

22 August 2014

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

RE: OMB ICR Reference Number: 201403-1220-002
Agency Information Collection Activities
Submission for OMB Review; Comment Request;
Occupational Requirements Survey (ORS)
Federal Register Notice, Vol. 79, No. 141, 7/23/14

Thank you for the opportunity of providing public comment on the information collection request (ICR) for the ORS submitted by the BLS. The comments provided to the OMB are my personal observations and not to be interpreted as representing views of the Occupational Information Development Advisory Panel (OIDAP) that I chaired for the Social Security Administration (SSA) to provide the agency with advice and opinions for a new occupational information system to replace the *Dictionary of Occupational Titles* (US Department of Labor, 1991); further, my comments should not be construed as representing the views of any of my current professional or academic affiliations.

On 5/23/14 I, and a variety of users of the data that will result from the ORS, provided comment to BLS. It is my understanding that the comment made very little impact on the instrument and methodology intended for further ORS efforts. The information released by BLS since the 5/23/14 public comment is very limited for me to provide sufficient and detailed responses to this ICR given that much of the comment previously expressed regarding classification, sampling, instrumentation, data collection, and validation is still relevant and valid.

For purposes of this public comment, I would like to reiterate the importance of accuracy and validity of data elements and scaling in instrumentation as well as in direct observation by field analysts and the need for usability analyses with any collected data.

Instrumentation

- *Cognitive Elements*: In my 5/23/14 public comment, I questioned the origin of mental-cognitive data elements and importance of understanding the body of literature from where these emanated. There was no response to this query. The *majority* of cases undergoing disability adjudication at Steps 4 and 5 in SSA's disability program involve some aspect of mental-cognitive factors. An attempt to find these elements within the ORS instrument in the academic and popular

literature did not result in support for these elements, particularly vis-à-vis the existing elements upon which SSA now makes disability decisions as reflected in the Mental Residual Functional Capacity form (MRFC). In October 2013, Gwyn Ferguson from the Bureau of Labor Statistics in *Testing the Collection of Occupational Requirements Data*, suggests that these mental-cognitive elements came from SSA; however, neither BLS nor SSA have released the justification or validity for these elements. Therefore, I am unable to provide further public comment on these elements until such information is available to the public.

- *Scaling*: BLS made some slight scaling adjustments to the instrument that were appreciated. Notwithstanding, the duration range of “seldom” set at 2% is too narrow, while the remaining ranges that break down a workday into thirds are overly broad when considering the frequency and duration of human function data elements considered.

Data Collection

In its 9/30/13 FY2014 plan, BLS indicated the intention to observe work environment and sampled occupations, or both through the Observation Test. As I indicated on my 5/23/14, validated data through observation (or lack thereof) could very well be the Achilles Heel of the ORS. As we near the end of the FY2014, no data has been released to the public regarding these efforts to provide public comment.

Usability Analyses

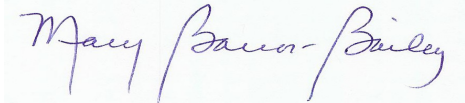
At this juncture, BLS has had various rounds of data collection at different levels in the development and refinement of the ORS prototype instrument to OMB. There has been no mention throughout the materials as to the review of these initial data collection efforts with Disability Determination Services personnel (at the minimum) to get preliminary feedback from the front-line users of the usefulness of such data. Thus, there exists insufficient information even after a \$41,000,000 cost to the taxpayer for the ORS that the front-line users of these data have had regular input into this process beyond research staff and management at SSA.

Thank you for the opportunity of providing this public comment. I appreciate the difficulty of this task for BLS having seen efforts from the inside for 3.5 years. The success of this project is incredibly important to any system where work and disability intersect. Thus, as BLS and SSA struggle with the task before them, I hope and cheer for their success.



Please feel free to contact me with any questions you may have.

Sincerely,



Mary Barros-Bailey, PhD, CRC, CDMS, CLCP, NCC, D/ABVE
Bilingual Rehabilitation Counselor

*American Board of Vocational Experts, Diplomate
Certified Disability Management Specialist
Certified Life Care Planner
Certified Rehabilitation Counselor
Forensic Vocational Expert, Registered
National Counselor Certificate*