

LMS/R FAQ'S

LMS/R methodology was developed through a VRC initiative in Washington and it incorporates the value of objective statistical information (commonly presented at the Board of Industrial Insurance Appeals) with other employer contacts such as on-site job analyses and direct telephone contacts if necessary.

- 1. Does LMS/R replace the current process for LMS?** LMS/R is a “complementary” alternative process for doing Labor Market Surveys. Using the best professional judgment, the VRC is able to choose the best methodology to complete research needed for a valid LMS. In all cases however, we believe that statistical references will have value in analyzing the current labor market trends and statistics.
- 2. Is it necessary to make phone calls to employers when using the new LMS/R process?** Phone calls on case specific criteria may be necessary to address inconsistencies or add specific information regarding the claimant. For example, if a claimant cannot lift overhead with the left upper extremity, phone calls to employers must be made to insure this is not an essential function of the job. If the VRC is using JA's to show physical demands of the job and they indicate lifting overhead with the left upper extremity is not necessary then the number of calls needed depends on how many JA's are used. It is recommended that the VRC show at least 5 positive contacts which may be a combination of JA's and phone calls for specific data. If the VRC is only using statistical resources that do not address overhead use of the left upper extremity, then calls must be made to employers to ask this specific question. It will not be necessary to get other information in the phone calls if all other information is addressed in statistics (i.e. questions on hiring, wages, etc.)
- 3. How much time will it take to do LMS/R and will this fit within the guidelines for Fee Caps for state fund work?** VRC's using the LMS/R method find that it takes about the same amount of time to use the new methodology. It is expected that it will take less time as the VRC becomes familiar with statistical resources. This should fit well within fee caps.
- 4. Will VRC Interns be able to successfully do the statistical analysis and report writing required for LMS/R?** VRC Interns should be trained on both methodologies. So far, trained VRC Interns have been successful in using this new methodology. Interns of course, should always be supervised by an experienced credentialed VRC who is reviewing vocational work products.
- 5. Are VRC's able to do the persuasive writing techniques required to successfully present their vocational recommendations based on LMS/R and case specifics?** All VRC's should understand how to use “persuasive” writing techniques to present their case for recommendations. Persuasive writing techniques incorporate all data used to explain the vocational rationale necessary to make recommendations and “connect all the dots”.
- 6. Due to the standardized reports required by LNI, is there enough space to explain the details and analysis of the LMS/R (i.e. Plan Eligibility and Plans) as it impacts the vocational recommendations?** The VRC will attach the LMS/R research format to the vocational reports and this will explain details which should be summarized in the report format. A succinct summary of data in the report will insure that there is space for the analysis.

- 7. Will the VSS and VDRO staffs at LNI be trained on this new alternative LMS/R process?** Yes, VSS and VDRO staff members are being trained on this alternative method and many are in fact attending the webinar today. Additionally several VSS and VDRO staff members and leadership in these departments have been involved in the development and vetting of LMS/R.
- 8. What is the best practice for using Job Analyses (JA's) for the employer contacts for LMS/R?** Recent on-site JA's are recommended for the purpose of LMS/R. Composite JA's are not recommended since they are not employer specific. Most VRC firms have JA libraries that contain many JA's that would be appropriate for this purpose. The VRC must insure that the JA's used are relevant and address *current* job trends, essential functions, physical/cognitive demands and requirements of the job.
- 9. How does a VRC incorporate out of state data and statistics into LMS/R?** Out of state data and statistics must represent local/county specifics and not national data in order to be relevant to the specific criteria of the case. The VRC has to use his/her own discretion and professional judgment as to if LMS/R will appropriately represent the facts of the case in order to insure valid vocational recommendations. If the VRC believes that there is not enough valid data resources available then the traditional process of doing labor market surveys is necessary.
- 10. Will LMS/R be appropriate for workers in rural areas that are not well represented by data sources?** The same answer for using out of state data is recommended for rural areas which are not well represented in statistics. The VRC will use his/her best professional judgment when determining the best process for representing labor market facts.
- 11. When writing a vocational training plan, how does a VRC address job modifications, accommodations and training needs, etc. in LMS/R?** These issues should be addressed by the VRC in the same way it has been done in the past. The VRC must make sure all information is consistent between all resources (statistics, JA's, phone calls for specific information) and if it is not consistent then the VRC needs to explain the rationale for making the recommendation.
- 12. Has LNI endorsed LMS/R as a complementary process for labor market surveys?** The LNI Vocational Leadership team has been actively involved in developing and vetting the new LMS/R process. LNI has informed VRC's of LMS/R in their What's New notice on their website in March 2015 with their article "Objective Approach to LMS". LNI leadership is excited about the new alternative approach but also cautions VRC's to use their best professional practices when using either process for labor market surveys.
- 13. Have VRC's been using LMS/R and has it been "tested" sufficiently through VDRO and BIIA to prove that the new labor market analysis is objective and best serves the needs of the worker?** Prior to rolling LMS/R out to the vocational community, it was vetted through all departments at LNI including VDRO. For the past five months VRC's across the state have been using this methodology successfully for State Fund and Self-Insured cases including Employability Assessments, Vocational Retraining Plans and testimony at the Board.