

Social Security to drop obsolete jobs used to deny disability benefits



For decades, Social Security has used obsolete jobs like pneumatic tube operator and nut sorter to deny disabled claimants.

Lisa Rein June 24, 2024 [Washington Post](#)

For decades, the Social Security Administration has denied thousands of people disability benefits by claiming they could find jobs that have all but vanished from the U.S. economy — such occupations as nut sorter, pneumatic tube operator and microfilm processor.

On Monday, the agency will eliminate all but a handful of those unskilled jobs from a long-outdated database used to decide who gets benefits and who is denied, ending a practice that advocates have long decried as unfair and inaccurate.

Commissioner Martin O'Malley's decision to jettison federal labor market data, some of which was last updated 47 years ago, follows a Washington Post investigation in December 2022 that revealed how the antiquated list

of jobs was blocking many claimants who could not work from receiving vital monthly disability checks.

“These were notorious examples of our failure to stay up to date,” O’Malley said in an interview.

A reliance on outdated jobs “undermines trust in the rest of the process” of applying for disability benefits.

With many benefits decisions hinging on whether claimants can still work, the jobs list was a crucial element for administrative law judges considering appeals. “Industrial economies change, and jobs fade away. We had not removed these,” O’Malley said.

The change will be an immediate improvement to an already-difficult process, attorneys and advocates said.

“This will be a really big deal for disability claimants,” said Kevin Liebke, a disability attorney in New Jersey who has written extensively on Social Security’s use of vocational data and in recent months worked with colleagues to submit proposals to O’Malley to change the system, including by eliminating obsolete jobs from consideration.

“I could tell you stories about the psychological impact it has on disability claimants when they learn they lost their claim that they waited years on, because somebody said they could do a job that doesn’t exist,” Liebke said.

The list of jobs has been used for decades as part of Social Security’s process for assessing the work capacity of disability benefit applicants. As they review claims, officials have to judge whether there is a job that exists “in significant numbers” that an applicant could still do.

The agency has long relied on a vast publication known as the Dictionary of Occupational Titles for this assessment — but many of its 12,700 entries on skilled and unskilled jobs were last updated in 1977.

That database has landed on the high-risk list of government programs compiled by the Government Accountability Office, which highlights programs and operations that are vulnerable to waste, fraud, abuse or mismanagement, or in need of transformation.

The Department of Labor, which originally compiled the index, abandoned it 33 years ago in a sign of the economy's shift from blue-collar manufacturing to information and services. But Social Security's vocational experts routinely cited 137 unskilled, sedentary jobs from the list, including reptile farmer, banking pin adjuster and barrel assembler, to deny benefit claims. The roles mostly moved overseas long ago or have been replaced by machines.

In 2012, Social Security hired the Bureau of Labor Statistics to come up with an updated list of modern-day occupations and their characteristics. The project has cost about \$300 million in continuing annual payments of \$30 million. While the data is public, the agency still is not using it.

Social Security on Monday will eliminate from use 114 occupations in the old database. Now, officials will not cite such jobs as log scaler or watch repairer.

An additional 13 job titles whose use led Social Security to lose numerous cases in federal court will now require rigorous justification to be cited as options for a claimant to work.

While the occupations now off the table were the most frequently cited to deny benefits, the Dictionary of Occupational Titles includes a total of 3,127 unskilled jobs, including many that are not sedentary and that are likely to stay in use for the near future, advocates for the disabled said.

O'Malley also said Social Security will not yet make the switch to the state-of-the-art system compiled by the Bureau of Labor Statistics, as many advocates have called for, because it requires further study.

"That's the direction we're moving in," he said.

Members of Congress, particularly Republicans, have pressed him to "look for more cost-effective ways" to keep the survey of occupations "at a reasonable cost," O'Malley said. He could not say when the agency will

begin using the new system, which will require a lengthy regulatory process and staff training.

The job data has long proved politically sensitive for a program that has drawn criticism that the government is either too generous or not generous enough in awarding benefits.

Disability advocates have said that the switch to an updated list of occupations is likely to lead to higher rates of approvals for claims. But conservatives, including former Trump administration officials who pushed unsuccessfully for the disability program to begin using the modern job list, have argued that many disabled people can do a range of modern computer work that would actually lead to more benefits being denied.

Some advocates cautioned that the changes to be announced Monday are too incremental to fix a long-broken process.

“Simply striking occupations from the [Dictionary of Occupational Titles] is a political solution to a technical problem,” said David Weaver, a former Social Security associate commissioner who helped lead the early effort to modernize. Weaver said there are many pending cases in federal courts in which Social Security “has denied thousands upon thousands of disability applicants using occupations it plans to strike.”

It was not immediately clear how Social Security would address such cases that relied on the outdated jobs data.

The agency continued to face questions about the costly new Bureau of Labor Statistics system as recently as last week from Republican senators on the Senate Finance Committee.

"The Social Security Administration has already invested substantial time and resources into developing an alternative to this outdated occupational data and I continue to urge the agency to move this project forward," Sen. Mike Crapo (Idaho), the Finance Committee's top Republican, said at a hearing on work and disability benefits. "If they are able to use the modern data, they could get better results for recipients and save money in the process."

Last updated on July 10, 2024.

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