possibility of data entry issues (data entry errors).

There are also methodology issues that must be addressed.

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- Claimant was a night Office Cleaner
- Hypothetical from the ALJ is "***light work*** *and claimant should not reach overhead more than* ***occasionally****…*"

The Vocational expert would consider the following:

OES/SOC				
	Occupation code	Employment	Mean hourly wage	Annual mean wage
	37-2012 Housekeeping Cleaners	723,430	$14.22	$29,580

ORS Data Excerpt for 37-2102 ORS 2022

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Cognitive and Mental Requirements		
Percent of workers, interaction with general public is not required	23.7	2.7
Percent of workers, work reviewed by supervisor once per day	34.9	6.0
Percent of workers, work reviewed by supervisor < 1x per day, but at least 1x per week	7.1	1.9

Physical Demands	%	RSE
Strength is light work	69.3	2.6
Strength is medium work	29.1	2.5
Strength is heavy work	1.7	0.7
Percent of workers, reaching overhead is required, seldom	35.6	3.6
Percent of workers, reaching overhead is required, occasionally	54.4	4.3
Percent of workers, reaching overhead is required, one hand	24.9	4.7
Percent of workers, reaching overhead is required, both hands	65.9	7.4
Hours of standing, mean	6.88	0.14
Percent of day where standing is required, mean	95.0	1.1
Percent of workers, gross manipulation is required, occasionally	10.6	2.1
Percent of workers, gross manipulation is required, frequently	48.2	3.2
Percent of workers, gross manipulation is required, constantly	41.3	3.4

- Claimant was a Grocery Store Cashier diagnosed with anxiety and depression
- Hypothetical from the ALJ is *"**light work** and claimant is limited to only **superficial interaction** with the general public, **simple decision making** and only **occasional supervision**"*

The Vocational expert would consider the following:

OEWS 2022 CIVILIAN EMPLOYMENT DATA WWW.BLS.GOV/OES				
	Occupation	Employment	Mean hourly wage	Annual mean wage
CODE	OCC_TITLE			
41-2011	Cashiers	3,335,170	$12.88	$26,780

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ORS Data Excerpt

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Cognitive and Mental Requirements	
Schedule changes yes	64.9
Work location no change unless permanent	95.0
Work tasks change at least once a day	2.6
Work tasks change at least once a week	4.2
Work tasks change at least once a month	5.6
Work tasks change less than monthly, including never	87.6
Frequency of contact with other contacts is continuous	63.0
Type of interaction with other contacts is factual info exchange	78.0
Type of interaction with other contacts is coordinating	17.0
Type of interaction with other contacts is gentle persuading	4.2
Cashiers; pace of work is rapid	59.0
Frequency of contact with regular contacts is continuous	37.8
Type of interaction with regular contacts is factual info exchange	57.8
Type of interaction with regular contacts is coordinating	38.5
Type of interaction with regular contacts is gentle persuading	3.7
Work review is more than once a day	49.0
Work review is once per day	43.7
Work review is at least weekly	4.0
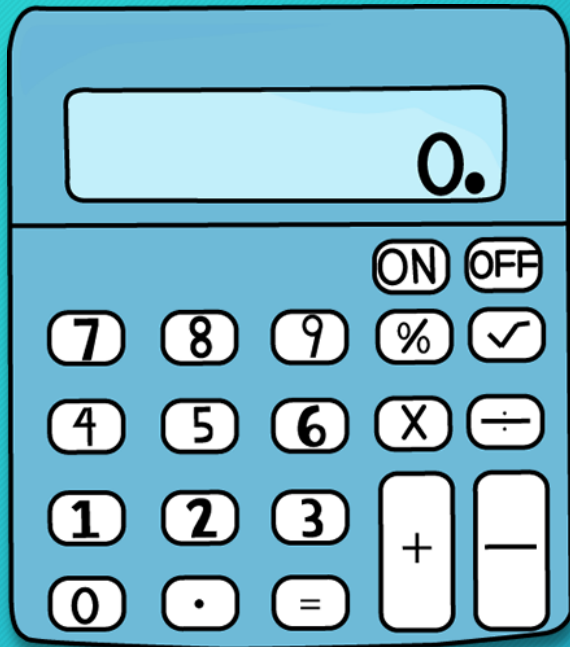
- H1: LIGHT, unskilled, quiet noise level, supervisor not present

- VE is looking for LIGHT work (which includes LIGHT and SEDENTARY jobs), probably in an office, SVP 2 (both SVP 1 and 2 or equivalent, one month of training or less required) with QUIET noise level and supervisor not present

- As a VE, I'm thinking of OFFICE CLERK (SOC 2018 code 43-9061)

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VE Using Experience With Employers

- When considering occupations matching an ALJ's hypothetical, the VE wants to draw from their experience in the types of occupations that best match the hypothetical profile.

