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**Subsequent Injuries Benefits Trust Fund
Department of Industrial Relations
Division of Workers Compensation
160 Promenade Circle, Ste. 350
Sacramento, CA 95834**

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**Employee: Alan Eger
SIF #: SIF 9876653
D.O.I: 3/1/2011 – 2/1/2015
Employer: Triace Bicycle/Bridgeway International**

Subsequent Injuries Benefit Trust Fund Vocational Opinion

I have been requested by Attorney Natalia Foley to perform a forensic vocational analysis and report addressing Mr. Eger ability to compete in the open labor market based upon his subsequent industrial injury as well as his pre-existing illnesses and injuries that have created labor disabling conditions that would diminish Mr. Eger's ability to compete in the open market.

Legal Principles: Disability; Employment Determination; The PDRS; The Ogilvie Case

The AMA Guides, 5th Edition has long been used to determine permanent bodily "impairment" based on a person's "permanent disability" which is defined under California jurisprudence as "...the irreversible residual of a work-related injury that causes impairment in earning capacity, impairment in the normal use of a member or a handicap in the open labor market." *Brodie v. WCAB* (2007) 40 Cal. 4th 1313, 1320, 72 Cal. Comp. Cases 565.

The AMA Guides on page 8, 1.2 Disability: “A disability determination also includes information about the individual’s skill, education, job history, adaptability and environment requirements, and modifications. Assessing these factors can provide a more realistic picture of the effects of the impairments on the ability to perform complex work and social activities.” The AMA Guides, 5th Edition on page 14 under 1.9 Employability Determination state: “More complicated are the cases in which the physician is requested to make a broad judgement regarding the individual’s ability to return to any job in his or his field. A decision of this scope usually requires input from medical and non-medical experts such as vocational specialists, and the evaluation of both stable and changing factors, such as a person’s education, skills, motivation, and the state of the job market, the local economic situation.”

Generally “permanent disability” payments are provided for permanent bodily impairment, to indemnity for impaired future earning capacity or decreased ability to compete in an open labor market” * *Livitsanos v. Superior Court* (1992) 2 Cal. 4th 744, 57 Cal. Comp. Cases 355 at 36.* Indemnity for impaired future earning capacity in California Workers’ Compensation jurisprudence has long utilized the 2005 Permanent Disability Rating Schedule (“PDRS”) to determine those “permanent disability” payments. The basic purpose of the Workers’ Compensation Act is to compensate for the disabled worker’s diminished ability to compete in the open labor market using the PDRS. Nevertheless, the PDRS may be rebutted via the use of vocational rehabilitation expert evidence.

In *Ogilvie v. Workers’ Compensation Appeals Board* (2011) *Ogilvie v. Workers’ Compensation Appeals Board* (2011) 197 Cal. App. 4th 1262, 76 Cal. Comp. Cases 624 at 629, the Court of Appeal explained that:

For many years, determining the degree of permanent disability sustained due to an injury involved consideration of the *opinions of vocational rehabilitation specialists* concerning the employee’s ability to compete in an open labor market. *Ogilvie v. Workers’ Compensation Appeals Board* (2011) 197 Cal. App. 4th 1262, 76 Cal. Comp. Cases 624 at 629, citing *Gill v. WCAB* (1985) 167 Cal. App. 3d 306, 50 Cal. Comp. Cases 258 (*emphasis added*)

Pursuant to *Ogilvie*, one method to rebut the 2005 PDRS is if the employee is not amenable to vocational rehabilitation because of the industrial injury, so long as the opinion upon which a vocational rehabilitation expert basis it on is based on.

Introductory Comments

My assignment included a face-to-face interview with Mr. Eger, a review of his occupational history, medical history and records, physician assessment of his medical conditions and labor disablement and appointment involving percentage of disability apportioned to the subsequent injury, and pre-existing injuries and illnesses, vocational assessments, transferable skills, the labor market analysis and Mr. Eger is amenable to vocational rehabilitation.

A thorough evaluation was conducted of Mr. Eger through vocational testing, research through the OASYS system, the Employment Development Department (EDD), the Dictionary of Occupational titles, the Social Security Administration (SSA), the Occupational Employment

Quarterly (OEQ), and pertinent case law to determine Mr. Eger pre-injury labor disablement, as well as the post-injury labor market access and ability to compete in the open labor market.

I explained to Mr. Eger my position as an Applicant Vocational Expert and informed him that I would not be providing ongoing vocational counseling. I informed him that the information derived during the evaluation would not be considered confidential and that my findings and opinions would be summarized in a report that would be provided to his attorneys and the Subsequent Injuries Benefits Trust Fund.

Date and Time of Evaluation

My evaluation occurred with Mr. Eger on November 11, 2021. I conducted the evaluation in person with Mr. Eger and had full view of his entire body throughout the assessment.

Evaluation Timeframes

8 hours for file review of medical and psychological records, 8 hours of face-to-face time, 6 hours of vocational rehabilitation testing and scoring, 5 hours of interpreting and analysis of the CAPS and Raven Standard Progressive Matrices, 6 hours of research (DOT, OASYS, SSA) and 9 hours of report writing, proofreading, and editing time for a total of professional time. A total of 42 hours of professional time. An itemized invoice is attached to this report outlining my work in this matter.

Background Information

Mr. Eger was casually dressed and well-groomed for his scheduled evaluation. Mr. Eger was forthcoming and cooperative throughout the interview.

I interviewed Mr. Eger to obtain information regarding his educational background, employment history, medications, subjective physical tolerances in addition to administering vocational testing.

Mr. Eger was born on September 18, 1962 in Anaheim, CA. He was 58 years old at the time of this report. He reported a Social Security Number (SSN) of xxx-xx-4004.

Transportation Information

Mr. Eger produced a current Class C California driver's license with a number of xxxx2412 and an expiration date of September 18, 2023. He stated that he had no vehicle code violations or accidents currently on his driving record.

Mr. Eger indicated that he would be willing to travel approximately fifteen (30) minutes to work in one direction should he be able to work. He said that he has a reliable vehicle which he could utilize for employment purposes.

Mr. Eger explained that he would not be willing to use public transportation because of the physical strain it would put on his body given his conditions. He would not be willing to relocate. Mr. Eger should he be able to work, he would be available to work Monday through Friday during the day.

Social History

Mr. Eger is not married.

He is not required to perform elder care.

Legal History

Mr. Eger indicated that he did not have any felony or misdemeanor convictions.

Educational Background

Mr. Eger could communicate in English fluently.

He stated that he completed high school and graduated in 1980 from Loral HS. He said that he was an average student and received average grades. Mr. Eger was never held back a grade and does not have any learning disabilities. He did not attend college.

Military History

Mr. Eger was not in the military.

Current Sources of Income

Mr. Eger indicated that he does not meet his monthly expenditures.

Mr. Eger states that his monthly expenditures which includes his mortgage, utilities, food, clothing and which is about \$4400 and receives compensation of \$4500/month.

Current Work Status

Mr. Eger is currently not working.

Employment History.

Employer Name: Triace Bicycle Bridgeway International, Naples FL and Shanghai, China

Job Title: Research and Development Director and Pro-Rider

Job Description: Mr. Eger was employed as a Research & Development Pro Rider at Triace Bicycle for 4 years. Mr. Eger worked 16 hours per day, 7 days per week and the job duties include testing high-level bikes and manages with the selling process to the dealers. Mr. Eger was required to lift up to 30lbs frequently and 50lbs constantly. Mr. Eger's work required to accomplish these tasks include lifting, carrying, bending, stooping, squatting, pushing, pulling, climbing, walking, sitting, standing, repetitive activities, reaching forward, reaching overhead,

gripping, grasping, pinching, being in awkward positions, use of hand tools, operating equipment and use of power tools.

Duties: DOT Code: DOT Code: 189.117-014 **Director, Research and Development**, Alternate Titles: Manager, Product Development, Manager, Research and Development, Manufacturing Engineer, Chief. May specialize in one type of research and be designated Director, Marketing Research and Analysis (profess. & kin); Director, Product Research and Development (profess. & kin.). Directs and coordinates research and development activities for organizational products, services, or ideologies: Plans and formulates aspects of research and development proposals, such as objective or purpose of project, applications that can be utilized from findings, costs of project, and equipment and human resource requirements.

Employer Name: Mr. Eger was Self-Employed as a Sales in Thailand from 2000 2010

Employer Name: Garden City Limited, Bangkok Thailand- 1984 - 1999

Job Title: Research and Development and Pro Rider/Bicycle Support

Job Description: M r. Eger was also self-employed and contracting for 25 years as Bicycle Support and Research Development

Duties: DOT Code **DOT Code:** 806.687-030 **Inspector, Bicycle**. Inspects bicycles for defects in assembly and finish: Examines bicycle to detect missing equipment, flaws in paint, and alignment of frame, sprockets, and wheels. Turns pedals, spins wheels, and moves parts to verify specified adjustment. Informs bicycle repairer of defects.

Activities of Daily Living

During my interview, Mr. Eger completed the Activities of Daily Living (ADL) questionnaire with my assistance. I asked Mr. Eger questions regarding how his disabilities affect his activities of daily living. Mr. Eger noted that he had some difficulty washing and drying himself and dressing himself. Mr. Eger reported having much difficulty doing light housework such as cleaning and doing laundry. He also has much difficulty with cooking and yardwork activities.

Mr. Eger also stated some difficulty driving car most especially getting in and out of the car and opening and closing doors. Mr. Eger vision reports difficulty watching TV or reading a book and writing as well as seeing up close and seeing things far.

Mr. Eger also have difficulty sleeping at night and that he goes to bed around 9-10:00 p.m. It generally takes him about two (2) hours to fall asleep and he usually wakes up around 4:30-5:00 a.m.

Mr. Eger subjective physical tolerances includes difficulty sitting and standing for long periods of time. Mr. Eger reported walking on a flat surface, walking on incline and difficulty walking down on a decline. Mr. Eger also reported difficulty crouching, bending, stooping, crawling, kneeling and maintaining his balance. Mr. Eger also reported that is both difficult to walk up and down a flight. He also reported difficulty with moving forward flexion of neck and twisting of neck left and right.

Mr. Eger also reported reaching above shoulder level with both left and right arm. Mr. Eger reported difficulty push and pulling object and gripping a glass of water or carrying a gallon of milk with one or both hands. Mr. Eger also reported difficulty lifting more than 5 lbs. and much more difficulty lifting more than 10 lbs. and 20 lbs. and much more difficulty lifting more than 50 lbs.

