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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 Washington
SIF #: SIF 11701414
D.O.I: 1) CT March 3, 2016 to March 12, 2018 2) September 7, 2017
Employer: Albertsons Distribution Center**

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. Washington 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. Washington'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. Washington, 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. Washington is amenable to vocational rehabilitation.

A thorough evaluation was conducted of Mr. Washington 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. Washington 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. Washington 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. Washington on January 18, 2021. I conducted the evaluation in person with Mr. Washington and had full view of his entire body throughout the assessment.

Evaluation Timeframes

8 hours for file review of medical and psychological records, 9 hours of face-to-face time, 6 hours of vocational rehabilitation testing and scoring, 6 hours of interpreting and analysis of the CAPS and Raven Standard Progressive Matrices, 6 hours of research (DOT, OASYS, SSA) and 8 hours of report writing, proofreading, and editing time for a total of professional time. A total of 43 hours of professional time. An itemized invoice is attached to this report outlining my work in this matter.

Background Information

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

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

Mr. Washington was born on May 15, 1956 in Los Angeles, CA. He was 64 years old at the time of this report. He reported a Social Security Number (SSN) of xxx-xx-4004.

Transportation Information

Mr. Washington produced a current Class C California driver's license with a number of xxxx1147 and an expiration date of May 15, 2024. He stated that he had no vehicle code violations or accidents currently on his driving record.

Mr. Washington 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. Washington 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. Washington should he be able to work, he would be available to work Monday through Friday during the day.

Social History

Mr. Washington is divorced and have 3 children and 5 grandchildren.

He is not required to perform elder care.

Legal History

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

Educational Background

Mr. Washington could communicate in English fluently.

He stated that he completed high school and graduated in 1974 from Waylie JR HS in Compton, CA. He said that he was an average student and received average grades. Mr. Washington was never held back a grade and does not have any learning disabilities. He completed Class A Truck Driving. He did not attend any further college.

Military History

Mr. Washington was not in the military.

Current Sources of Income

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

Mr. Washington states that his monthly expenditures which includes his mortgage, utilities, food, clothing and which is about \$2000 and receives compensation of \$3000/month.

Current Work Status

Mr. Washington is currently not working.

Employment History.

Employer: Albertson's

Job Title: Truck Driver – Class A

Job Description: Mr. Washington was employed as a Truck Driver from Mar 2003 to Dec 2018

His starting pay was \$19 and ending \$28

DOT Code: 292.353-010 Driver, Sales Route, Alternate Titles: Delivery-Route Truck Driver, Route Driver, Truck Driver, Sales Route. May be designated according to product delivered or

service rendered. Drives truck or automobile over established route to deliver and sell products or render services, collects money from customers and makes change.

Drives truck to deliver such items as beer, soft drinks, bakery products, dry cleaning, laundry, specialty foods, and medical supplies to customer's home or place of business. Collects money from customers, makes change, and records transactions on customer receipt. Writes customer order and instructions. Records sales or deliveries information on daily sales or delivery record. Calls on prospective customers to solicit new business. Prepares order forms and sales contracts. Informs regular customers of new products or services. Listens to and resolves service complaints. May place stock on shelves or racks. May set up merchandise and sales promotion display or issue sales promotion materials to customers. May collect or pick-up empty containers or rejected or unsold merchandise. May load truck. May issue or obtain customer signature on receipt for pickup or delivery. May clean inside of truck. May perform routine maintenance on truck. May direct DRIVER HELPER, SALES ROUTE (retail trade; wholesale tr.) 292.667-010 to load and unload truck and carry merchandise.

Employer: Boeing/Contract

Job Title: Structural Mechanic

Job Description: Mr. Washington was employed as a Structural Mechanic for about 6-7 years. His starting pay was \$24 and ending pay \$34. He was working with rivets on the plane. Reason for leaving, he was laid off.

DOT Code: 806.361-030 Aircraft Mechanic, Armament: Alternate Titles: Armament Assembler, Armament Installer. Assembles, installs, and adjusts aircraft armament parts, assemblies, and accessories, according to specifications, using hand tools, power tools, and measuring instruments: Cleans and oils armament parts, units, and accessories. Attaches armament mounts to aircraft, using hand tools and power tools. Assembles armament system components, such as guns, gun cameras, bomb racks, missile pods, and firing devices, using measuring instruments, hand tools, and power tools. Installs parts, assemblies, and accessories in specified location on aircraft, using hand tools, power tools, and lifting devices. Installs and connects control cables to electronically controlled units, using hand tools, ring locks, cotter keys, threaded connectors, turnbuckles, and related devices, and adjusts cables to specified tolerances. Aligns, adjusts, and synchronizes aircraft armament, using sighting devices and hand tools. Tests functional performance of installed units and adjusts, repairs, or replaces malfunctioning units. Prepares and loads live ammunition, missiles, and bombs onto aircraft, according to established procedure. May assist in operational checkout of entire armament system, including test firing, on ground or during test flight.

Employer: Cal Portland Concrete

Job Title: Mixer - Driver

Job Description: Mr. Washington was employed as Mixer Driver from Mar 2003 to Dec 2018. His starting pay was \$17 and ending pay \$26. Reason for leaving, job was too dirty and he quit.