- On-site employer visits are important method to keep current on what employers expect, allow, tolerate, require, and accept.

- Direct observation on-site at employers is best and is important to renew routinely – the more often, the better.

- Whether employer analytics are formal (job analysis) or informal (observation and discussion), VEs' training and current information is essential to the vocational analysis at hearing.

- VEs should expect questions about employer working conditions and tolerances

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VEs explaining their methods and modern terminology for occupations

- There is no single methodology VEs are required to use
- VEs must be able to explain why they use their methodology
- Ideally, occupations considered should have high census numbers
- Occupations should be "searchable" in present-day job postings
- Avoid using occupations which are obsolete even if listed in the DOT
- Avoid "obscure" occupations which have been replaced by technology
- Become knowledgeable regarding current job titles in use and the multiple variations of the title, i.e. "office clerk", "administration clerk", "customer service clerk", "data entry clerk", "service representative" etc.

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DOT METHOD

- Match to DOT classified job titles, SVP & requirement ratings as rated when that DOT was last updated (DLU)

- Selected Characteristics search for environmental (same DLU)

- Crosswalk to NAICS, CBP, CPS & SOC Group weight

- Cite ONLY DOT titles and explain variance from today's labor market

- Estimate and explain basis your adjustment of numbers for supervisors not present

- Software available (JBP, Oasys) to estimate job numbers by DOT weighted

ORS METHOD

- (Pre-hearing) Make and refer to VE table of occupations where likely to find large numbers of workers by SOC group (OEWS table)

- Refer to table of ORS complete data set by RFC characteristics

- Use *simple probability formula* of ORS percentages to OEWS per that SOC group

- Provide representative job titles, if DOT title exists and matches to results, you can cite that also

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ORS Calculations: Simple Probability

Likelihood that something will happen:

1. Flip a coin: 1 outcome out of 2 possible outcomes (1/2)
   - **50% likelihood that the coin will land heads and 50% that it will land tails**
2. Roll a die: 1 outcome out of 6 possible outcomes (1/6)
   - **16.67% likelihood that the die land on any number**

Likelihood of observing _two events together_:

Example: coin flip = tails **and** die roll = 5

50% * 16.67% = 8.35%

25% of workers have requirement X and 30% have requirement Y
- **25% * 30% = 7.5%**

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SERIES ID	%	SERIES TITLE	SOC 2018 CODE	OCCUPATION
ORUP1000025M00000661	79.50%	Percent of civilian office clerks, general; strength required is sedentary	439061	Office clerks, general
ORUP1000025M00000662	17.00%	Percent of civilian office clerks, general; strength required is light work	439061	Office clerks, general
ORUV1000025M00000064	2.30%	Percent of civilian office clerks, general; specific vocational preparation is short demonstration only (SVP 1)	439061	Office clerks, general
ORUV1000025M00000065	31.20%	Percent of civilian office clerks, general; specific vocational preparation is beyond short demonstration through 1 month (SVP 2)	439061	Office clerks, general
ORUE1000025M00000571	29.20%	Percent of civilian office clerks, general; exposed to quiet noise	439061	Office clerks, general
ORUC1000025M00001161	26.90%	Percent of civilian office clerks, general; where supervisor is not present	439061	Office clerks, general

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U.S. & SOC 43-9061 =	OEWS 2,578,180	Office Clerks, General
	0.40%	PRSE = Percent of Relative Standard Error

Calculate Sedentary & Light

	79.50%	sedentary
	+17.00%	light
=	**96.50%**	sedentary + light
2,578,180 * .965 =	**2,487,943**	workers in sedentary + light jobs

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	2.30%	SVP 1
	+ 31.20%	SVP 2
=	**33.50**%	SVP 1 + 2
2,578,180 * .335 =	**863,690**	workers in SVP 1 + 2 jobs

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Calculate Quiet Noise

	29.20%	quiet noise
2,578,180 * .292 =	752,828	workers in quiet noise jobs

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	26.90%	**no supervisor present**
2,578,180 * .269 =	**693,530**	workers with no supervisor present

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2,578,180 * .965 =	2,487,943	sedentary + light
2,487,943 * .335 =	833,460	sedentary + light + SVP 1 & 2
833,460 * .292 =	243,370	sedentary + light + SVP 1 & 2 + quiet
243,370 * .269 =	65,466	sedentary + light + SVP 1 & 2 + quiet + no supervisor

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Summary

- VEs are using ORS as a source to support opinions to common hypotheticals where they previously did not have data—sit/stand, frequency and types of interpersonal contact, work review

- At Step 5 ORS data is likely too aggregated for transferrable skills analysis for older workers

- Most hypotheticals have multiple restrictions and at step 4 & 5 will require probability analysis to assess the impact on the number of jobs

- Biestek v. Berryhill Supreme Court decision requires VEs to clearly explain methodology

- Use of ORS does not increase or decrease denials/approvals

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Questions?

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