Mr. Eger reported difficulty with fine finger manipulation like turning screws/bolts, using a cell phone or texting and have trouble with repetitive movements and simple and firm grasping. Mr. Eger also reported difficulty with his sensory functions, with him feel, smell, taste sensations. Mr. Eger also reported difficulty with talking and speaking clearly both the left ear and the right ear. (See attachment: Activities of Daily Living, Appendix A)

Activities of Daily Living Checklist

Activities of Daily Living	Without difficulty	With SOME difficulty	With MUCH difficulty	FOR HOW LONG A PERIOD OF TIME	UNABLE TO DO
Self-Care, Personal Hygiene					
<i>Comb your hair</i>		x			
<i>Wash and dry yourself</i>		x			

<i>Dress yourself including shoes</i>		x			
<i>Light Housework</i> (<i>Cleaning, laundry, Etc.</i>)		x			
<i>Heavy Housework</i> (<i>Vacuuming, sweeping, mopping,</i>)					x
<i>Cooking</i>		x			

<i>Yard Work</i>			x		
Travel					
<i>Driving a car (automatic transmission) can't do long drive</i>					
<i>Get in and out of cars</i>		x			
<i>Opening and Closing Car Door</i>	x				
Vision					
<i>Watch Television</i> (with glasses on)		x			
<i>Read a Book</i>		x			
<i>Seeing up close</i>		x			
<i>Seeing things far – with glasses</i>		x			
Sleep					
<i>Sleep at Night</i>			x		
<i>Nap During the Day</i>			x		

Mr. Eger stated that his bedtime is around 9-10pm. It varies the time for Mr. Eger to fall asleep and wakes up between 4:30 – 5pm in the morning

Subjective Physical Tolerances 8 Madonna Garcia SIF Vocational Evaluation of Alan Eger 02/10/2021	Without difficulty	With SOME difficulty	With MUCH difficulty	FOR HOW LONG A PERIOD OF TIME	UNABLE TO DO
<i>Sit</i>			X		
<i>What, if anything makes sitting more comfortably?</i>					
<i>Stand</i>			X		
<i>Walk on a Flat Surface</i>			X		
<i>Walk on an Incline</i>			X		
<i>Walk on a Decline</i>			X		
<i>Is it easier to walk up or down an incline?</i>					

<i>Crouching</i>			X		
<i>Bending</i>			X		
<i>Stooping</i>			X		
<i>Crawling</i>			X		
<i>Kneeling</i>			X		
<i>Maintaining Balance</i>		X			
<i>Walking up 1 flight of 10 steps</i>			X		
<i>Walking Down 1 flight of 10 steps</i>			X		
<i>Is it easier to walk up or down a flight of 10 steps? same</i>					
<i>Forward flexion of neck</i>			X		
<i>Twisting of neck left or right: RIGHT</i>			X		

<i>Is your Dominant Hand: RIGHT or LEFT: RIGHT</i>					
<i>Reach above shoulder level with RIGHT Arm</i>		X			
<i>LEFT Arm</i>		X			
<i>Reach below shoulder level with RIGHT Arm</i>		X			
<i>LEFT Arm</i>		X			
<i>Push/Pull light objects</i>		X			
<i>Gripping a glass of water</i>		X			
<i>Carrying a gallon of milk with one or both hands</i>		X			
<i>Lift more than 5 lbs.</i>			X		
<i>Lift more than 10 lbs.</i>			X		
<i>Lift more than 20 lbs.</i>			X		
<i>Lift more than 50 lbs.</i>					X
<i>Fine finger manipulation (turning screws/bolts, using a cell phone or texting) right hand only</i>		X			
<i>Simple grasping</i>		X			
<i>Firm Grasping</i>		X			
<i>Writing</i>		X			

<i>Typing</i>		X			
<i>Feel what you touch</i>		X			
<i>Smell the food you eat</i>		X			
<i>Taste the food you eat</i>		X			
<i>Hearing from LEFT ear</i>		X			
<i>Hearing from RIGHT ear</i>		X			

ACTIVITIES OF DAILY LIVING

Mr. Eger sometimes has no interest in his appearance or shaving. He often has problems sleeping at night because he cannot stop thinking or worrying. He sometimes does not feel rested in the morning and sometimes feels sleepy during the day. He sometimes cannot prepare meals for himself, forgets to turn off the stove or close the refrigerator, cannot seem to organize or clean the house, and cannot focus to repair things around the house. He indicates he often lacks the desire to have sexual relations. Mr. Eger's social functioning lacks of cognitive stamina and being involved with friends and family. He sometimes does not want to initiate social contact with friends and family. Mr. Eger's Recreational Activities also indicates that he often cannot concentrate long enough to do his normal hobbies. He often has no interest in attending social gatherings, meetings, or church events. He often cannot concentrate on art projects, music activities or building projects, and cannot muster the energy or concentration to play board games, cards, or video games.

Also, Mr. Eger concentration also seems that he cannot remember what his doctors instruct him to do. He sometimes loses important papers given to him by doctors or the insurance company. He sometimes is unable to complete a project near others without being distracted. His day is often interrupted by his psychological symptoms. He sometimes gets confused when paying for items at a store. He sometimes loses his wallet, keys or cell phone, or forget where he parked his car. He sometimes misplaces important financial papers or documents. Mr. Eger's adaptive functioning also affects him when he sometimes starts to fall asleep if he reads something for more than a few minutes and loses interest when watching television and stops watching the show. He never loses interest in communicating with others by email, text, or phone and has not lost interest in reading the newspaper or watching the news on tv. In addition, Mr. Eger stress

tolerance issues where he finds himself on the verge of losing control over things as simple as television commercials. He finds himself highly irritated with changes in routine.

Current Treatment, Therapy and Physical Condition

Mr. Eger does not participate in physical therapy.

Current Medications

Mr. Eger brought a list of his medications to the evaluation

Lists of Medications

Tylenol – 500 mg/2x/day

Ibuprofen – 800 mg/3x/day

Effects of Medication on Full Time Employment

Mr. Eger takes medication as indicated above that severely limits his ability to function in a full-time work setting. Medication usage could limit an employer from fully considering Mr. Eger from full time gainful employment.

Mr. Eger takes Tylenol and Motrin for pain. These drugs are used to treat mild to moderate pain from headaches, menstrual periods, toothaches, backaches, osteoarthritis, or cold/flu aches and pains and to reduce fever. The most commonly reported adverse reactions and side effects included nausea, vomiting and constipation.

Mr. Eger job as a Research and Development Director and Pro-Rider involves lifting, varying, pushing, pulling 20 lbs. occasionally, frequently up to 10 lbs. constantly. Also, walking and standing frequently, pushing and pulling of arm and leg controls, reaching occasionally, extending hands and arms in any direction, handling occasionally, seizing, holding, grasping, turning and working with hand or hands, handling, talking frequently and hearing frequently as part of his job duties.

Mr. Eger relayed the medications do not make him feel groggy, but they affect his concentration and make him forgetful. He does become irritable if he does not take his medications. Thus, the medication side effects would severely limit Mr. Eger employability.

Medical History

Mr. Eger had asthma from ages 1-14. He had anemia while working and living in Asia due to not eating enough meat. He had high blood pressure while working, but is unsure of the year. Before the subsequent work injuries, he sustained many head injuries with concussions from bike crashes and he had 3-4 head injuries with concussions from being hit by cars with a cracked skull on at least one occasion. Work pressure made him feel more anxious, so anxious that he was hospitalized over 50 times in Asia due to bowel incontinence (no bowel movements). He denied ever having any other medical conditions before the subsequent injuries. He had a work-related

left foot injury in April 2014. There is a family history of stomach cancer in his brother, one sister had two strokes, and his other sister had thyroid cancer and degenerative back disease. After the subsequent injuries, he has not developed medical problems. Prior to the current industrial injury, the examinee indicated he was in reasonably good health. He did not use sick leave excessively during his employment.

HISTORY OF PRESENT ILLNESS AND INJURY:

Mr. Eger is a 58-year-old right-handed who is currently disabled and currently has no source of income. Mr. Eger's work duties as a Research Development Rider and Racer included testing high end bicycles before they went into production. He rode many miles and very far. He attended every grand opening all over the country. He was a two-time champion rider in Taiwan. He opened the 960 stores on a daily basis. He flew in an airplane every day. Mr. Eger worked at Bridgeway International as a Research Development Director for four years. He was an avid racing bicyclist. His job involved manufacturing, testing, distributing and riding bicycles as well as promoting bicycles in China.

Mr. Eger have sustained two industrial injury; one is specific injury on 4/14/2020 and the other is cumulative trauma with date of injury 03/01/2011 - 02/01/2015. Mr. Eger state that on 04/18/2014 while he was working/riding for Triace in China at a Ride Event on top of mountain in Phjiang China and won that event and was asked to have pictures at the finish line. At the event, a bike fan jumped on his foot with a special shoe made for bike cleats/pedals and broke the #5 bone in his left foot.

Mr. Eger went to Pujiang hospital and had an Xray that showed his left foot broken. He was then transferred to ER in Shanghai Hospital where he was confirmed his broken foot and had it casted. Mr. Eger got a flight back to US 2 days later being immobile in bed and on crutches with foot elevated. CT was alleged as stress and strain due to repetitive movement over significant period of time at work.

Mr. Eger was also evaluated by PQME Dr. Todd Katzman was issued his P&S report dated October 26, 2015, releasing Mr. Eger back to work with no restriction and with 0% impairment rating. Mr. Eger objected to the determinations and filed complaint with the Medical Unit alleging that Dr. Katzman did not spend required 40 min face to face during the evaluation. Mr. Eger subsequently sued Dr. Katzman for malpractice and won the case. Mr. Eger then was treated by his PTP Dr. Brent Pratley, who issued P&S report on 07/11/2016 with the final PD rated as with final PD 36 on his ortho injuries with rating on his psychological injury deferred to the psychology specialty and due to the worsening condition. Mr. Eger was considered TTD again by PTP Dr. Jacob Rosenberg MD on 5-14-2018. Dr. Rosenberg requested authorization for treatment, all of which were denied.

REVIEW OF MEDICAL RECORDS:

Dr. Todd Katzman - PQME Report:

According to the medical records of Ortho QME Evaluation by Dr. Todd Katzman, M.D. on 10/26/2015, Mr. Eger suffered a fractured left clavicle. He denied having any depression, nervousness, mood swings, or sleep disturbances and denied alcoholism or drug abuse treatment. He was in no acute distress and did not require surgical intervention.

According to the medical records of Ortho QME Evaluation by Dr. Todd Katzman, M.D. dated 9/12/16 that during the course of his employment, Mr. Eger suffered multiple injuries. Diagnoses: 1) History of left fifth metatarsal fx, healed. 2) Bilateral knee strain. 3) Musculoligamentous strain, lumbosacral spine. 4) History of left clavicle fx in 2005. Disability Status: He was Permanent & Stationary from the continuous trauma injuries that occurred from 3/01/11 to 2/1/15 and from the specific injury of 4/14/14. Impairment Rating: 3% WPI. Causation: Industrially related. Functional Capacity: He had no permanent work restrictions. Therefore, he was able to perform his usual and customary work duties.

According to the medical records of Deposition of Dr. Todd Katzman, M.D. opined that Mr. Eger never experienced any periods of total and temporary disability after he was laid off due to his injuries because he had all those injuries during the course of his employment, but he was working his regular job the entire time, which was testing bikes, walking around, riding the bikes, showing people what the bikes could do. He continued working and would still be working had he not been taken off work.

Dr. Brent Pratley - PTP Report:

According to the medical records of WC Supplemental Report by Dr. Brent Pratley on 1/17/17, Mr. Eger was declared P&S on 7/11/16. He was a qualified injured worker and in need of a vocational rehab or some type of work change of no heavy lifting, no repetitive bending or twisting.