DOT Code: 570.686-014 Abrasive-Mixer Helper. Assists ABRASIVE MIXER (nonmet. min.) in mixing ingredients to form polishing and buffing compounds by performing any of following

duties: Dumps specified ingredients in mixing machine. Turns valve to drain finished mix from machine. Transports supplies and products between plant locations, using hand truck.

Activities of Daily Living

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

Mr. Washington also stated no difficulty driving car and getting in and out of the car and difficulty opening and closing doors but much difficulty getting in and out of the car. Mr. Washington vision reports no difficulty watching TV or reading a book and writing as well as seeing up close and seeing things far.

Mr. Washington also have difficulty sleeping at night. It generally takes him time to fall asleep at night and he usually wakes up around 6:00 a.m.

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

Mr. Washington also reported no issues reaching above shoulder level with both left and right arm as well as no difficulty push and pulling object and gripping a glass of water. Mr. Washington have difficulty carrying a gallon of milk with one or both hands. Mr. Washington also reported difficulty lifting more than 5 lbs. and much more difficulty lifting more than 10 lbs. and unable to lift 20 lbs. and 50 lbs.

Mr. Washington reported some 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. Washington also reported some difficulty with his sensory functions, with him feel, smell, taste sensations. Mr. Washington also reported no 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 (Cleaning, laundry, Etc.)</i>			x		
<i>Heavy Housework (Vacuuming, sweeping, mopping,)</i>					x
<i>Cooking - son helps with cooking</i>					x
<i>Yard Work</i>					x
	x				

Travel					
<i>Driving a car (automatic transmission)</i>					
<i>Get in and out of cars</i>			x		
<i>Opening and Closing Car Door</i>	x				
Vision					
<i>Watch Television (with reading glasses on)</i>	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			

Subjective Physical Tolerances Page 9 of 55	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>					x

<i>Crouching</i>					x
<i>Bending</i>					x
<i>Stooping</i>					x
<i>Crawling</i>					x
<i>Kneeling</i>					x
<i>Maintaining Balance</i>					
<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:</i> <i>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				

Current Treatment, Therapy and Physical Condition

Mr. Washington does not participate in physical therapy.

Current Medications

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

Lists of Medications

- Bisopril – 2x/day
- Alopurinol – 1x/day
- Potassium – 2x/day
- Hydralazine – 2x/day
- Atorvastatin – 2x/day
- Cortisone shots – tendonitis on both knees

Effects of Medication on Full Time Employment

Mr. Washington 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. Washington from full time gainful employment.

Mr. Washington takes Bisopril which is beta-blocker that affects the heart and circulation Bisoprolol is used to treat hypertension (high blood pressure). Side effects include headache; feeling tired; sleep problems (insomnia); joint pain; swelling; or cold symptoms such as stuffy nose, runny nose, cough and sore throat.

Mr. Washington also takes Alopurinol which is used to treat gout and certain types of kidney stones. It is also used to prevent increased uric acid levels in patients receiving cancer

chemotherapy. Side effects includes drowsiness, rash, abnormal liver function tests, nausea, vomiting, diarrhea and headache.

Mr. Washington takes Hydralazine which is a vasodilator that works by relaxing the muscles in your blood vessels to help them dilate (widen). This lowers blood pressure and allows blood to flow more easily through your veins and arteries. Side effects includes chest pain, fast heart rate; headache; or nausea, vomiting, diarrhea and loss of appetite.

Mr. Washington also takes Atorvastatin which is used along with a proper diet to help lower "bad" cholesterol and fats (such as LDL, triglycerides) and raise "good" cholesterol (HDL) in the blood. Side effects includes arthralgias, diarrhea, pharyngitis and dyspepsia.

Mr. Washington 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. Washington employability.

History of Present Illness and Injury:

Mr. Alan Washington is a 64 years old male who was injured on September 7, 2017 and cumulative work-related injury from March 3, 2016 to March 12, 2018 while working as a driver for Albertsons Distribution Center. He was employed approximately from March 4, 2003 to present, he sustained industrial injury to his cervical, thoracic, lumbar spine, while stepping out of his truck, and he slipped and twisted awkwardly. He reported the incident and he received chiropractic therapy, seven sessions, and he noted his symptoms were improving. Due to his chronic pain, he also developed anxiety, depression, and stress.

Mr. Washington was injured at several occasions during his employment. His first industrial injury is dated 04/15/2004 (specific injury) and Orthopedic CT 04/02/2003 - 04/02/2004, where injured parts included knee, hip and nervous system. These injuries were resolved by stipulation and award in 2005. Mr. Washington continued to work for the same employer until he was injured again in 2017.

Mr. Washington had the following pre-existing partially disabling conditions that pre-dated his industrial injury:

- Industrial injury to the psych in 1988, ADJ3815111, discrimination and harassment related
- Non-industrial Congestive heart failure
- Non-industrial right ankle fracture while to playing football as a young adult
- High Blood Pressure
- Constant headaches;
- Chest pain, difficulties in breathing
- Serious bodily injuries and traumatic brain injury as a result of vicious attack and severe beating by ten people at the age of about 25
- Gout diagnosis
- Arthritis diagnosis

- Mental state psychopathology manifested in Major Depressive Disorder, stress, anxiety, PTSD, memory loss due to difficult personal life circumstances, divorce filing for bankruptcy twice, paying child support for three kids, due to persistent discriminatory treatment at many areas of his life
- Decreased vision issues
- GI Hemorrhage
- Diverticulitis of Colon
- Internal Hemorrhoid
- Obesity
- Hyperlipidemia
- History of Kidney Cancer
- History of Partial Nephrectomy
- Irritable Bowel Syndrome
- Iron Deficiency Anemia
- Obstructive Sleep Apnea

All of the above diseases, injuries and conditions resulted in significant pain, limiting Mr. Washington ability to participate in the labor market. He was unable to find any other occupation that would allow him to earn living without working through pain thus he continued his regular duty suffering pain every day of his work. His internal medical conditions such as hemorrhoid, gout, arthritis, irritable bowel syndrome, sleep apnea was making his job as truck driver much more difficult, and the underlying pre-existing conditions were aggravated.

