Transferability: A Common Sense Approach for the Rehabilitation Consultant

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Origin of TSAs

- **Sidney Fine is usually identified at the "father" and developer of both the DOT taxonomy and the rationale of transferable skills.**

- **See Fine, S. (1957a & 1957b). A reexamination of "Transferability of Skills: Parts I & II,"** *Monthly Labor Review, 80*, **pp. 803-810, and 938-948.**

- **The Kerner Criteria established in** *Kerner v. Fleming*, **283 F.2nd 916 (2nd Cir., 1960). Resulting in the** *Vocational Expert Program* **directed by Louis Zinn (1972).**

Definition of TSA

- "….the process by which similar, related or new jobs are identified for a person following injury or disability which are consistent and compatible with previous work experience and fall within the range of residual post-injury functioning of the claimant."

Legal Basis for Transferability

- **CFR, Part 404.1568, p. 341: "(d) skills that can be used in other work (transferability) . . . the skills that can be used in other jobs, when skilled and semi-skilled work activities you did in past work can be used to meet the requirements of skilled and semi-skilled work activities of other jobs or kinds of work."**

CFR 404 con't.

- "Transferability is most probably and meaningful among jobs in which (i) the same or lesser degree of skill is required; (ii) the same or similar tools and machines are used; and (iii) the same or similar raw materials, products, processes, or services are involved."

Occupational Categories

- **01   Professional, Technical, Managerial**
- **02   Clerical & Sales**
- **03   Service**
- **04   Agriculture, Fishery, Forestry**
- **05   Processing**
- **06   Machine Trades**
- **07   Benchwork**
- **08   Structural Work**
- **09   Miscellaneous**

Work Fields

- **A DOT arrangement that addresses the factors presented in CFR 404.1568**
- **100 different work fields**
- **Cross-walked to all DOT titles**
- **Best description of skills**
- **Best code/arrangement for transferability**

- Source: *Rev. Handbook for Analyzing Jobs*

MPSMS

- **Organizing Jobs which basically answer the question: What does a worker need to know?" Initially tied in to the SIC Code – for identifying jobs in local labor markets.**
  - **Materials**
  - **Products**
  - **Subject Matter**
  - **Services**

Example of a Work Field

- **Machinist - 057**
  - *** Description**
  - *** Work Behaviors**
  - *** MTEWA (machines, tools, equipment, work aids)**
  - *** Processes**

  See RHAJ, p. 4-13

Worker Trait Factors

- **Measures of Capacity**
- **72 traits (not skills)**
- **Areas of Traits**
  - **Specific Vocational Preparation**
  - **General Educational Development**
  - **Aptitudes**
  - **Physical Demands**
  - **Environmental Conditions**
  - **Temperaments**
  - **GOE - Interests**

Time Demands of Job

- **Physical Demands and Working Condition are rated as follows:**

  - N   **Not Present (does not exist)**
  - O   **Occasionally (1/3 of time)**
  - F   **Frequently (1/3 to 2/3)**
  - C   **Constantly (2/3 or more)**

TSA: Seven Easy Steps

1. Identify/review person's work history
2. Identify DOT code and title
3. Profile the jobs – identify the related worker trait factors – measures of capacity
4. Summarize the work history jobs in terms of highest and broadest level of functioning
5. Determine the RFC – review of medical

Seven Steps con't.

6. Finding related or similar jobs (TSA)

   a. stay within the same **occupational area** (first digit of the DOT code)

   b. stay within the same or similar **Work Field** (skills)

   c. identify jobs that are equal to or less than the **RFC** (capacities)

7. Check the local labor market

TSA Example - Machinist

- **Man, 38 years in same job/employer as a machinist**

- **DOT code – 600.280.022**

- **Work Field – 057**

- **Worker Traits 7 444 23322432254 MNNOOONFFFONONFNFOON JTV**

- **ONET Code - 51404100**

Example - Injury

- **Assume an L 4-5 injury**
- **RFC (residual functional capacity)**
  - **Reduce Strength from Medium to Light**
  - **Reduce Kneeling (Kn), Crouching (Co), and Crawling (Cw) from Constantly (C) to Occasionally (O)**
  - **Find Related Jobs**

Example – Related DOT Jobs

- **Stay within same Occupational Category**
  - **06 – Machine Trades**
- **Stay within the same Work Field***
  - **057 - Machining**
- **Adjust for RFC on worker traits**
  - **Reduced Strength, Kneeling, Crouching & Crawling**

  * Might also use MPSMS

Job Possibilities (DOT)

- **36 jobs are in 06 Occ. Category – Machine Trades**
  - 13 are in 07 Occ. Category of Benchwork
- **all 49 jobs all in 057 Workfield**
- **47 jobs are classified as Light; 2 jobs are Sedentary**
- **Nearly all of the 49 jobs are reduced in demands on Kneeling, Crouching and Crawling**

Job Possibilities (Actual)

- **Using a few of these 36-49 titles, search local labor market survey data for jobs that exist.**
- **Follow-up to confirm a job exists and/or is open – depending on setting (i.e. SSDI, Workers' Comp, or Civil).**

DOT v. O*NET

DOT....
1. Obsolete
2. Saved only of Policy Interpretation 00-4p

O*NET....
1. Primarily counseling and guidance resource
2. Not very usable in TSAs
3. Excellent occupational information, however.

DOT-Based Job Analysis

- **Video presentation of an actual job**
- **Indentifying and rating of worker trait factors.**