Dr. Jacob Rosenberg – TTD Report:

According to the medical records of PTP's Initial Eval by Dr. Jacob Rosenberg, M.D. at IPM Med Grp, Inc. dated 7/28/17, Mr. Eger sustained an injury on DOI: 2/1/15. He was still in the research and development, doing testing and development of carbon fiber high-end bicycles for five years preceding 2/1/15. According to the medical records of PR-2 by Dr. Jacob Rosenberg, M.D. dated 2/15/18, Mr. Eger noted because he was unable to work, he was feeling depressed and was having difficulty sleeping. He noted his depression had been worsening over the past month. He appeared to be in mild distress. He was referred to psychology for eval of depression secondary to not being able to work. Diagnoses: 1) Radiculopathy, site unspecified. 2) Spondylolisthesis, lumbar region. 3) Pain in right knee. 4) Pain in left knee

Dr. Hao Thai – PTP Report:

According to the medical records of Dr's 1st Report by Dr. Hao Thai, M.D./Albert Lia| M.D. at Centers of Rehab and Pain Medicine dated 4/12/15, Mr. Eger had depression. He continued being depressed more 50% of the time since he was laid-off. He reported problems with depression secondary to pain. He had acute stress disorder. In 2006, he had in injury to the left clavicle and had pins and screws. Previous Accidents: Prior industrial injury in April 2074, fractured left foot. Diagnoses: 1) Lumbar sprain and strain 2) Numbness. 3) Shoulder pain. 4) Knee joint pain. 5)

Ankle/foot joint pain. 6) Myalgia and myositis. 7) Depression. 8) Clavicle pain. 9) Acute stress disorder. Also, according to the medical records of PR-2 by Dr. Hao Thai, M.D./Albert Lai, M.D. dated 08/18/15, Mr. Eger was Temporarily Totally Disabled (TTD) until 10/01/15.

Dr. Nhung Phan, PsyD – QME – 11/22/2020 Report:

PRE-EXISTING PSYCHIATRIC DIAGNOSES

AXIS I: EPISODE OF MENTAL/CLINICAL DISORDER

Physical Abuse of Child (V61.21)
Pain Disorder Associated with a General
Medical Condition (307.89)

AXIS II: PERSONALITY DISORDER

No Diagnosis (V71.09)

AXIS III: PHYSICAL DISORDERS AND CONDITIONS

AXIS IV: SEVERITY OF PSYCHOSOCIAL STRESSORS

Mild

- (1) Sequel to work-related injury, including cognitive, physical, and emotional problems, as well as occupational and financial problems.
- (2) Non-Industrial and concurrent stressful issues were identified and these include:

AXIS V: GLOBAL ASSESSMENT OF FUNCTIONING (GAF)

Current – 63

Dr. Phan reported on his discussion of Pre-Existing Disability Rating, Dr. Phan stated that Mr. Eger experienced symptoms of physical and verbal and emotional abuse by his dad until the age of 17 did not have impairment of his functional abilities. Dr. Thai also concluded that Mr. Eger did not experience work limiting impairments on a psychological basis prior to the subsequent industrial injuries, but rather during the course of employment. Based on this clinical picture and the impact on his functioning. Dr. Thai also stated that Mr. Eger met criteria for Physical Abuse of Child and Pain Disorder Associated with a General Medical Condition. Additionally, his GAF score was 63 - which is equivalent to a WPI of 11%. This GAF falls into the 61-70 decile, which is described by the 2004 Permanent Disability Rating Schedule as follows: This GAF falls into

the 61-70 decile, which is described by the 2004 Permanent Disability Rating Schedule as follows: Some mild symptoms (e.g., depressed mood and mild insomnia) or some difficulty in social, occupational, or school functioning (e.g., occasional truancy, or theft within the household) but generally functioning pretty well and has some meaningful interpersonal relationships. Dr. Thai stated that Mr. Eger had no disorder that impacted his occupational functioning causing pre-existing labor disablement. There were no pre-existing restrictions prior to his subsequent industrial injuries.

Dr. Phan stated that the issue is clearly seen via an examination of his GAF and WPI scores prior to and subsequent to his injuries. Mr. Eger's prior GAF score of 63 equates to a WPI of 11%. Following his subsequent injuries, his psychiatric condition deteriorated significantly. The increase in depressive and anxiety symptoms resulted in a decrease of his GAF to 50 - which means his disability increased by 19% to 30%. The subsequent injuries disability represents the predominant cause of his overall disability rating. Dr. Thai concluded that Mr. Eger's Psychiatric Disability is now permanent and stationary.

Also, on Dr. Phan's report, he stated that Mr. Eger's psychiatric injury is labor disabling and requires the following **Work Restrictions:**

Part-time schedule with frequent breaks due to his fragile and emotional states from his depression, anxiety, panic attacks and trauma. Flexible schedule to accommodate Mr. Eger's need for weekly psychotherapy. Flexible schedule to accommodate Mr. Eger's sleep disorder. No assignment of excessive job pressures such as multiple, frequent deadlines, or frequently working with difficult people, such as his managers not allowing him to take time off work.

Due to his cognitive difficulties from his depression and anxiety, Mr. Eger requires the following: Accommodation of increased time due to slower pace and persistence. Understanding supervisor to break larger tasks into a series of smaller ones. Frequent feedback on performance with sensitivity to Mr. Eger's struggles. Time to reconnect with co-workers given Mr. Eger's deteriorated social skills (resulting from his depressive symptoms of social withdrawal). Frequent feedback on performance by an understanding supervisor to accommodate Mr. Eger's low self-esteem (due to his depression, incontinence, and inability to function sexually).

Apportionment Between Disability Stemming from Subsequent Injury and Pre-existing Disabilities

Mr. Eger had a pre-existing psychiatric disability that was permanent and stationary, ratable, and work limiting. His rating was as follows:

Preexisting Psychiatric Impairment 11% WPI from GAF of 63

Mr. Eger had a pre-existing psychiatric disability that was permanent and stationary, ratable, and work limiting. His rating was as follows: Preexisting Psychiatric Impairment 11 % WPI from GAF of 63.

Current Psychiatric Impairment: 30 % WPI from GAF of 50

The subtraction method is applied:

30 % WPI minus 11 % WPI

19 % WPI apportioned to the Subsequent Injury

In Conclusion:

PRE-EXISTING DISABILITY Psychiatric disability - 11%

SUBSEQUENT DISABILITY Psychiatric disability increased by 19% to 30%

General Observations During Vocational Interview

The evaluation of Mr. Eger took place on November 11, 2020. Mr. Eger said that he did not consume any medication prior to the evaluation. He was cooperative and talkative and had normal response timing. Mr. Eger was moving around a lot in his chair but did get up to stretch. He was able to answer all my interview questions completely and asked a few questions his self. He used his right hand to mark the vocational testing material. He held the pen between his index finger and his thumb. Mr. Eger used his right hand to turn the pages of the vocational testing material.

Observations During the Raven

Mr. Eger started the Raven Standard Progressive Matrices and he understood the directions for the Raven. Mr. Eger displayed normal response timing for someone who was taking the assessment for the first time.

Observations During the CAPS Assessment

Mr. Eger understood the directions for test one (1) of the CAPS completely without repeated instruction. He explained that he understood the directions before proceeding with the assessment. He answered both example questions correctly for test one (1) of the CAPS. He stated he never considered the concept of mechanical reasoning was involved in everyday life.

Mr. Eger understood the directions for test two (2) of the CAPS completely without repeated instruction. He explained that he understood the directions before proceeding with the assessment. He answered one (1) of two (2) example questions correctly for test two (2) of the CAPS.

On test three (3) of the CAPS Mr. Eger was asked to read and explain the directions for the test. He explained that he understood the directions before proceeding with the assessment. He answered both example questions correctly for test three (3) of the CAPS.

Mr. Eger seemed more relaxed and comfortable during test three (3). He said that he did not like to read, but he did complete the test. He stated that it was not difficult.

Mr. Eger understood the directions for test four (4) of the CAPS completely without repeated instruction. He explained that he understood the directions before proceeding with the assessment. He answered both example questions correctly for test four (4) of the CAPS.

On test five (5) of the CAPS Mr. Eger was asked to read and explain the directions for the test. He demonstrated a basic understanding; however, I provided his further explanation to ensure that Mr. Eger understood the directions. He explained that he understood the directions before proceeding with the assessment. He answered one (1) of three (3) example questions correctly for test five (5) of the CAPS.

Mr. Eger understood the directions for test six (6) of the CAPS completely without repeated instruction. He explained that he understood the directions before proceeding with the assessment. He answered both example questions correctly for test six (6) of the CAPS.

He said that he was feeling good about taking this test. He explained that he was no longer worried about the interpretation of his scores and that he liked this test.

Upon completion of the vocational assessment, Mr. Eger stated that on a scale of one (1) to ten (10), with ten (10) being the most severe, his pain level was a ten (10). He expressed pain in his back, neck stiffness, shoulder tightness and some cramping in his fingers and hands. Mr. Eger was very cooperative and pleasant throughout this evaluation.

Vocational Testing Administered

I administered vocational testing to Mr. Eger on November 11, 2020.

He was given the **Raven Standard Progressive Matrices** using a paper report.

The **CAPS** exam was similarly provided in computer form.

Mr. Eger test scores were utilized to aid me in identifying his level of aptitudes and abilities. Further observation of Mr. Eger during the completion of vocational testing can also be used to establish how he follows directions and is able to maintain a workstation.

An explanation regarding the vocational assessments given to Mr. Eger and the norms used to score Mr. Eger's assessment results are found in Appendix A. He completed the following assessments.

RAVEN Standard Progressive Matrices:

Mr. Eger was fifty-eight (58) years old when he was given the Raven Standard Progressive Matrices test on November 11, 2020. After the vocational interview, he took the test using a paper report and answer sheet. The Raven Standard Progressive Matrices Test is a measure of abstract reasoning and reflects on the ability to solve problems and take in information. (Please see attachment, Appendix B)

The Raven Standard Progressive Matrices (Raven) is a non-verbal measure of the general factor involved in intelligence. The Raven is a pattern recognition test. It is a 60-item test used in measuring abstract reasoning and regarded as a non-verbal estimate of fluid intelligence. It is made of 60 multiple choice questions, listed in order of difficulty. The Abstract tests will almost

always be part of assessment for a job. It is used in situations where the examiners want to measure the ability of an individual that is not based on educational background, cultural or linguistic deficiencies. Although these tests seem to have no direct connection with the content of the job you are applying for, they provide an idea of the extent to which you can find solutions and whether you can work flexibly with unfamiliar information. It is thus an indicator of the applicant's IQ. The RAVEN test is composed of geometric figures that require the test taker to select among a series of designs the one that most accurately represents or resembles the one shown in the stimulus material.

Mr. Eger's test scores were utilized to aid me in identifying his level of aptitudes and abilities. Further observation of Mr. Eger during the completion of vocational testing can also be used to establish how he follows directions and is able to maintain a workstation.

During the test, I have provided the explanation regarding the vocational assessments given to Mr. Eger and the norms used to score for the test. Mr. Eger started the Raven Standard Progressive Matrices and he understood the directions for the Raven Standard Progressive Matrices. Mr. Eger displayed normal response timing for someone who was taking the assessment for the first time. Mr. Eger completed the Raven Standard Progressive Matrices and after completion of the assessment, he was asked if he needed to take a break. Mr. Eger said he would like to continue the test and break in between

Mr. Eger's test results showed that he scored in category **GRADE III "Intellectually average", the score lies between the 25th and the 75th percentiles**. Mr. Eger scored 25 correct out of 60 items which puts him on the Grade 111 – Intellectually Average which means that the 25th and 75th percentiles mark the boundaries for the middle 50% of clients that took the test. Half of the clients scored above or below these numbers. For practical purposes, it is convenient to consider certain percentages of the population and to group people's score accordingly. In this way it is possible to classify a person according to the score he obtains as the following:

- GRADE I "Intellectually superior", if a score lies at or about the 95th percentile for people of the same age groups.
- GRADE II "Definitely above the average in intellectual capacity", if a score lies at or above the 75th percentile. (It may be designated II+ if it lies at or above the 90th percentile.)
- GRADE III "Intellectually average", if a score lies between the 25th and the 75th percentiles. (It may be designated as III+, if it is above the 50th percentile, and III-, if it is below it.)**
- GRADE IV "Definitely below average in intellectual capacity", if a score lies at or below the 25th percentile (it may be designated IV-, if it lies at or below the 10th percentile.)