REVIEW OF MEDICAL RECORDS:

Alan Washington Discovery
Resignation
Alan Washington Cr Adj1123336
Alan Washington Cr Adj11233298 and Adj11243148
Alan Washington Cr Adj11701414
Full Application Ct Psych 3-20-18
Full Ct Ortho Application 3-20-18
Full Si Psych Application 3-20-18
DWC 1ab
DWC 1a
DWC 1
Med Legal Report by Dr Iseke 6-15-2018
P&S Med Rep-Iseke 07-09-18
Rating
Amended Application 11-20-2018
Dr. Harold Isike Report
Comprehensive Report

Dr. Harold Isike: Permanent and Stationary Evaluation Report 7/9/2018

Diagnoses:

1. Spinal enthesopathy, cervical region (M46.02).
2. Cervicalgia (M54.2).
3. Spinal enthesopathy, thoracic region (M46.04).
4. Low back pain (M54.5).
5. Spinal enthesopathy, lumbar region (M46.06).
6. Chronic pain due to trauma (G89.21).

Dr. Isike stated on his report that review of all medical records concerned and the findings obtained from this evaluation provides enough evidence to support the premise that Mr. Washington has reached a plateau in terms of his condition and he has reached maximum medical improvement on July 09, 2018.

General Observations During Vocational Interview

The evaluation of Mr. Washington took place on January 18, 2021. Mr. Washington said that he did not consume any medication prior to the evaluation. He was cooperative and talkative and had normal response timing. Mr. Washington 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. Washington used his right hand to turn the pages of the vocational testing material.

Observations During the Raven

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

Observations During the CAPS Assessment

Mr. Washington 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. Washington 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. Washington 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. Washington 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. Washington 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. Washington 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. Washington 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. Washington 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. Washington 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. Washington was very cooperative and pleasant throughout this evaluation.

Vocational Testing Administered

I administered vocational testing to Mr. Washington on January 18, 2021.

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

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

Mr. Washington test scores were utilized to aid me in identifying his level of aptitudes and abilities. Further observation of Mr. Washington 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. Washington and the norms used to score Mr. Washington's assessment results are found in Appendix A. He completed the following assessments.

RAVEN Standard Progressive Matrices:

Mr. Washington was sixty-four (64) years old when he was given the Raven Standard Progressive Matrices test on January 18, 2021. 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. Washington's test scores were utilized to aid me in identifying his level of aptitudes and abilities. Further observation of Mr. Washington 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. Washington and the norms used to score for the test. Mr. Washington started the Raven Standard Progressive Matrices and he understood the directions for the Raven Standard Progressive Matrices. Mr. Washington displayed normal response timing for someone who was taking the assessment for the first time. Mr. Washington completed the Raven Standard Progressive Matrices and after completion of the assessment, he was asked if he needed to take a break. Mr. Washington said he would like to continue the test and break in between

Mr. Washington's test results showed that he scored in category **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.)**. Mr. Washington scored 9 correct out of 60 items which puts him on definitely below average in intellectual capacity. 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. Washington has average intelligence which indicates that he seems to have greater reasoning ability and greater cognitive capacity to analyze information. Mr. Washington results reveal that he can excellently make insights and comprehend relationships among nonverbal figures or designs. Mr. Washington 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. Washington 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. Washington 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. Washington 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. Washington was very cooperative and pleasant throughout this evaluation. Mr. Washington 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. Washington have attained the following results from CAPS:

Mr. Washington 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. Washington scored the 30th 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. Washington 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. Washington scored 40th percentile score in Numerical Ability. This is considered low. 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. Washington scored 30th 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. Washington scored 40th percentile score in Word Knowledge. This is considered low. 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. Washington scored 40th 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. Washington scored 40th percentile score in Manual Speed and Dexterity, which is low. 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. Washington's test reports that his strongest areas were in the area of Mechanical Reasoning. This 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. Washington 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.

Mr. Washington showed a high score on Word Knowledge. This is considered low. 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. Washington showed a high score on 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.

Mr. Washington showed a high score on Perceptual Speed and Accuracy. 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.

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. Washington 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. Washington in him geographical area. (see attachment on Appendix B)

Work History Summary and Corresponding DOT Codes

Mr. Washington prior work experience includes positions as a Truck Driver (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. Washington 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. Washington 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. Washington 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. Washington 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. Washington 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 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. Washington's level of physical functioning primarily performed prior to his subsequent industrial injury. The Dictionary of Occupational Titles (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. Washington could have performed prior to his subsequent industrial injury. Given the limitations, the jobs with the same work fields meaning same work requirements includes jobs in **Security Officer/Guard and/or Parking Lot Attendant** but Mr. Washington lacks training in this area and will be requiring training in the field.

