

SOCIAL SECURITY RULING 24-3P

Use of Occupational Information and Vocational Specialist and Vocational Expert Evidence in Disability Determinations and Decisions

Reference Materials

KEY TERMS

Vocational Evidence – Testimony or response to interrogatories provided by a vocational expert (at the hearing level) or a vocational specialist (at the state agency).

Data Sources – Any *reliable* source of occupational information that is *commonly used* by vocational professionals and is *relevant* under our rules; some data sources have been administratively noticed in our regulations, at [20 CFR 404.1566\(d\)](#) and [416.966\(d\)](#).

Vocational Classification Systems – A standardized description of jobs that are similar with respect to the work performed and the skills possessed by workers .

Dictionary of Occupational Titles (DOT) Numbers – A type of classification system; relies on definitions in the Selected Characteristics of Occupations (SCO); used in the data source The Dictionary of Occupational Titles.

Standard Occupational Classification (SOC) Codes – A type of classification system; similar to DOT numbers, but has categories of occupations; one SOC code could correspond to multiple DOT numbers; used in multiple data sources, including those often used to identify job numbers, such as the Occupational Employment and Wage Statistics (OEWS) and Occupational Requirements Survey (ORS).

Exertion – Defined in [20 CFR 404.1569a\(b\)](#) and [416.969a\(b\)](#); The limitations and restrictions imposed by a claimant’s impairment(s) and related symptoms that affect their ability to meet the strength demands of jobs (sitting, standing, walking, lifting, carrying, pushing, and pulling).

Education – Defined in [20 CFR 404.1564](#) and [416.964](#); illiteracy, marginal education, limited education, and high school education and above.

Skill Level – Defined in [20 CFR 404.1568](#) and [416.968](#); referenced in [SSR 24-3p](#) and [POMS DI 25001.001](#); unskilled, semi-skilled, and skilled; associated with Specific Vocational Preparation (SVP).

Non-Exertional Limitation – Defined in [20 CFR 404.1569a\(c\)](#) and [416.969a\(c\)](#); The limitations and restrictions imposed by a claimant’s impairment(s) and related symptoms that affect their ability to meet demands of jobs that are not strength demands.

SUMMARY OF GENERAL CHANGES

What has not changed:

- There is no change to the existing regulatory requirement that places the burden of providing evidence about the existence of other work in the national economy on the Commissioner.
- Administrative Law Judges (ALJs) continue to use vocational experts (VEs) to provide occupational information to help them in adjudicating claims.
- We continue to take administrative notice of the Dictionary of Occupational Titles (DOT) as a reliable source of occupational information which corresponds to many of our rules and guidance.
- ALJs continue to ensure that if the VE relies on the DOT and cites to one of the positions in [EM-24027](#), which addresses jobs in the DOT that use modern materials or processes, that the VE explains how the occupations is currently performed and that its requirements are consistent with the limitations of the hypothetical.

What is new:

- Although the DOT may still be relied on, under SSR 24-3p, the VE may also consider any other reliable source of occupational information that is commonly used by vocational professionals and is relevant under agency rules.
- We must avoid using the term “conflict” when addressing vocational data source and VE’s evidence.
 - Although SSR 00-4p focuses on addressing conflicts between the DOT and VE evidence, SSR 24-3p no longer requires ALJs to identify and resolve conflicts between occupational information provided by VE’s and information from a data source.
 - However, we still need to address and account for differences between data sources or a data source and SSA’s definitions of skill level, exertion, and education.
- Established new expectations for VEs and the types of vocational evidence that can be considered which is discussed in the charts that follow.

COMPARISON OF POLICIES – SSR 00-4P AND SSR 24-3P

Vocational Evidence Policy	SSR 00-4p	SSR 24-3p
Data Sources	Focuses on use of the Dictionary of Occupational Titles (DOT).	VEs may consider any reliable source of occupational information that is commonly used by vocational professionals and is relevant under agency rules (e.g., ORS).
Approach to Job Number Estimates	Does not address this issue.	VEs must explain their <i>general</i> approach to estimating job numbers.
Differences Between Classification Systems of Data Sources Used When Estimating Job Numbers	Does not address this issue.	VEs may cite to sources of occupational data that do not precisely correspond to each other (e.g., DOT and SOC). They must explain how they accounted for this in their job estimates.
Differences Between Agency Policy and Data Source(s) Relied Upon When Providing Any Vocational Evidence	ALJs could not rely on vocational evidence if it was based on <i>underlying assumptions</i> or <i>definitions</i> that were inconsistent with our regulatory policies or definitions.	Focuses on whether there are differences between the data source’s definitions and the agency’s definitions in three areas that are defined by our policy and are controlling for ALJs: <i>skill level</i> , <i>exertion</i> , and <i>education (SEE)</i> . VEs must explain how they accounted for differences.