GRADE V “Intellectually impaired”, if a score lies at or below the 5th percentile for that age group.

The result of Raven Progressive Matrices (RPM) shows that Mr. Eger has average intelligence which indicates that he seems to have greater reasoning ability and greater cognitive capacity to analyze information. Mr. Eger results reveal that he can excellently make insights and comprehend relationships among nonverbal figures or designs. Mr. Eger score results also shows that he has quickness of mind and have the ability to infer and apply patterns and ability to deal with mental complexity in which are all aspects of our general intelligence.

Mr. Eger test scores also shows that he has the ability to reason, plan, solve problems, think abstractly, comprehend complex ideas and learn quickly from experience. Mr. Eger test scores also shows that he has the ability to adapt effectively to the environment either by making a change in oneself or by changing the environment and finding a new one.

Mr. Eger test results also states that he has the capacity to reorganize him behavior patterns and have the ability to act more effectively appropriately.

CAPS: Career Ability Placement Survey

The CAPS consist of eight (8) tests. Test one (1) measures Mechanical Reasoning, test two (2) measures Spatial Relations, test three (3) measures Verbal Reasoning, test four (4) measures Numerical Ability, test five (5) measures Language Usage, test six (6) measures Work Knowledge, test seven (7) measures a person’s Perceptual Speed and Accuracy, and test eight (8) measures an individual’s Manual Speed and Dexterity. The test is described as follows:

Vocational Observations During the CAPS Assessment:

Mr. Eger was very cooperative and pleasant throughout this evaluation. Mr. Eger was administered the CAPS. He completed eight (8) of eight (8) assessments, which were relevant to determine him aptitudes and abilities. (Please see attachment – Appendix B).

Mr. Eger have attained the following results from CAPS:

Mr. Eger scored 40th percentile score in Mechanical Reasoning. This is considered low. The mechanical reasoning test measures how well you understand mechanical principles and the laws of physics. This ability is important especially in courses in Industrial Arts and occupations in Technology as well as jobs in Science.

Mr. Eger scored the 20th percentile score in Spatial Relations. This is low. This test measures how well you can visualize or think in three dimensions and mentally picture the position of objects from a diagram or picture. This ability is important in courses in Art and Industrial Arts and jobs in Science, Technology, and Arts.

Mr. Eger scored 30th percentile score in Verbal Relations. This is low. This test measures how well you can reason with words and your facility for understanding and using concepts expressed in words. This ability is important in general academic success and in Jobs requiring written or oral communication, especially professional level occupations in Communication, Science and service involving high levels of responsibility and decision making.

Mr. Eger scored 50th percentile score in Numerical Ability. This is considered average. This test measures how well you can reason with and use numbers and work with quantitative materials and ideas. This ability is important in school courses and Jobs in fields of Science and Technology involving mathematics, chemistry, physics, or engineering, and in Business and Clerical fields.

Mr. Eger scored 20th percentile score in Language Usage. This is low. This test measures how well, you can recognize and use standard grammar, punctuation and capitalization. This ability is especially important in Jobs requiring written or oral communication and in Clerical Jobs as well as professional level occupations in Science, and in all levels of Business and Service.

Mr. Eger scored 50th percentile score in Word Knowledge. This is considered high. This test measures how well you can understand the meaning and precise use of words. This is important in Communication and all professional level occupations involving high levels of responsibility and decision making.

Mr. Eger scored 50th percentile score in Perceptual Speed and Accuracy, this is considered average. This test measures how well you can perceive small details rapidly and accurately within a mass of letters, numbers, and symbols. This ability is important in office work and other jobs requiring fine visual discrimination.

Mr. Eger scored 50th percentile score in Manual Speed and Dexterity which is average. This test measures how well you can make rapid and accurate movements with your dominant hand. This ability is important in Arts, Skilled and Technology, skilled occupations and other jobs requiring use of the hands.

The results of Mr. Eger's test reports that his strongest areas were in the area of Word Knowledge. This test measures how well you can understand the meaning and precise use of words. This is important in Communication and all professional level occupations involving high levels of responsibility and decision making.

Also, Mr. Eger showed a high score on Numerical Ability. This test measures how well you can reason with and use numbers and work with quantitative materials and ideas. This ability is important in school courses and Jobs in fields of Science and Technology involving mathematics, chemistry, physics, or engineering, and in Business and Clerical fields.

Also, Mr. Eger scored 50th percentile score in Perceptual Speed. This test measures how well you can perceive small details rapidly and accurately within a mass of letters, numbers, and

symbols. This ability is important in office work and other jobs requiring fine visual discrimination.

Also, Mr. Eger scored 50th percentile score in Manual Speed and Dexterity. This test measures how well you can make rapid and accurate movements with your dominant hand. This ability is important in Arts, Skilled and Technology, skilled occupations and other jobs requiring use of the hands.

TSA: Transferrable Skills Analysis

To assist in my analysis, I used the OASYS system to analyze a computerized transferrable skills analysis.

The OASYS is system used to analyze a computerized transferrable skills analysis. The OASYS system is a computerized aided Vocational Expert support system. The system matches an individual's skills to employer demands. The OASYS system is used to gain access to the following aggregate resources:

- Dictionary of Occupational Titles (DOT)
- National Employment Outlook
- State Employment Outlook
- Census Wage Data
- O-Net Occupational Information

The OASYS program provides vocational options that remain available for Mr. Eger due to his functional limitations. However, these results are subject to further analysis by me based upon my training, experience, and knowledge of the workforce. Further research was conducted with the Employment Development Department (EDD), the Social Security Administration (SSA), and the Occupational Employment Quarterly (OEQ) in helping make my determinations.

The EDD supplies information regarding the types of occupations available within geographical areas including the salaries available for various occupations. The EDD lists potential occupations available to Mr. Eger in him geographical area. (see attachment on Appendix B)

Work History Summary and Corresponding DOT Codes

Mr. Eger prior work experience includes positions as a Research Development Director and Pro-Rider (Please see Attachment on Appendix C). Both occupations were used as part of the transferrable skills analysis.

OASYS System Settings

The OASYS system accessed in Los Angeles, Long Beach and Anaheim, California Metropolitan Division (MD) to determine Mr. Eger transferability of skills. The OASYS system factored in information for the labor market from year June 2020 which is the most recent data available. Mr. Eger entire work history was used to determine transferability of skills.

The **DOT** occupations have a Specific Vocational Preparation (SVP) level. This is defined as the amount of lapsed time required by a typical worker to learn the techniques, acquire the information and develop the facility needed for average performance in a specific Job-worker situation.

The DOT defines the SVP levels as follows:

Level	Time
1.	Short demonstration only
2.	Anything beyond short demonstration up to and including 1 month
3.	Over 1 month up to and including 3 months
4.	Over 3 months up to and including 6 months
5.	Over 6 months up to and including 1 year
6.	Over 1 year up to and including 2 years
7.	Over 2 years up to and including 4 years
8.	Over 4 years up to and including 10 years
9.	Over 10 years

The **Occupational Employment Quarterly (OEQ)** states that unskilled employment has an SVP level of one (1) or two (2), semi-skilled employment has an SVP level of three (3) to four (4), and skilled employment has an SVP level greater than four (4).

I agree with these definitions of unskilled, skilled, and skilled employment after reviewing SVP as defined by the DOT. Mr. Eger work history shows that he had the capacity to work at an SVP level of 3, which is considered **semi- skilled**.

Further research was also conducted with the Social Security Administration (SSA) SSR §404.1568 Skill Requirements which states the following about semi- skilled work:

“(b) **Semi-skilled** work is work which needs some skills but does not require doing the more complex work duties. Semi-skilled work may require alertness and close attention to watching machine processes; or inspecting, testing or otherwise looking for irregularities; or tending or guarding equipment, property, materials or persons against loss, damage or injury; or other types of activities which are similarly less complex than skilled work, but more complex than unskilled work. A job may be classified as Semi-skilled where coordination and dexterity are necessary, as when hands or feet must be moved quickly to do repetitive tasks.”

Mr. Eger subjective physical tolerances were not used in the determination of him transferability of skills.

The **OASYS** system was set to review Potential Matches, which are jobs that Mr. Eger has the potential to perform according to him education, abilities, and personal interests. Potential Matches are based on worker traits and may require a career change.

The **OASYS** system is unable to consider a full range of psychiatric limitations. As it relates to psychiatric limitations, the OASYS system can consider the following “situations”:

- Directing, controlling, or planning activities of Others
- Performing repetitive or short-cycle work
- Influencing people in their opinions, attitudes, and judgements
- Performing a variety of duties
- Expressing personal feelings
- Working alone or apart in physical isolation from Others
- Performing effectively under stress
- Attaining precise set limits, tolerances, and standards
- Working under specific instructions
- Dealing with people
- Making judgements and decisions

The **OASYS** system was set to consider a pre-injury functional ability at a Sedentary level of physical functioning, which was Mr. Eger level of physical functioning primarily performed prior to him subsequent industrial injury. The Dictionary of Occupational Title (DOT) defines a Sedentary level of functioning as Sedentary Work- Exerting up to ten (10) pounds of force frequently to lift, carry, push, pull, or otherwise move objects, including the human body. Sedentary work involved sitting most of the time but may involve walking or standing for brief periods of time.

Results of Transferable Skills Analysis

The OASYS system found two (2) positions that Mr. Eger could have performed prior to him subsequent industrial injury. Given the limitations, the jobs with the same work fields meaning same work requirements includes jobs in Quality Control Inspector and Record Tester but Mr. Eger lacks training in this area and will be requiring training in the field.

SKILL TRANSFER COMPONENTS

The OASYS system determined that Mr. Eger, given him functional limitations, has incurred a ninety-two (92) percent loss of labor market access. Mr. Eger will not be able to be work due to the physical demands of the job. This job requires lifting, carrying, pushing, pulling 20 lbs. occasionally, frequently up to 10 lbs. constantly. This job also requires walking, standing frequently, pushing and or pulling of arm. Also, this job requires reaching and occasionally extending hands and arms and handling occasionally, holding, grasping, turning, or otherwise working with hand or hands. This job also requires fingering and occasional picking, pinching otherwise working primarily with fingers rather than with the whole hand or arm as in handling.

The results of the OASYS Program and the results of the transferable skills analysis in all vocational probability contributed to my opinion that Mr. Eger is unable to return to work in any position or occupation. (Please see attachment on Appendix F)

It is also my opinion that Mr. Eger is unable to return to work in any position or occupation based on the synergistic effect of his functional limitations.

Dr. Pratley, Dr. Rosenberg and Dr. Phan indicated that Mr. Eger is precluded from performing repetitive movements plus heavy lifting, heavy pushing, heavy pulling, heavy gripping and all other activities of comparable physical effort. The functional limitations assigned to Mr. Eger further erodes the labor market that would be available to him at a Sedentary level of physical functioning. A sedentary level of jobs is defined as one which involves sitting, a certain amount of walking and standing is often necessary in carrying out job duties. Although sitting is primarily involved in a sedentary job, walking and standing should be required only occasionally. There are limited jobs or increasingly fewer jobs for Mr. Eger that he can do you can do due to this "eroding the occupational base" for sedentary work. With Mr. Eger multiple work-related limitations, the occupational base for sedentary work has been significantly eroded to the point that there are no sedentary jobs he is capable of doing due to him physical limitations.