SKILL TRANSFER COMPONENTS

The OASYS system determined that Mr. Washington's, given his functional limitations, has incurred a ninety-two (92) percent loss of labor market access. Mr. Washington will not be able to work due to the physical demands of the job and physical requirements of the job.

Strength: Medium Work

Lifting, Carrying, Pushing, Pulling 20 - 50 Lbs. occasionally, 10 - 25 Lbs. frequently or up to 10 Lbs. constantly.

Stooping: Occasionally

Bending body downward and forward by bending spine at the waist, requiring full use of the lower extremities and back muscles.

Reaching: Frequently

Extending hand(s) or arm(s) in any direction.

Handling: Frequently

Seizing, holding, grasping, turning, or otherwise working with hand or hands. Fingers are involved only to the extent that they are an extension of the hand, such as to turn a switch or shift automobile gears.

Fingering: Occasionally

Picking, pinching, or otherwise working primarily with fingers rather than with the whole hand or arm as in handling.

Talking: Frequently

Expressing or exchanging ideas by means of the spoken word to impart oral information to clients or to the public and to convey detailed spoken instructions to other workers accurately, loudly, or quickly.

Hearing: Frequently

Perceiving the nature of sounds by ear.

Near Acuity: Occasionally

Clarity of vision at 20 inches or less.

Far Acuity: Frequently

Clarity of vision at 20 feet or more.

Depth Perception: Frequently

Three-dimensional vision. Ability to judge distances and spatial relationships so as to see objects where and as they actually are.

Accommodation: Occasionally

Adjustment of lens of eye to bring an object into sharp focus. This factor is required when doing near point work at varying distances from the eye.

Color Vision: Frequently

Ability to identify and distinguish colors.

Field of Vision: Frequently

Observing an area that can be seen up and down or to the right and left while eyes are fixed on a given point.

The results of the OASYS Program and the results of the transferable skills analysis in all vocational probability contributed to my opinion that Mr. Washington is unable to return to work in any position or occupation.

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

Dr. Harold Iseke indicated that Mr. Washington is precluded from performing repetitive movements and in regards to his neck, mid and lower back, he is restricted from heavy lifting, squatting, stooping prolonged standing, sitting, kneeling, climbing, twisting, walking on uneven grounds and heavy pushing, heavy pulling, heavy gripping and all other activities of comparable physical effort. The functional limitations assigned to

Mr. Washington 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.

Dr. Isike stated that in regard to his neck, mid and lower back, he is restricted from heavy lifting, squatting, stooping prolonged standing, sitting, kneeling, climbing, twisting, walking on uneven grounds, or other activities involving comparable physical effort.

There are limited jobs or increasingly fewer jobs for Mr. Washington that he can do you can do due to this "eroding the occupational base" for sedentary work. With Mr. Washington 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. Washington at a Sedentary level of physical functioning.

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

Mr. Washington 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 his labor disablement job as a Truck Driver.

The synergistic effect of the previously mentioned functional limitations resulting from Mr. Washington pre-existing non-industrial and industrial injuries, combined with him cumulative

trauma industrial injury of Mr. Washington 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. Washington employer has been unable to offer permanent modified or alternative work accordingly; Mr. Washington is not amenable to this form of vocational rehabilitation. Mr. Washington employer which consists of no more than 5 employers will have undue hardship since the Truck Driver job cannot be modified or cannot be alternated because the job requires to perform the essential functions of the job in which Mr. Washington 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. Washington'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 Truck Driver job which involves performing many tasks requiring interpersonal, physical and technical skills. The functional limitations assigned by his doctor's compromise Mr. Washington 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. Washington 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. Washington but it is clear that the functional limitations assigned to Mr. Washington is a complete loss of labor market access.

Mr. Washington 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. Washington'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. Washington 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. Washington pre-existing non-industrial and industrial functional limitations, combined with the functional limitations resulting from him industrial injury. Mr. Washington 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. Washington 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. Washington in his geographical area.

Work History Summary and Corresponding DOT Codes

- Mr. Washington prior work experience includes positions as a Truck Driver. These occupations were used as part of the transferrable skills analysis.
- Mr. Washington prior work history as a Truck Driver
- Mr. Washington prior work history as a Structural Mechanic
- Mr. Washington prior work history as a Mixer Driver

OASYS System Settings:

The OASYS system accessed the Los Angeles, Long Beach - Anaheim California Metropolitan Division (MD) to determine Mr. Washington 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. Washington 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. Washington 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. Washington 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. Washington 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. Washington 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. Harold Iseke 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. Washington 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. Harold Iseke, 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. Washington transferability of skills has been attached to this report.

Results of Transferable Skills Analysis

The OASYS system found positions/areas that Mr. Washington could have performed prior to his subsequent industrial injury. Given the limitations as outlined by Dr. Harold Iseke, the OASYS system found position/areas that Mr. Washington could be considered but with limitations. These jobs include the following: Security Office/Guard and Parking Lot Attendant (see attached vocational report)

Materials, Products, Subjects Matter, and Services

The OASYS system determined that Mr. Washington 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. Washington 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. Washington is unable to return to work in any position or occupation.

It is also my opinion that Mr. Washington 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 Medical 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. Washington significantly erodes the labor market that would be available to him at a Sedentary level of physical functioning.