NEW POLICY SUMMARY

Policy Area	Vocational Evidence Requirements	Examples of VE Explanations
<p style="text-align: center;">A</p> <p>The VE must identify the data source(s) relied upon.</p>	<p>VEs may consider <i>any</i> reliable source of occupational information that is commonly used by vocational professionals and is relevant under agency rules. They <u>must identify</u> the data source(s) they rely upon in providing evidence.</p>	<p>VE: “I am basing my testimony on the DOT and the U.S. Bureau of Labor Statistics’ Occupational Employment and Wage Statistics (OEWS).”</p>
<p style="text-align: center;">B</p> <p>The VE must discuss their general approach to estimating job numbers.</p>	<p>VEs <u>must explain</u> their general approach to estimating job numbers. However, SSA does not dictate any specific approach to estimating job numbers. As long as the VEs provide reasonable explanation for their general estimates, we will generally accept it as evidence to consider.</p>	<p>VE notes OEWS groups occupations using SOC codes. States used their experience and education to determine the prevalence of specific jobs within the group in the broader labor market.</p> <p><i>For a longer explanation, see example one on the next page.</i></p>
<p style="text-align: center;">C</p> <p>When multiple data sources are used to provide job numbers, and the data sources use occupational data that does not precisely correspond to each other, the VE must explain how they accounted for this.</p>	<p>VEs may cite to sources of occupational data that do not precisely correspond to each other. VEs <u>must identify</u> whether there are any differences in occupational data between the data sources used, and, if so, they <u>must explain</u> how they accounted for the differences in their job estimates. Note: the VE’s explanation of estimated job numbers should normally address this issue.</p>	<p>VE explains that the data source used to identify the occupation uses the DOT classification system and the data source used to identify job numbers uses the SOC system. They explain how they accounted for this difference.</p> <p><i>For a longer explanation, see example one on the next page.</i></p>
<p style="text-align: center;">D</p> <p>The VE must identify whether there are any differences between the data source(s) and agency policy in the definitions of Skill Level, Exertion, or Education (SEE).</p>	<p>There are three areas that are defined by our policy and are controlling: <i>skill level, exertion, and education (SEE)</i>. If a data source used by the VE defines any of these three areas differently, the VEs <u>must identify</u> the differences and <u>must explain</u> whether or how this difference has been accounted for in the evidence.</p>	<p>VE relies on occupations from the ORS, which uses SOC codes and defines light work more broadly than agency policy. VE identifies this difference and explains how they reduced the number of jobs for those within the agency’s definition.</p> <p><i>For a longer explanation, see example two on the next page.</i></p>

NEW POLICY SUMMARY (CONTINUED)

Example One: VE discussing their general approach to estimating job numbers (Issue B), including discussing how they accounted for data sources that used different vocational classification systems (Issue C).

I derived the estimates from the U.S. Bureau of Labor Statistics figures. The Bureau does not provide job numbers on individual DOT occupations. They also oftentimes will combine several occupations in a grouping and report numbers on the grouping. My method is to look at the composition of a group.