The OASYS system does produce occupations occurring at an SVP of one (1) or two (2). Jobs in these categories are considered simple jobs that do not require multiple steps to complete job tasks. These jobs were taken in consideration during the completion of the transferable skills analysis. However, the loss of capacity of him bilateral upper extremities significantly reduce the labor market available Mr. Eger at a Sedentary level of physical functioning.

Mr. Eger was administered the GAF (Global Assessment of Functioning) and received a GAF score of 63. Mr. Eger GAF score means that he has difficulty in social, occupational, or school functioning (e.g., few friends, conflicts with peers or co-workers).

Dr. Phan's psychiatric limitations which explained work limitations and preclusions based on Mr. Eger GAF (Global Assessment of Functioning) score of 63. The GAF score means that Mr. Eger has difficulty functioning in social, occupational, or school settings (e.g., few friends, conflicts with peers or co-workers). A few of the impairments of functioning include:

1. Activities of Daily Living- Mild Impairment
2. Social Functioning- Mild Impairment
3. Concentration- Mild Impairment
4. Adaptation- Mild Impairment

Mr. Eger has mild impairments in activities of daily living, social functioning, concentration and adaptation as well as depression, anxiety, low self-esteem and other psychological factors, all of which would also contribute to Mr. Eger's labor disablement. Mr. Eger's job as a Research and Development Director and Pro-Rider. Mr. Eger's GAF score of 63 indicates that it will be difficult for Mr. Eger to function socially, especially in an occupational setting like him work where he has to interact on a constant basis with the patient as well as him co-workers.

The synergistic effect of the previously mentioned functional limitations resulting from Mr. Eger pre-existing non-industrial and industrial injuries, combined with him cumulative trauma industrial injury of Mr. Eger in all vocational probability has incurred a total loss of labor market access.

Amenableness to Rehabilitation

Methods of Rehabilitation

- 1) Modified Work
- 2) Alternative Work
- 3) Direct Placement
- 4) On-the-Job-Training (OJT)
- 5) Vocational Training
- 6) Self-Employment

Methods #1 and #2: Mr. Eger employer has been unable to offer permanent modified or alternative work accordingly; Mr. Eger is not amenable to this form of vocational rehabilitation. Mr. Eger employer which consists of no more than 5 employers will have undue hardship since the Research Development Director job cannot be modified or cannot be alternated because the job requires to perform the essential functions of the job in which Mr. Eger would not be able to do because the job requires constant use of him hands to handle him work and also the frequent bending and twisting of him body as well as sitting and standing for long periods of time.

Methods #3 and #4: Mr. Eger's direct placement and OJT (On the Job Training) will not also apply home since both requires and demands the essential function of the job in which Research Development Director job which involves performing many tasks requiring interpersonal, physical and technical skills. The functional limitations assigned by his doctor's compromise Mr. Eger to the point that him post-injury occupational base will be completely eroded rendering him not amenable to this form of vocational rehabilitation.

Method #5

Vocational retraining programs would provide Mr. Eger with new or enhanced skills for new types of work. However, the training programs available for him are extremely limited given the significant functional limitations assigned by the doctors noted above. Participating in vocational training programs will require for him to participate with the vocational programs such as doing work evaluations and vocational trainings to prepare him for employment.

Vocational rehabilitation retraining plans may produce new employment opportunities for Mr. Eger but it is clear that the functional limitations assigned to Mr. Eger is a complete loss of labor market access. Mr. Eger is very limited in participating in any of the vocational training program and it will be physically demanding for him to participate in the vocational evaluation and assessment process for employment purposes. Mr. Eger's ability to compete in the open labor market has been completely eroded due to the fact that it will be physically demanding for him to engage in the vocational training program process for employment purposes.

Method #6:

Self-employment is one of the most "rigorous, high risk" type of plans. At the very least a market analysis, competition location, pricing, income/revenue projection and an evaluation of the plan to be developed, implemented, and maintained over time is required in my opinion and

considering the disabling effects of Mr. Eger industrial conditions, it would be futile to spend the limited available resources to conduct such an evaluation.

Therefore, when considering the synergistic effect of Mr. Eger pre-existing non-industrial and industrial functional limitations, combined with the functional limitations resulting from him industrial injury. Mr. Eger amenability to rehabilitation is significantly impaired meaning that vocational rehabilitation will not return him to the open labor market.

Transferrable Skills Analysis

I used the OASYS system to analyze a computerized transferrable skills analysis. The OASYS system is a computerized aided Vocational Expert support system. The system matches an individuals' skills to employer demands. The OASYS system is used to gain access to the following aggregate resources:

Dictionary of Occupational Titles (DOT)

National Employment Outlook

State Employment Outlook

Census Wage Data

O-Net Occupational Information

The OASYS program provides vocational options that remain available for Mr. Eger due to his functional limitations. However, these results are subject to further analysis by me based upon my training, experience, and knowledge of the workforce. Further research was conducted with the Employment Development Department (EDD), the Social Security Administration (SSA), and the Occupational Employment Quarterly (OEQ).

The EDD supplies information regarding the types of occupations available within geographical areas including the salaries available for various occupations. The EDD lists potential occupations available to Mr. Eger in his geographical area.

Work History Summary and Corresponding DOT Codes

Mr. Eger prior work experience includes positions as a Research Development Director and Pro-Rider. These occupations were used as part of the transferrable skills analysis. Mr. Eger prior work history as a Research Development Director and Mr. Eger prior work history as a Pro-Rider.

OASYS System Settings:

The OASYS system accessed the Los Angeles, Long Beach - Anaheim California Metropolitan Division (MD) to determine Mr. Eger transferability of skills.

The OASYS system factored in information for the labor market from year June 2020, which is the most recent data available. Mr. Eger entire work history was used to determine transferability of skills.

The DOT occupations have a Specific Vocational Preparation (SVP) level. This is defined as the amount of lapsed time required by a typical worker to learn the techniques, acquire the information, and develop the facility needed for average performance in a specific Job-worker situation.

The DOT defines the SVP levels as follows:

Level	Time
	Short demonstration only
	Anything beyond short demonstration up to and including 1 month
	Over 1 month up to and including 3 months
	Over 3 months up to and including 6 months
	Over 6 months up to and including 1 year
	Over 1 year up to and including 2 years
	Over 2 years up to and including 4 years
	Over 4 years up to and including 10 years
	Over 10 years

The Occupational Employment Quarterly (OEQ) states that unskilled employment has an SVP level of one (1) or two (2), semi-skilled employment has an SVP level of three (3) to four (4), and skilled employment has an SVP level greater than four (4). I agree with these definitions of unskilled, skilled, and skilled employment after reviewing SVP as defined by the DOT.

Mr. Eger work history shows that he had the capacity to work at an SVP level of 9, which is considered skilled

Further research was also conducted with the Social Security Administration (SSA) SSR §404.1568 Skill Requirements which states the following about semi- skilled work:

“(b) Skilled work is work which needs some skills but does require doing the more complex work duties. A skilled worker is any worker who has special skill, training, knowledge, and These workers can be either blue-collar or white-collar workers, with varied levels of training or education. Semi-skilled work may require alertness and close attention to watching machine processes; or inspecting, testing or otherwise looking for irregularities; or tending or guarding equipment, property, materials or persons against loss, damage or injury; or other types of activities which are similarly less complex than skilled work, but more complex than unskilled

work. A job may be classified as semi-skilled coordination and dexterity are necessary, as when hands or feet must be moved quickly to do repetitive tasks.”

Mr. Eger non-industrial vocational factors i.e., failure to graduate high school, or economic conditions were not used in the determination of his transferability of skills.

Mr. Eger subjective physical tolerances was not used in the determination of his transferability of skills.

The OASYS system was set to review Potential Matches which are jobs that Mr. Eger has the potential to perform according to his education, abilities, and personal interests. Potential Matches are based on worker traits and may require a career change.

The OASYS system is unable to consider a full range of psychiatric limitations. As it relates to psychiatric limitations, the OASYS system can consider the following “situations”:

Directing, controlling, or planning activities of other

Performing repetitive or short-cycle work

Influencing people in their opinions, attitudes, and judgements

Performing a variety of duties

Expressing personal feelings

Working alone or apart in physical isolation from Others

Performing effectively under stress

Attaining precise set limits, tolerances, and standards

Working under specific instructions

Dealing with people

Making judgements and decisions

The OASYS system does not consider a full range of functional limitations as set forth Dr. Pratley, Dr. Rosenberg and Dr. Phan including preclusions from repetitive movements of the neck, prolonged static postures, undue emotional stress, complicated work, sustained attention, human resource related activities, and safety-intensive work environments.

The OASYS system also does not consider the need for a part-time schedule with frequent breaks due to his fragile and emotional state, accommodation of increased time due to slower pace and persistence and his need for frequent feedback on performance recommended by the SIBTF evaluators.

The OASYS system was set to consider a pre-injury functional ability at a Sedentary level of physical functioning, which was Mr. Eger level of physical functioning primarily performed prior to his subsequent industrial injury. The DOT defines a Sedentary level of functioning as:

“S- Sedentary Work- Exerting up to ten (10) pounds of force frequently to lift, carry, push, pull, or otherwise move objects, including the human body. Sedentary work involved sitting most of the time but may involve walking or standing for brief periods of time.

Based on the functional limitations as set forth by Dr. Pratley, Dr. Rosenberg and Dr. Phan, the OASYS system was set to review occupations occurring at Sedentary level of physical functioning.

The Ability Profile which shows the settings used in the OASYS system to determine Mr. Eger transferability of skills has been attached to this report.

Results of Transferable Skills Analysis

The OASYS system found positions/areas that Mr. Eger could have performed prior to his subsequent industrial injury. Given the limitations as outlined by Dr. Pratley, Dr. Rosenberg and Dr. Phan the OASYS system found position/areas that Mr. Eger could be considered but with limitations. These jobs include the following: Quality Control Inspector and Record Tester (see attached vocational report)

Materials, Products, Subjects Matter, and Services

The OASYS system determined that Mr. Eger given his functional limitations has incurred a ninety-two (92) percent loss of labor market access.

However, as noted above, the OASYS system fails to consider a full range of the functional limitations put forth by his doctor.

The results of the OASYS system were subject to further analysis by me based on my training, experience and knowledge of the workforce, research conducted with the Employment Development Department (EDD) the Social Security Administration (SSA), and relevant case law.

The EDD provides information regarding the types of occupations available within the geographical area and salaries available for various occupations. I conducted research with the EDD to determine potential occupations available to Mr. Eger in his geographical area.

My additional research and the results of the transferable skills analysis, in all vocational probability, contributed to my opinion that Mr. Eger is unable to return to work in any position or occupation.

It is also my opinion that Mr. Eger is unable to return to work in any position or occupation based on the synergistic effect of the functional limitations described by his doctor.

According to SSA Policy SSR 83-12, Titles II and XVI: Capability to do Other Work. The Medical-Vocational Rules as a Framework for Evaluating Exertional Limitations Within a Range of Work or Between Ranges of Work, “Loss of major use of an upper extremity is rather definitive in that this is a considerable absence of functional ability.”