In his report, Dr. Isike stated that Mr. Washington is precluded from performing repetitive movements and in regards to his neck, mid and lower back, he is restricted from heavy lifting, squatting, stooping prolonged standing, sitting, kneeling, climbing, twisting, walking on uneven grounds and heavy pushing, heavy pulling, heavy gripping and all other activities of comparable physical effort. The functional limitations assigned to Mr. Washington 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.

The functional limitations assigned to Mr. Washington 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. Washington pre-existing non-industrial and industrial injuries, combined with his cumulative trauma industrial injury of Mr. Washington in all vocational probability, has incurred a total loss of labor market access.

My use of synergism is supported by Dr. Harold Iseke 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. Washington to perform essential functions of any job he could obtain in the open labor market considering the extensive functional limitations assigned by Dr. Harold Iseke, I believe employers in the open labor market would be unable to accommodate Mr. Washington 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. Washington 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. Washington 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. Harold Iseke.

Opinion and Conclusion

Based on research with the sources noted above, considering the synergistic effect of Mr. Washington functional limitations, while also considering his pre-existing non-industrial and industrial injuries, combined with his industrial injury, I believe Mr. Washington has incurred a one hundred percent (100%) loss of labor market access. This determination is an accurate representation of Mr. Washington 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. Washington qualifies as one hundred percent (100%) totally vocationally permanently disabled.

I have determined that Mr. Washington 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. Washington 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. Washington 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. Washington. If you should have any questions or require any further information, please contact me.

On January 18, 2021 at your request, I had the opportunity to examine Mr. Washington, regarding our stated vocational opinion about Mr. Washington 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.

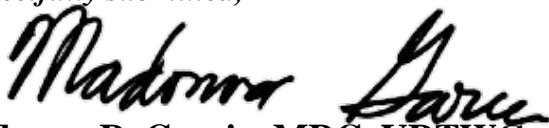
I declare under the penalty of perjury that the information contained in this report and its attachments if any, is true and correct to the best of my knowledge, except as to information that I have indicated I received from other. As to that information, I declare under penalty of perjury that the information accurately describes that information provided to me and, except as noted herein, that I believe it to be true. I further declare under penalty of perjury that this e 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 recipients(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 25, 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. Washington 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 (1964-1772) 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 Rave 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 Washington**

Date Completed: **1/21/2021**

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	4	13
Technology Professional	1	3
Technology Skilled	5	11
Consumer Economics	0	4
Outdoor	0	3
Business Professional	9	24
Business Skilled	2	8
Clerical	3	11
Communication	5	26
Arts Professional	4	14
Arts Skilled	0	3
Service Professional	15	51
Service Skilled	0	2

Your Highest Career Groups on the COPS are:

Business Professional; Communication; Service Professional;

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.

Highest Career Groups on the COPS are: Business Professional; Communication; Service Professional;

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	13	false
Science Skilled	30	22	false
Technology Professional	40	18	false
Technology Skilled	8	20	true
Consumer Economics	8	22	true
Outdoor	4	20	true
Business Professional	40	22	false
Business Skilled	20	22	true
Clerical	30	25	false
Communication	40	22	false

Arts Professional	40	18	false
Arts Skilled	30	22	false
Service Professional	40	20	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 COPS System 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 others

fall below you. The higher your score, the greater your ability.

Accessible CAPS Ability Profile Results

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

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

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

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 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.

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 COPSystem Comprehensive Career Guide will help you in your career exploration.

COPES

Your Values: The COPES

So far you have considered how the things you like to do (your interests) relate to your choice of a career, and how what you are good at (your abilities) contribute to success in your areas of career interest. Values complete the picture of what you personally require from work to find it satisfying and rewarding.

Interpreting Your COPES Profile

In looking at your COPES profile, you will probably find that some of your scores fall toward one end of the profile and others fall toward the other. Scores to the right of the midline show a preference for values listed on the right of your profile. Scores to the left of the midline show a preference for values listed on the left of your profile. The closer your scores are to either end, the more important the values at the end of the scale probably are to you. Where your scores fall at or close to the midline, those values are probably of moderate or average importance to you.

You are now ready to consider your values profile in terms of the full descriptions of the COPES Work Values appearing below. Read each description carefully to determine which end of the scale applies to you the most.

Work Values Measured by the COPES

(A) INVESTIGATIVE VERSUS (I) ACCEPTING - Intellectual curiosity and the challenge of solving a complex task are major values of persons scoring toward the **Investigative** end of this scale. The need for information, the need to know, the need to question “why,” is very important to such people. This value is first seen in very young children, and the importance of this value grows in different degrees into adulthood.

Persons scoring toward this end of the scale value activities in which they work to satisfy their curiosity, find new solutions to problems, are mentally challenged and understand and interpret complex ideas. Persons scoring toward the **Accepting** end of this scale value and use good existing solutions rather than finding new methods. They

do not need to solve complex problems and like to avoid complications in their work environment. Persons scoring toward this end of the scale use sound, established procedures to succeed in their work situations and prefer not to develop new tactics to solve problems.

(B) PRACTICAL VERSUS (J) CAREFREE - Showing proper appreciation for one's personal things and appreciation of practical and efficient ways of doing things are major values of persons scoring toward the **Practical** end of this scale. Such person's value activities in which they take good care of their property, continually improve their abilities and work with things to make them more practical and efficient. They prefer to work in a hands-on situation using established technical knowledge. Persons scoring toward the **Carefree** end of this scale value activities where others take care of equipment and keep things in good working order. They can take a less diligent more lighthearted, imaginative approach to new ideas. They are more likely to take economic risks and try out new solutions in their work situation.