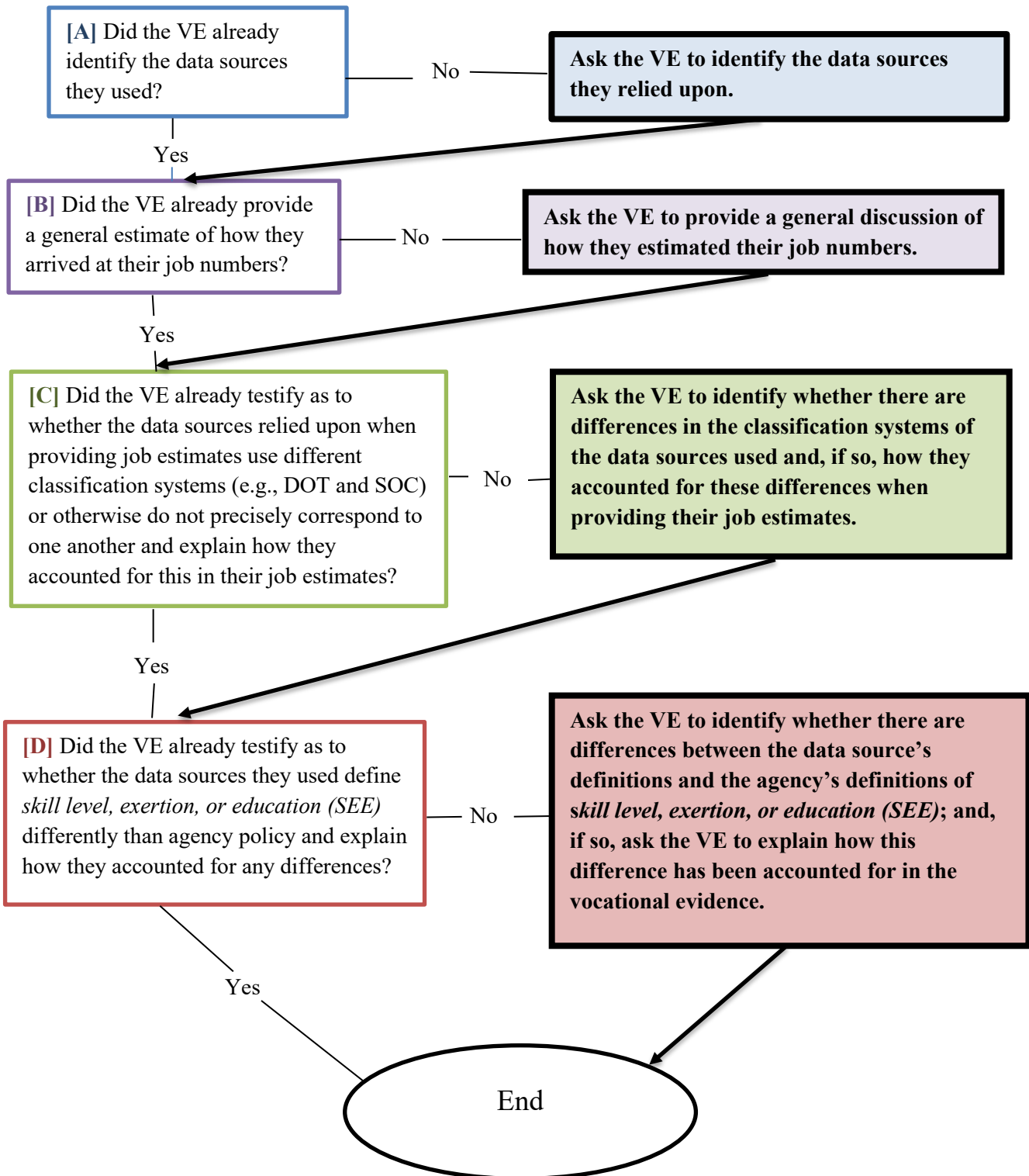
For instance, let's take the cleaner, housekeeping position -- it is in a group with nine other DOT occupations. I examine the composition of that nine-occupation group and then, based on my knowledge of the labor market, from 20-plus years of job placement activities, I further look at the job grouping, and I determine that there are three or four occupations, out of the nine, that are regularly found in the labor market, and that there are four to five that are found much less regularly in the labor market.

From experience and observations, the cleaner, housekeeping position is an occupation that is found in many different industries and that would, in my experience, make up a larger portion of the total group and also fit the requirements of the hypothetical given by Your Honor. The Bureau reports that there are 925,000 positions in that grouping or SOC code. I conservatively estimated based on my experience, training and observation of the job market that approximately 200,000 would be of the most common cleaning type that would fit the requirements of the hypothetical. That is the general type of analysis that went into my job number estimates.

Example Two: VE explanation as to how they accounted for their data source's different definitions of exertion (Issue D).

The ALJ limits the individual to light work which includes lifting and/or carrying 20 pounds. The VE, relying on information contained in the Occupational Requirement Surveys (ORS) found that the individual could perform a significant number of jobs. However, ORS's definition of light work includes carrying and/or lifting up to 25 pounds. Because of the differences in exertional levels for lifting and/or carrying, the VE must identify the differences and explain how they accounted for the differences. (This is usually done by excluding jobs that require lifting and/or carrying of more than 20 pounds.)

SSR 24-3P FLOW CHART



RESOURCES

*Agency Policy**

[SSR 24-3p](#) – Use of Occupational Information and Vocational Specialist and Vocational Expert Evidence in Disability Determinations and Decisions

[HALLEX I-2-6-74](#) – Testimony of a Vocational Expert

[HALLEX I-2-5-48](#) – Vocational Experts – General

Regulations

[20 CFR 404.1568](#) and [416.968](#) – Skill Level Definitions (based on SVP)

[20 CFR 404.1567](#) and [416.967](#) – Exertion Definitions

[20 CFR 404.1564](#) and [416.964](#) – Education Definition

Vocational Resources

[Occupational Information System \(OIS\)](#) – Joint project with SSA and the Department of Labor to create the Occupational Requirements Survey (ORS)

[ORS Strength Demands - U.S. Bureau of Labor Statistics](#)

* The new versions of the HALLEX provisions will be updated on the date of implementation, January 6, 2025.