According to SSA Policy SSR 83-14 Titles II and XVI Capability to do Other Work – The

Medial Vocational Rules as a Framework for Evaluating a Combination of Exertional and Nonexceptional Impairments. “For example, section 201.00(h) of Appendix 2 calls attention to the fact that bilateral manual dexterity is necessary for the performance of substantially all unskilled sedentary occupations.”

According to SSA policy SSR 85-15, Titles II and XVI Capability to do Other Work – The Medical-Vocational Rules as a Framework for Evaluating Solely Non-Exertional Impairments Section 2(c), “Significant Limitations of reaching or handling, therefore, may eliminate many occupations a person could Otherwise do.”

SSA Policy SSR 96-9p, Polley Interpretation Ruling Titles II and XVI. Determining Capability to Do Other Work – Implications of A Residual Functional Capacity for Less Than A Full Range of Sedentary Work indicates the following regarding hand usage:

“Manipulative limitations: Most skilled Sedentary Jobs require good use of both hand and fingers: i.e., bilateral manual dexterity Fine movements of small objects require use of the fingers, e.g., to pick or pinch Most skilled sedentary jobs require good use of hands and fingers for repetitive hand, finger actions. Any *significant* manipulative limitation of an individuals’ ability to handle and work with small objects with both hands will result in a significant erosion of the skilled sedentary occupational base.” and also his psychiatric impairments due to his disabling conditions affects his ability to perform any daily employment activities.

The functional limitations assigned to Mr. Eger significantly erodes the labor market that would be available to him at a Sedentary level of physical functioning.

In his report, Dr. Pratley, Dr. Rosenberg and Dr. Phan states that Mr. Eger is precluded from jobs based on commission, or daily or weekly performances quotas to minimize stress and anxiety, environments, temperature extremes, uneven surfaces or sharp objects because of Mr. Eger medical diagnosis. He is also precluded from jobs requiring sustained attention, office work and clerical positions or human resource related activities because of his short-term memory recall and cognitive impairments.

The functional limitations assigned to Mr. Eger further erodes the labor market that would be available to him at a Sedentary level of physical functioning.

The OASYS system does produce occupations occurring at an SVP of one (1) or two (2).

Jobs in these categories are considered simple jobs that do not require multiple steps to complete job tasks. These jobs were taken in consideration during the completion of the transferable skills analysis.

The synergistic effect of the previously mentioned functional limitations resulting from Mr. Eger pre-existing non-industrial and industrial injuries, combined with his cumulative trauma industrial injury of Mr. Eger in all vocational probability, has incurred a total loss of labor market access.

My use of synergism is supported by Dr. Pratley, Dr. Rosenberg and Dr. Phan and treating doctors who states the following on his report:

“It is apparent that the degree of disability caused by the combination of both disabilities is greater than that which would have resulted from the subsequent injury alone.”

The use of synergism is based on the case of *State of California Department of Health, Fairview State Hospital v. Worker’s Compensation Appeals Board for the State of California and Matilda McDonald* (WCAB No. 76ANA62716, Civil No. 29080) Court of Appeal Fourth Appellate District, Division 2, which explains that on September 3, 1981 a Workers’ Compensation Judge issued a Supplemental finding and Award finding showing due cause to reopen, and that Ms. McDonald was one hundred percent (100%) permanently disabled due to the combined effect of his psychiatric and orthopedics disabilities. The Appeals Board issued an Opinion and Decision After Reconsideration affirming the judge’s decision on May 20, 1982.

The use of synergism is a standard further strengthened by the Opinion and Order Denying Petition for Reconsideration dated September 15, 2015 regarding the State of California Workers’ Compensation Appeals Board Panel Decision regarding *Cindy Kenzy v Flour Creations State Compensation Insurance Fund*, WCAB No ADJ7009098. The decision explained the finding that Ms. Kenzy was one hundred percent (100%) permanently disabled as follows:

“We agree with the WCJ’s determination that when viewing the record, including the multiple work limitations/restrictions and ‘synergistic effect’ as discussed by the vocational consultant, therefore is substantial evidence in support of his determination of 100 % permanent disability due solely to industrial factors.” rehabilitation will not return his to the open labor market.

Accommodations

I have considered workplace accommodations. Employers are required to provide reasonable accommodations to allow an individual to complete the essential functions of their job.

As indicated above, employers must provide reasonable accommodations to Mr. Eger to perform essential functions of any job he could obtain in the open labor market considering the extensive functional limitations assigned by Dr. Pratley, Dr. Rosenberg and Dr. Phan, I believe employers in the open labor market would be unable to accommodate Mr. Eger due to the synergistic effect of his myriad of functional limitations.

Montana Factors

Montana Factors are taken from the case of *Argonaut Ins. Co v Industrial Acc. Com (Montana)* (1962) 57 CaL2d 589 [27 Cal Comp Cases 130) Montana Factors include ability to work, health willingness and opportunities for persons similarly situated.

I believe Mr. Eger ability to work and health, willingness and opportunities to work, skill and education, general condition of the labor market and employment opportunities for individuals that are similarly situated render Mr. Eger unable to return to suitable gainful employment in the open labor market. I have addressed said Montana Factors as follows:

Ability to Work

Regarding Ability to Work, I refer to the following functional limitations assigned by Dr. Pratley, Dr. Rosenberg and Dr. Phan.

Opinion and Conclusion

Based on research with the sources noted above, considering the synergistic effect of Mr. Eger functional limitations, while also considering his pre-existing non-industrial and industrial injuries, combined with his industrial injury, I believe Mr. Eger has incurred a one hundred percent (100%) loss of labor market access. This determination is an accurate representation of Mr. Eger level of disability. In this case, the vocational evidence comes in contrast to the usual application of the schedule for rating permanent disabilities. The schedule should not apply in this case as the actual effect of the industrial injury and the pre-existing problems leads to a total loss of earnings and total permanent disability. To the extent a mechanical application of the schedule might lead to a different result, the actual facts of this case contradict the application. In my opinion Mr. Eger qualifies as one hundred percent (100%) totally vocationally permanently disabled.

I have determined that Mr. Eger is not amenable to any form of vocational rehabilitation. His functional limitations combined with the intensity, duration, and nature of his chronic and disabling pain will preclude his pre-injury skills and academic accomplishments. I do not believe that Mr. Eger is amenable to any form of vocational rehabilitation and thus has sustained a total loss in his capacity to meet any occupational demands (AMA Guides). This results in Mr. Eger experiencing a total loss of labor market access (*Leboeuf*), and a total loss of future earning capacity (2005 PDRS) irrespective of any "Impermissible factors".

I reserve the right to augment or change my opinion based upon any additional medical, legal, or vocational documentation that becomes available for further review.

I hope that the information noted above is of value to you. I would like to thank you for the opportunity to provide a Vocational Opinion regarding Mr. Eger. If you should have any questions or require any further information, please contact me.

On January 11, 2021 at your request, I had the opportunity to examine Mr. Eger, regarding our stated vocational opinion about Mr. Eger current work preclusions, limitations, transferable skills and labor disablement.

I have personally obtained the history from the client conducted the examination, reviewed the records and prepared this report. I have provided the vocational testing results, transferability of skills and conducted a final review and made any necessary changes. I certify my signature below that the opinions stated above are my own.

I declare under the penalty of perjury that the information contained in this report and its attachments if any, is true and correct to the best of my knowledge, except as to information that I have indicated I received from others. As to that information, I declare under penalty of perjury that the information accurately describes that information provided to me and, except as noted, hereby that I believe it to be true. I further declare under penalty of perjury that this has not been a violation of Labor Code section 139.32.

This report may contain sensitive material which may be distressing to certain employees and may be misunderstood. Per ethical standards, this report should be provided to an employee only by a Vocational Expert who is qualified to carefully assess the employee, assume the professional responsibility for the disclosure of the information relative to the employee and explain the information in an accurate manner.

The information contained in this report, and all attachments, is confidential, privileged and may also be proprietary business information that is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this report is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this report in error and any review, dissemination, distribution or copying of this report is strictly prohibited. If you received this communication in error, please notify the sender immediately and delete the original report.

Signed in the County of Los Angeles, California on February 10, 2021.

Respectfully submitted,



**Madonna R. Garcia, MRC, VRTWC
Vocational Rehabilitation Counselor**

Masters of Rehabilitation Counseling (MRC)
Vocational Return to Work Counselor (VRTWC)
Vocational Rehabilitation Counselor (VRC)
Clinical Rehabilitation Counselor (CRC)

APPENDIX A

Vocational Testing

Raven Standard Progressive Matrices (Raven)

The Raven Standard Progressive Matrices (Raven) is a non-verbal measure of the general factor involved in intelligence. Problem solving The Raven very fundamental cognitive performance which is relatively uninfluenced by cultural influences The Raven is a pattern recognition test for

practical purposes, it is convenient to consider certain percentages of the population and to group people's scores accordingly in this way, it is possible to classify a person according to the score they obtained as:

GRADE I "Intellectually superior", if a score lies at or about the 95th percentile for people of the same group.

GRADE II "Definitely above the average in intellectual capacity", if a score lies at or above the 75th percentile. (It may be designated II+ if it lies at or above the 90th percentile.)

GRADE III "Intellectually average", if a score lies between the 25th and the 75th percentiles. (It may be designated as III+, if it is above the 50th percentile, and III-, if it is below it.

GRADE IV "Definitely below average in intellectual capacity", if a score lies at or below the 25th percentile (it may be designated IV-, if it lies at or below the 10th percentile.)

GRADE V "Intellectually impaired", if a score lies at or below the 5th percentile for that group.

I used the table as found in Henry R. Burke's article, *Raven Progressive Matrices* (1938) to interpret Mr. Eger's assessment score. Burke addresses norms, reliability, and validity with the comparison of veterans in vocational counseling from 1964 through 1972. This included a group of five hundred and fifty (550) veterans in psychiatric screening. Burke also studied veterans receiving screenings from 1973 through 1978, the number of participants was two thousand four hundred and sixteen (2416).

Burke (1972) published a set of American norms on the untimed routine administration of the Raven Progressive Matrices (1938) to five hundred and sixty-seven (567) male black and white East Orange Veteran's administration hospital patients who had been referred (1964-1972) for vocational counseling. These norms might be considered to have general applicability because veterans roughly represent a cross-section of the general male population, and true sex differences of the Raven have not been demonstrated reliably (Court & Kennedy, 1976).

According to Burke, "From 1973 to 1978 the untimed use of the Raven matrices was continued routinely in the counseling Center, and it also was used in the routine post-admission test screening of black and white veteran patients from the Psychiatric Service."

The Raven can be administered online or on paper. The Raven is sold for two (2) different specialties, Talent Assessment and Clinical Assessment. An individual does not require a master's degree to administer the Raven. The Talent Assessment, which is the same test as the Clinical Assessment. However, The Raven in a Clinical Assessment requires its user to possess a master's degree

Career Ability Placement Survey (CAPS)

The CAPS consist of eight (8) tests. Test one (1) measures Mechanical Reasoning, test two (2) measures Spatial Relations, test three (3) measures Verbal Reasoning, test four (4) measures Numerical Ability, test five (5) measures Language Usage, test six (6) measures Work Knowledge, test seven (7) measures a person's Perceptual Speed and Accuracy, and test eight (8) measures an individual's Manual Speed and Dexterity. The test is described as follows:

Mechanical Reasoning:

Measures how well you understand mechanical principles and the laws of physics. This ability is important especially in courses in Industrial Arts and occupations in Technology as well as jobs in Science.