(C) INDEPENDENCE VERSUS (K) CONFORMITY - Independence from rules, regulations and social conventions, and the freedom to work on their own are major values of persons scoring toward the **Independence** end of this scale. Such person's value activities in which they do not have to follow orders but work to their own standards, they work on their own without direction, and are not restricted by social obligations. Persons scoring toward the **Conformity** end of this scale value working under careful supervision where clear directions and regulations can be followed. They carefully follow the clearly accepted standard set of principles in the workplace and prefer to depend on given plans and rules. They are often positive in their attitude toward following orders and working with other people.

(D) LEADERSHIP VERSUS (L) SUPPORTIVE - Making decisions, directing others, and speaking for the group are major values of persons scoring toward the **Leadership** end of this scale. Such persons have a need to be seen as the one who is in charge and usually take positions of leadership. Persons scoring toward this end of the scale value activities in which they make the decisions for the group and are chosen as a leader or decision maker. Persons scoring toward the **Supportive** end of this scale value activities in which they can be a good follower and do not need to direct others or tell others what to do. They prefer to carry out a plan of action and let others be the speaker for a group. They do not feel the need to exert authority over others but instead support the decisions of others.

(E) ORDERLINESS VERSUS (M) FLEXIBILITY - Orderliness and keeping things neat and in their proper place are major values of persons scoring toward the **Orderliness** end of this scale. Such person's value activities in which they keep their things neat and tidy and do what they are expected to do.

Persons scoring toward the **Flexibility** end of this scale value activities in which they can take things as they come and do not need to keep things orderly and neat. They feel free to make a last-minute decision or act when the need arises. There is no need

to carefully follow an orderly plan. Instead, their need is to be more flexible and less rigid toward fixed plans.

(F) RECOGNITION VERSUS (N) PRIVACY - To become well known and famous and to know important people are major values of persons scoring toward the Recognition end of this scale. Such persons seek admiration of others as well as the rewards of honorary degrees and of having their name in print. Persons scoring toward this end of the scale value activities in which they become well-known and in which they are looked up to by other people. Persons scoring toward the **Privacy** end of this scale value keeping their activities private and are not concerned with receiving honors or being considered a famous person.

They prefer to work quietly either alone or with others and prefer to remain unnoticed and out of the spotlight. They may concentrate on what they do rather than the goal of becoming well-known.

(G) AESTHETIC VERSUS (O) REALISTIC - Artistic appreciation and the enjoyment of music and the arts are major values of persons scoring toward the **Aesthetic** end of this scale. Such person's value activities in which they appreciate beauty and artistic skill in the workplace. They show artistic and emotional sensitivity. They like to arrange their workspace to look good. If they are working in an artistic field the looks of an item are more important than the practical more realistic use of an item. Persons scoring toward the **Realistic** end of this scale value activities in which functionality is more important than artistic form in their work. While they may have an appreciation of art they do not rely on their artistic senses or intuition in the workplace. They are more concerned with the practical usefulness of their work rather than its artistic merit.

(H) SOCIAL VERSUS (P) RESERVED - Helping others and appreciating the work of charitable service groups are major values of persons scoring toward the **Social** end of this scale. Working with people in a friendly situation is important to such persons. Persons scoring toward this end of the scale value activities in which they work for the good of others, meet and get to know people, and are understanding of those who have difficulties. They like to work as a team and have a lot of interaction with others. Persons scoring toward the **Reserved** end of this scale value activities in which they spend time on their own projects and tend to their own affairs. They prefer to work more independently without assistance and value privacy and limited interaction with others. They like to keep their social life apart from their work

COPES scores are related to the COPSsystem Career Clusters by selecting your three most extreme value scores. These three most important values are marked by a darker shaded line on your COPES profile and are related to the COPS in the Summary section of your profile. The table below shows you how the COPSsystem Career Clusters relate to the COPES values.

<p>SCIENCE, Professional - Planning and conducting research in math, medical, life and physical sciences.</p>	Investigative	Independence	Reserved
<p>SCIENCE, Skilled - Observing and classifying facts in assisting with laboratory research.</p>	Orderliness	Conformity	Realistic
<p>TECHNOLOGY, Professional - Engineering and structural design in the manufacture, construction or transportation of products.</p>	Investigative	Practical	Reserved
<p>TECHNOLOGY, Skilled - Working with one's hands in the skilled trades of construction, installation, repair and manufacturing.</p>	Practical	Orderliness	Realistic
<p>CONSUMER ECONOMICS - Preparation and packaging of foods, making and care of clothing and textile products.</p>	Practical	Accepting	Supportive
<p>OUTDOOR - Activities performed primarily out of doors such as growing and tending plants and animals.</p>	Independence	Practical	Privacy