Spatial Relations:

Measures how well you can visualize or think in three dimensions and mentally picture the position of objects from a diagram or picture. This ability is important in courses in Art and Industrial Arts and jobs in Science, Technology, and Arts.

Verbal Reasoning:

Measures how well you can reason with words and your facility for understanding and using concepts expressed in words. This ability is important in general academic success and in Jobs requiring written or oral communication, especially professional level occupations in Communication, Science and service involving high levels of responsibility and decision making.

Numerical Ability:

Measures how well you can reason with and use numbers and work with quantitative materials and ideas. This ability is important in school courses and Jobs in fields of Science and Technology involving mathematics, chemistry, physics, or engineering, and in Business and Clerical fields

Language Usage:

Measures how well you can recognize and use standard grammar, punctuation and capitalization. This ability is especially important in Jobs requiring written or oral communication and in Clerical Jobs as well as professional level occupations in Science, and in all levels of Business and Service.

Word Knowledge:

Measures how well you can understand the meaning and precise use of words. This is important in Communication and all professional level occupations involving high levels of responsibility and decision making.

Perceptual Speed and Accuracy:

Measures how well you can perceive small detail rapidly and accurately within a mass of letters, numbers, and symbols. This ability is important in office work and Other jobs requiring fine visual discrimination.

Manual Speed and Dexterity:

Measures how well you can make rapid and accurate movements with your dominant hand. This ability is important in Arts, Skilled and Technology, skilled occupations and Other jobs requiring use of the hands.

Data was collected for the 2007 norms between January 2004 through May 2007 from samples of eighth (8th) through twelfth (12th) grade students totaling twenty-two thousand eight hundred and four (22,804) participants. The participants were taken from various regions of the United States: Midwest, Northeast, South and West. I used the norms of the tenth (10th), eleventh (11th), and twelfth (12th) graders:

A College sample of one thousand eight hundred and ninety-eight (1,898) students was gathered from data obtained from 1998 through 2002. This data showed differences from normative samples in the past and are reflected on the current CAPS Summary Score Sheet.

When scoring the CAPS vocational test this Consultant considered either the Summary Score Sheet for the tenth (10th), eleventh (11th), and twelfth (12th) grades College Norms, or Preliminary Norms for Spanish-speaking high school students and adults.

The CAPS is scored on a stanine basis. A stanine is a nine (9) point scale used for normalized test scores. These nine (9) stanines are described as follows:

An Individual's Career Profile compares their present abilities to abilities required on jobs in fourteen (14) major occupational areas described as follows:

Science, Professional occupations involve responsibility for the planning and conducting of research and the accumulation and application of systematized knowledge in related branches of mathematical, medical life and physical sciences.

Science, Skilled occupations involve observation and classification of facts in assisting in laboratory research and its application in the fields of medicine and life and physical sciences.

Technology, Professional occupations involve responsibility for engineering and structural design in the manufacture, construction or transportation of products or utilities.

Technology, Skilled occupations involve working with one's hands in a skilled trade concerned with construction, manufacture installation or repair of products in related fields of construction.

Consumer Economics occupations are concerned with the preparation and packaging of foods and the production, care and repair of clothing and textile products.

Outdoor occupations are concerned with activities performed primarily out-of-doors involving the growing and tending of plants and animals and the cultivation and accumulation of crops and natural resources in the areas of agriculture and nature as in forestry park services, fishing, and mining.

Business, Professional occupations involve positions of high responsibility in the organization, administration and efficient functioning of businesses and governmental bureaus about finance and accounting, management, and business promotion.

Business, Skilled occupations are concerned with sales and production and the correlated financial and organizational activities of businesses.

Clerical occupations involve recording, posting and filing of business records requiring great attention to detail, accuracy, neatness, orderliness and speed in office work and in resultant contact with customers about compilation of records.

Communication occupations involve skill in the use of language in the creation or interpretation of literature or in the written and oral communication of knowledge and ideas.

Arts, Professional occupations involve individualized expression of creative or musical talent and ability in fields of design, fine arts and performing arts

Arts, Skilled occupations involve application of artistic skill in fields of graphic arts and design.

Service, Professional occupations include positions of high responsibility involving interpersonal relations in caring for the personal needs and welfare of Others in fields of social service, health, and education.

Service, Skilled occupations involve providing services to persons and catering to the tastes, desires and welfare of Others in fields of personal service, social and health related service, and protection and transportation.

APPENDIX B

COPSystem

Name: **Alan Eger**Date Completed: **1/27/2021**

Interests (COPS)

Accessible COPS Interest Inventory Information

Your interest scores on the COPS are reported in terms of 14 copsystem career clusters. A raw score is listed with a percentile score for each career cluster. The percentile score is your approximate position on each scale as compared to other people at your education level that have taken the COPS. If your percentile score is near 50, about half (50%) of others fall below you. The higher your score the greater your interest is compared to others.

Accessible COPS Interest Inventory Results

Career Cluster	Raw Score	Percentile Score
Science Professional	1	3
Science Skilled	1	5
Technology Professional	4	8
Technology Skilled	0	1
Consumer Economics	5	25
Outdoor	7	23
Business Professional	13	44
Business Skilled	9	40
Clerical	2	7
Communication	8	38
Arts Professional	4	14
Arts Skilled	1	5
Service Professional	12	36
Service Skilled	10	42

Your Highest Career Groups on the COPS are:

Business Professional; Business Skilled; Service Skilled;

COPS Interest Inventory Information

The following results are for sighted individuals.

Your interest profile is plotted below. A percentile number is printed inside the bars. Each number shows your approximate position on each scale as compared to other people at your educational level who have taken the COPS. If your score is near 50, about half (50%) of others fall below you. The higher your score the greater your interest is compared to others.

Your Highest Career Groups on the COPS are:

Business Professional; Business Skilled; Service Skilled;

Abilities (CAPS)

Accessible CAPS Career Profile Information

The CAPS Career Profile compares your ability scores to the 14 copsystem career clusters. You will hear the name of each career cluster followed by a cutoff score and your score. You receive a plus if your score is above the cutoff score. The plus indicates that your measured abilities are currently at a high enough level for probable success in most occupations in that cluster. Remember, for success it is necessary that you continue to get the training and skills needed in these clusters. In interpreting your profile, concentrate on the scores with pluses that are the farthest above the cutoff score. Consider whether other things you know about yourself are consistent with your profile. Some of your ability scores may not have pluses. If you are interested in careers in these areas and motivated to do well, you may want to take classes or participate in other activities to improve your skills.

Accessible CAPS Career Profile Results

Career Cluster	Cutoff Score	Your Score	Plus
Science Professional	52	18	false
Science Skilled	30	36	true
Technology Professional	40	22	false
Technology Skilled	8	24	true
Consumer Economics	8	32	true
Outdoor	4	20	true
Business Professional	40	32	false
Business Skilled	20	32	true
Clerical	30	40	true
Communication	40	26	false
Arts Professional	40	22	false
Arts Skilled	30	26	false
Service Professional	40	26	false
Service Skilled	4	18	true

CAPS Career Profile Information

The following is for sighted individuals.

Your score is marked with a plus if it is in the solid green portion or at the upper edge of the lightest shaded portion of each career cluster. The plus indicates that your measured abilities are currently at a high enough level for probable success in most occupations in that cluster. Remember, for success it is necessary that you continue to get the training and skills needed in these clusters. In interpreting your profile, concentrate on the distance of your scores from the dark shaded area. Peaks in the profile may not be significant because the shaded areas are different heights. Consider whether other things you know about yourself are consistent with your profile. Some of your ability scores may appear in the darker green portion of the Career Profile. If you are interested in careers in these areas and motivated to do well, you may want to take classes or participate in other activities to improve your skills. Your COPSsystem Comprehensive Career Guide will help you in these choices.

Accessible CAPS Ability Profile Information

The CAPS Ability Profile lists your scores in each individual CAPS tests. You will hear a list of each test followed by your score. Values range from one to nine. This score relates your abilities as compared to others at your educational level. If your score is 5 or near the 50th percentile, about half of another fall below you. The higher your score, the greater your ability.

Accessible CAPS Ability Profile Results

Ability	Your Score
Mechanical Reasoning	4
Spatial Relations	2
Verbal Reasoning	3
Numerical Ability	5
Language Usage	2
Word Knowledge	5
Perceptual Speed and Accuracy	5
Manual Speed and Dexterity	5

CAPS Ability Profile Information

Your scores are represented by a bar that shows your abilities compared to others at your educational level. If your score is near 50, about half (50%) of others fall below you. The higher your score, the greater your ability. See your COPSsystem Comprehensive Career Guide for a further description of your results.

Work Values (COPES)

Accessible COPES Work Values Information

The COPES results compare your work values scores to others who have taken the COPES. Each work value scale consists of two pairs, one of which is more important to you. Your scores are listed according to the value that is more important to you. Your three most extreme scores are listed at the end of the COPES results. These three highest values areas are related to the 14 copsystem career clusters in the summary section.

Accessible COPES Work Values Results

- You are more toward Accepting than Investigative.
- You are more toward Practical than Carefree.
- You are more toward Independence than Conformity.
- You are more toward Leadership than Supportive.
- You are more toward Flexibility than Orderliness.
- You are more toward Privacy than Recognition.
- You are more toward Realistic than Aesthetic.
- You are more toward Social than Reserved.

COPES Work Values Information

Your scores are represented by a bar that shows your work values as compared to others who have taken the COPES. Scores to the left of the center show a preference for values listed on the left of your profile. Scores to the right of the center show a preference for values listed on the right of your profile. The closer a score is to either end of the profile, the more important that work value probably is to you. Your three most important scores are marked with a darker bar. If your score on one of the scales falls at or close to the center, you are moderately concerned with that work value. Select the 'Read More' button for a description of these values

Needs Assessment Summary

You indicated that you are interested in an occupational training course.

You have indicated that you need additional help in the following areas:

Academics

- None of the above.

Job Skills

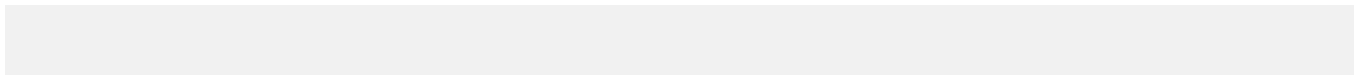
- None of the above.

Planning Skills

- None of the above.

Summary

Those career groups below where your interests, abilities, and values match are marked in gold and show you the clusters you may wish to explore. First consider those clusters where your interests, abilities, and values are high and all three are gold. Next, consider those groups where you have silver icons where interests and values or where interests and abilities match. The bronze icons indicate one match either for interest, abilities, or values in a particular cluster. Your COPSsystem Comprehensive Career Guide will help you in your career exploration.



APPENDIX C

OASYS:

1. Research Development Director



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189.117-014	Director, Research and Development	Any Industry	8	S	11-9121.01
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189.117-014

Director, Research and Development

Details for selected title: Director, Research and Development

DESCRIPTION

DOT Code: 189.117-014 Director, Research and Development

Alternate Titles: Manager, Product Development, Manager, Research and Development, Manufacturing Engineer, Chief

May specialize in one type of research and be designated Director, Marketing Research and Analysis (profess. & kin); Director, Product Research and Development (profess. & kin.).

Directs and coordinates research and development activities for organizational products, services, or ideologies: Plans and formulates aspects of research and development proposals, such as objective or purpose of project, applications that can be utilized from findings, costs of project, and equipment and human resource requirements. Reviews and analyzes proposals submitted to determine if benefits derived and possible applications justify expenditures. Approves and submits proposals considered feasible to management for consideration and allocation of funds or allocates funds from department budget. Develops and implements methods and procedures for monitoring projects, such as preparation of records of expenditures and research findings, progress reports, and staff conferences, in order to inform management of current status of each project. May recruit, hire, and train department staff, evaluate staff performance, and develop goals and objectives for staff. May negotiate contracts with consulting firms to perform research studies.

OCCUPATIONAL REQUIREMENTS

Specific Vocational Preparation (SVP)

Level 8 (4-10 Years)

GED	Level
Reasoning	Level 5
Mathematics	Level 5
Language	Level 5

Aptitudes	Level
General Learning Ability	Level 2
Verbal Aptitude	Level 2
Numerical Aptitude	Level 2
Spatial Aptitude	Level 2

Form Perception	Level 3
Clerical Perception	Level 4
Motor Coordination	Level 4
Finger Dexterity	Level 4
Manual Dexterity	Level 4
Eye-Hand-Foot Coordination	Level 5
Color Discrimination	Level 4

Physical Demands	Level *
Strength	Sedentary
Reaching	Occasionally
Handling	Occasionally
Fingering	Occasionally
Talking	Frequently
Hearing	Frequently
Near Acuity	Frequently
Color Vision	Occasionally

Environmental Conditions	Level *
Noise Intensity Level	Moderate

Work Situations

D Directing, controlling, or planning activities of others

V Performing a Variety of duties

P Dealing with **P**eople

J Making **J**udgments and decisions

Data-People-Things

Data	1 - Coordinating
People	1 - Negotiating
Things	7 - Handling

SKILLS/COMPETENCIES

WORK Field - 251 - RESEARCHING

Inquiring into fundamental knowledge areas, such as social, physical, and allied sciences, industry, and commerce, for the purpose of discovering facts and making interpretations, and revising and verifying recognized conclusions, theories, laws, and procedures in the light of newly discovered facts. Includes formulating and testing hypotheses on the basis of information obtained by using specialized apparatus and techniques, by making expeditions, and by reading or observing.

Analyzing, Classifying, Collecting, Defining, Dissecting, Documenting, Examining, Experimenting, Inoculating, Isolating, Locating, Measuring, Reporting, Synthesizing, Writing

WORK Field - 295 - ADMINISTERING

Managing and directing people, organizations, programs, and activities above the first-line supervision level.

Analyzing, Authorizing, Contracting, Coordinating, Formulating, Hiring, Negotiating, Planning, Scheduling

GOE Work Group - 05.01 - Engineering

Occupations contained in this four-digit Work Group are concerned with planning, designing, and directing the building of structures, bridges, roads, and other facilities; developing electrical-generating systems, machinery, and equipment; and implementing product quality-control programs.

Skills and abilities required include: Knowing and applying knowledge of properties of materials and principles of mathematics and engineering to the problem under consideration; forming mental images of objects or structures; rendering drawings, designs, and layouts of items; dealing with various kinds of people to explain technical ideas or facilitate purchase of engineering products or services; and evaluating product qualities.

RELATED CODES

Work Fields (Skills)

- **Work Field:**
 - 295 Administering
 - 251 Researching

Materials, Products, Subject Matter & Services (Job Knowledge)

- **MPSMS:**
 - 700 Architecture and Engineering
 - 880 Merchandising Services

Related Codes

- **OGA:**
 - 189 Managers and Officials, NEC
- **O*NET:**
 - 11-9121.01 Clinical Research Coordinators
 - 11-9199.00 Managers, All Other
- **OOH:**
 - **Q036** [Natural sciences managers](#)
- **SOC:**
 - 11-9199 Managers, All Other
- **Census:**
 - 0430 Managers, all other

Interests

- **GOE:**
 - 05.01.01 Engineering: Research
- **+RIASEC:**
 - ECS Enterprising - Conventional - Social

Training

- **CIP - Classification of Instructional Programs:**
 - 03.0207 Natural Resource Recreation and Tourism
 - 09.0702 Digital Communication and Media/Multimedia
 - 11.1005 Information Technology Project Management
 - 25.0101 Library and Information Science
 - 25.0103 Archives/Archival Administration
 - 31.0302 Golf Course Operation and Grounds Management
 - 31.0399 Parks, Recreation and Leisure Facilities Management, Other
 - 42.0101 Psychology, General
 - 42.2701 Cognitive Psychology and Psycholinguistics
 - 42.2702 Comparative Psychology
 - 42.2703 Developmental and Child Psychology
 - 42.2704 Experimental Psychology
 - 42.2705 Personality Psychology
 - 42.2706 Physiological Psychology/Psychobiology
 - 42.2707 Social Psychology

- 42.2708 Psychometrics and Quantitative Psychology
- 42.2709 Psychopharmacology
- 42.2799 Research and Experimental Psychology, Other
- 42.2801 Clinical Psychology
- + • 42.2802 Community Psychology

2. Bicycle Operator



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806.687-030	Inspector, Bicycle	Motorcycles, Bicycles, and Parts	2	L	51-9061.00
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806.687-030

Inspector, Bicycle

Details for selected title: Inspector, Bicycle

DESCRIPTION

DOT Code: 806.687-030 **Inspector, Bicycle**

Inspects bicycles for defects in assembly and finish: Examines bicycle to detect missing equipment, flaws in paint, and alignment of frame, sprockets, and wheels. Turns pedals, spins wheels, and moves parts to verify specified adjustment. Informs bicycle repairer of defects. May perform assembly line duties [ASSEMBLER, BICYCLE (motor-bicycles) II].

OCCUPATIONAL REQUIREMENTS

Specific Vocational Preparation (SVP)

Level 2 (< 30 days)

GED	Level
Reasoning	Level 2
Mathematics	Level 1
Language	Level 1

Aptitudes	Level
General Learning Ability	Level 3
Verbal Aptitude	Level 4
Numerical Aptitude	Level 5
Spatial Aptitude	Level 3
Form Perception	Level 3
Clerical Perception	Level 4
Motor Coordination	Level 3
Finger Dexterity	Level 4
Manual Dexterity	Level 3
Eye-Hand-Foot Coordination	Level 5
Color Discrimination	Level 4

Physical Demands	Level *
Strength	Light
Reaching	Frequently
Handling	Frequently
Fingering	Frequently
Feeling	Frequently
Near Acuity	Frequently
Color Vision	Occasionally

Environmental Conditions	Level *
Noise Intensity Level	Loud

Work Situations

J Making Judgments and decisions

T Attaining precise set limits, Tolerances, and standards

Data-People-Things

Data	6 - Comparing
People	8 - Taking Instructions - Helping
Things	7 - Handling

SKILLS/COMPETENCIES

WORK Field - 212 - INSPECTING-MEASURING-TESTING

Examining materials and products to verify conformance to predetermined standards and characteristics, such as size, weight, composition, and color.

Bending, Breaking, Comparing, Culling, Detecting, Feeling, Gauging, Grading, Marking, Matching, Picking, Shaking, Stretching, Tearing, Turning, Twisting, Verifying, Weighing

GOE Work Group - 06.03 - Quality Control

Occupations contained in this four-digit Work Group are basically factory-oriented and are concerned with inspecting, testing, weighing, grading, and sorting products and materials to ensure that items meet prescribed quality standards.

Skills and abilities required include: Concentrating on doing same work repeating, following established procedures; using eyes, hands, and fingers to read and handle gauges and other testing devices and products during inspection process; separating work failing to meet predetermined standards; and using math skills to count or measure objects and keep inspection records.

RELATED CODES

Work Fields (Skills)

- **Work Field:**
 - 212 Inspecting-Measuring-Testing

Materials, Products, Subject Matter & Services (Job Knowledge)

- **MPSMS:**
 - 595 Motorcycles, Bicycles, and Parts

Related Codes

- **OGA:**
 - 806 Transportation Equipment Assemblers and Related
- **O*NET:**
 - 51-9061.00 Inspectors, Testers, Sorters, Samplers, and Weighers
- **OOH:**
 - **Q306** [Quality control inspectors](#)
- **SOC:**
 - 51-9061 Inspectors, Testers, Sorters, Samplers, and Weighers
- **Census:**
 - 8740 Inspectors, testers, sorters, samplers, and weighers

Interests

- **GOE:**
 - 06.03.02 Inspecting, Grading, Sorting, Weighing Record
- **RIASEC:**
 - RC Realistic - Conventional

Training

- **CIP - Classification of Instructional Programs:**
 - 15.0702 Quality Control Technology/Technician
- **Career Pathways:**
 - 13.1006 Inspectors
- **RAPIDS:**
 - 0004 Airplane Inspector
 - 0059 Cable Tester
 - 0061 Complaint Inspector
 - 0093 Diesel-Engine Tester
 - 0183 Experimental Assembler
 - 0239 Hydrometer Calibrator
 - 0380 Inspector, Outside Production
 - 0424 Inspector, Precision

DATA SOURCES

Source	Publication	Year	Web Link
U.S. Dept. of Labor	Revised 4th Edition of the Dictionary of	1991	

	Occupational Titles		
U.S. Dept. of Labor	Errata corrections and subsequent revisions to the DOT	1992-1998	www.skilltran.com/index.php/support-area/documentation/161-dot-changes
U.S. Dept. of Labor	Revised Handbook for Analyzing Jobs	1991	www.skilltran.com/index.php/support-area/documentation/1991rhaj
U.S. Dept. of Labor	Selected Characteristics of Occupations (SCO)	1993	
U.S. Dept. of Labor	Guide for Occupational Exploration (GOE)	1979	Guide for Occupational Exploration
U.S. Dept. of Labor - Bureau of Labor Statistics	Standard Occupational Classification (SOC)	2010/2018	Standard Occupational Classification
U.S. Dept. of Labor - Bureau of Labor Statistics	Occupational Employment Survey (OES)	May 2019	Occupational Employment Survey
U.S. Dept. of Labor - Employment and Training Administration	O*NET Online (O*NET)	Current	O*NET Online

ion			
U.S. Dept. of Labor - Bureau of Labor Statistics	Employment Projections - National	Sept 2019 for 2018 -- > 2028	Employment Projections
U.S. Dept. of Labor - Bureau of Labor Statistics	Employment Projections - State/Substate	Various	Employment Projections - State/Substate and various state-specific projections sites
U.S. Dept. of Labor	Labor Force Statistics from the Current Population Survey (CPS)	Current	Current Population Survey
U.S. Dept. of Education - Institute of Education Sciences - National Center for Education Statistics	College Navigator	Current	College Navigator
U.S. Dept. of Labor	Occupational Outlook Handbook (OOH)	Current	Occupational Outlook Handbook
U.S. Dept. of Labor	Current Employment Statistics (CES)	Current	Current Employment Statistics
U.S. Dept. of Labor	Occupational	2018	ORS Survey

	Requirements Survey (ORS)		
U.S. Dept. of Census	County Business Patterns (CBP)	2018	County Business Patterns - Documentation
U.S. Dept. of Census	North American Industry Classification System (NAICS)	2017	North American Industry Classification System
U.S. Dept. of Census	Public Use Microdata sample (PUMS)	2014-2018	American Community Survey (ACS)
SkillTRAN LLC	Various Alternate Titles Contributed by SkillTRAN Staff and Customers	1982-present	SkillTRAN Data Resources
SkillTRAN LLC	Proprietary Crosswalk between NAICS and DOT	1985-present	SkillTRAN Data Resources