BUSINESS, Professional - Positions of high responsibility in organization and administration of business.	Leadership	Recognition	Investigative
BUSINESS, Skilled - Sales promotion, marketing and finance in regard to promotion of business.	Leadership	Accepting	Carefree
CLERICAL - Recording, posting and filing business records with attention to detail, accuracy and speed.	Orderliness	Supportive	Conformity
COMMUNICATION - Language skill in the written and oral communication of knowledge and ideas.	Recognition	Investigative	Independence
ARTS, Professional - Individualized expression of creative or musical talent.	Recognition	Aesthetic	Flexibility
ARTS, Skilled - Application of artistic skill in photography, graphic arts and design.	Aesthetic	Independence	Supportive
SERVICE, Professional - Positions of high responsibility in caring for the personal needs and welfare of others.	Social	Leadership	Independence
SERVICE, Skilled -	Social	Practical	Supportive

Providing services to persons and catering to the tastes, desires and welfare of others.			
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APPENDIX C

OASYS



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OCCUPATIONAL REQUIREMENTS

DOT Code: 292.353-010 - Delivery Driver, Sales Route

Specific Vocational Preparation (SVP)

Level 3:(Between 1 month and 3 months)
Semi-Skilled Work. The usual amount of time spent by the typical worker to learn the techniques, acquire the information, and develop the facility needed for average performance in a specific job. Includes vocational education, apprenticeship, in-plant training, on-the-job training, and essential experience gained on other jobs.

General Education Development (GED)

Reasoning Development - level 3:
Apply commonsense understanding to carry out instructions furnished in written, oral or diagrammatic form. Deal with problems involving several concrete variables in or from standardized situations.

Mathematical Development - level 2:

Add, subtract, multiply and divide all units of measure. Perform the four operations with like or common decimal fractions. Compute ratio, rate, and percent. Draw and interpret bar graphs. Perform arithmetic operations involving all American monetary units.

Language Development - level 3:

Reading: Read a variety of novels, magazines, atlases, and encyclopedias. Read safety rules, instructions in the use and maintenance of shop tools and equipment, and methods and procedures in mechanical drawing and layout work.

Writing: Write reports and essays with proper format, punctuation, spelling and grammar, using all parts of speech.

Speaking: Speak before audience with poise, voice control, and confidence, using correct English and well-modulated voice.

Physical Requirements

Strength: Medium Work

Lifting, Carrying, Pushing, Pulling 20 - 50 Lbs. occasionally, 10 - 25 Lbs. frequently or up to 10 Lbs. constantly.

Stooping: Occasionally

Bending body downward and forward by bending spine at the waist, requiring full use of the lower extremities and back muscles.

Reaching: Frequently

Extending hand(s) or arm(s) in any direction.

Handling: Frequently

Seizing, holding, grasping, turning, or otherwise working with hand or hands. Fingers are involved only to the extent that they are an extension of the hand, such as to turn a switch or shift automobile gears.

Fingering: Occasionally

Picking, pinching, or otherwise working primarily with fingers rather than with the whole hand or arm as in handling.

Talking: Frequently

Expressing or exchanging ideas by means of the spoken word to impart oral information to clients or to the public and to convey detailed spoken instructions to other workers accurately, loudly, or quickly.

Hearing: Frequently

Perceiving the nature of sounds by ear.

Near Acuity: Occasionally

Clarity of vision at 20 inches or less.

Far Acuity: Frequently

Clarity of vision at 20 feet or more.

Depth Perception: Frequently

Three-dimensional vision. Ability to judge distances and spatial relationships so as to see objects where and as they actually are.

Accommodation: Occasionally

Adjustment of lens of eye to bring an object into sharp focus. This factor is required when doing near point work at varying distances from the eye.

Color Vision: Frequently

Ability to identify and distinguish colors.

Field of Vision: Frequently

Observing an area that can be seen up and down or to the right and left while eyes are fixed on a given point.

Environmental Conditions

Noise Intensity Level: Loud

Such as a can manufacturing department; large earth moving equipment; heavy traffic.

Exposure to Weather: Occasionally
Exposure to outside atmospheric conditions.

Work Situations (Temperaments)

I influencing people in their opinions, attitudes, and judgments.

Work situations where writing, demonstrating, or speaking to persuade and motivate people to change their attitudes or opinions, participate in a particular activity, or purchase a specific commodity or service.

P Dealing with people.

Work situations that involve interpersonal relationships in a job setting beyond giving and receiving work instructions.

DOT Aptitudes

General Learning Ability Level 3 (Average, Middle Third)

The ability to "catch on" or understand instructions and underlying principles; the ability to reason and make judgments. Closely related to doing well in school.

Verbal Aptitude Level 3 (Average, Middle Third)

The ability to understand meanings of words and to use them effectively; to comprehend language, understand relationships between words and to understand meanings of whole sentences and paragraphs.

Numerical Aptitude Level 3 (Average, Middle Third)

The ability to perform arithmetic operations quickly and accurately.

Spatial Aptitude Level 4 (Low, Lower Third, Not Bottom 10th Percentile)

The ability to think visually of geometric forms & to comprehend two dimensional representations of three-dimensional objects. The ability to recognize the relationships resulting from the movement of objects in space.

Form Perception Level 4 (Low, Lower Third, Not Bottom 10th Percentile)

The ability to perceive pertinent detail in objects or in pictorial or graphic material. Ability to make visual comparisons and discriminations and see slight differences in shapes and shadings of figures and widths and lengths of lines.

Clerical Perception Level 3 (Average, Middle Third)

The ability to perceive detail in verbal or tabular material. Ability to observe differences in copy, to proofread words and numbers, and to avoid perceptual errors in arithmetic computation.

Motor Coordination Level 3 (Average, Middle Third)

The ability to coordinate eyes and hands or fingers rapidly and accurately in making precise movements with speed. Ability to make movement response accurately and swiftly.

Finger Dexterity Level 4 (Low, Lower Third, Not Bottom 10th Percentile)

The ability to move fingers, and manipulate small objects with fingers, rapidly or accurately.

Manual Dexterity Level 3 (Average, Middle Third)

The ability to move hands easily and skillfully. The ability to work with hands in placing and turning motions.

Eye-Hand-Foot Coordination Level 3 (Average, Middle Third)

The ability to move the hand and foot coordinately with each other in accordance with visual stimuli.

Color Discrimination Level 4 (Low, Lower Third, Not Bottom 10th Percentile)

The ability to match or discriminate between colors in terms of hue, saturation, and brilliance, identify a particular color or color combination from memory and be able to perceive harmonious or contrasting color combinations.

Work Functions (Data People Things)

Data: 3 - Compiling

Gathering, collating, or classifying information about data, people, or things. Reporting or carrying out a prescribed action in relation to the information that is frequently involved.

People: 5 - Persuading

Influencing others in favor of a product, service, or point of view.

Things: 3 - Driving-Operating

Starting, stopping and controlling the actions of machines or equipment for which a course must be steered, or which must be guided, to control the movement of things or people. Excludes manually powered machines.

Work Fields

Transporting 013

Conveying passengers and materials by truck, bus, airplane, train, ship, automobile, and other vehicles.

Merchandising-Sales 292

Buying, selling, renting and demonstrating materials, products, and services, usually in retail and wholesale establishments. Includes soliciting contributions of money and time for charitable and other causes.

Materials, Products, Subjects Matter, and Services

Merchandising Services 880

Data Sources

Data Sources			
Source	Publication	Year	Web Link
U.S. Dept. of Labor	Revised Handbook for Analyzing Jobs	1991	www.skilltran.com/index.php/support-area/documentation/1991rhaj

**292.353-
010**

Driver, Sales Route

Details for selected title: Driver, Sales Route

DESCRIPTION

DOT Code: 292.353-010 **Driver, Sales Route**

Alternate Titles: Delivery-Route Truck Driver, Route Driver, Truck **Driver, Sales Route**

May be designated according to product delivered or service rendered.

Drives truck or automobile over established route to deliver and sell products or render services, collects money from customers, and makes change: Drives truck to deliver such items as beer, soft drinks, bakery products, dry cleaning, laundry, specialty foods, and medical supplies to customer's home or place of business. Collects money from customers, makes change, and records transactions on customer receipt. Writes customer order and instructions. Records sales or deliveries information on daily sales or delivery record. Calls on prospective customers to solicit new business. Prepares order forms and sales contracts. Informs regular customers of new products or services. Listens to and resolves service complaints. May place stock on shelves or racks. May set up merchandise and sales promotion display or issue sales promotion materials to customers. May collect or pick-up empty containers or rejected or unsold merchandise. May load truck. May issue or obtain customer signature on receipt for pickup or delivery. May clean inside of truck. May perform routine maintenance on truck. May direct DRIVER HELPER, SALES ROUTE (retail trade; wholesale tr.) 292.667-010 to load and unload truck and carry merchandise.

OCCUPATIONAL REQUIREMENTS

Specific Vocational Preparation (SVP)

Level 3 (30-90 days)

GED	Level
Reasoning	Level 3
Mathematics	Level 2
Language	Level 3

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

Physical Demands	Level *
Strength	Medium
Stooping	Occasionally
Reaching	Frequently
Handling	Frequently
Fingering	Occasionally
Talking	Frequently
Hearing	Frequently
Near Acuity	Occasionally
Far Acuity	Frequently

Depth Perception	Frequently
Accommodation	Occasionally
Color Vision	Frequently
Field of Vision	Frequently

Environmental Conditions	Level *
Noise Intensity Level	Loud
Exposure to Weather	Occasionally

Work Situations

I Influencing people in their opinions, attitudes, and judgments

P Dealing with People

Data-People-Things

Data	3 - Compiling
People	5 - Persuading
Things	3 - Driving-Operating

SKILLS/COMPETENCIES

WORK Field - 292 - MERCHANDISING-SALES

Buying, selling, renting, and demonstrating materials, products, and services, usually in retail and wholesale establishments. Includes soliciting contributions of money and time for charitable and other causes.

Collecting, Describing, Displaying, Distributing, Fitting, Interviewing, Leasing, Negotiating, Peddling, Promoting, Purchasing, Showing, Supplying, Taking Tickets

GOE Work Group - 08.02 - General Sales

Occupations contained in this four-digit Work Group are concerned with selling, demonstrating, and soliciting orders for various products and services. Work settings are usually in department and allied retail stores, automobile agencies, rental or leasing establishments, manufacturing establishments, business services establishments, nonprofit organizations, and wholesale distribution facilities.

Skills and abilities usually required include: Using basic math skills to total costs, make change, and compute percentages; keeping records of sales, customers contacted, and expenses incurred; demonstrating and selling products; completing sales forms and time payment contracts; talking easily and persuasively to people; and being physically active and alert.

DATA SOURCES

Source	Publication	Year	Web Link
U.S. Dept. of Labor	Revised 4th Edition of the Dictionary of Occupational Titles	1991	
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
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 Requirements Survey (ORS)	2018	ORS Survey
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