Employability, Earnings Capacity Assessments: Why Transferable Skills are Not Enough

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Since the inception of the Loss of Earnings Capacity Award with Bill 164, numerous providers have entered the field to offer related assessment products. Presumably, with the return of tort to address long term economic loss under Bill 59, these assessments will remain significant in the future. As an original member of the Residual Earning Capacity Designated Assessment Centre (REC DAC) pilot committee and examiner for one of the Province’s busiest REC DACs, the author has had the opportunity to review many of these residual earnings capacity assessments reports.

Unfortunately, due to the lack of interdisciplinary methodologies used, the REC DAC in which the author works has yet to support any of the conclusions regarding occupational selections and residual earnings capacity derived from any of the Loss of Earnings Capacity/Transferable Skills reports viewed to date. Other facilities have expressed similar concerns. While these sample cases may reflect anomalies in that they have been brought to a REC DAC because of the client’s disagreement with the findings, there is reason to suspect that these concerns are wide-spread, given the general lack of use of an interdisciplinary approach. That is not to imply that the REC DAC does not have its limitations as well, however.

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In particular, many members of the pilot committee strongly expressed the necessity of including a Vocational Rehabilitation Specialist as a key member of the team, whose responsibility it would be to address issues of labour market analysis, barriers related to employment practices and worker job placement skills, in particular.

This article is meant to highlight the necessity of an integrated team approach to Vocational, Employability and Loss of Earning Capacity Evaluations by knowledgeable examiners experienced in the process. Further, while a highly qualified team of professionals may be capable of critiquing the opinion of others who have thoroughly examined the client utilizing a sound protocol, basing such an original opinion solely on file review is highly inappropriate in many situations.

Transferable Skills as Aptitudes

A fallacy that appears to exist in some circles is that the concepts of "transferable skills" and "aptitudes" are equivalent. While in many ways these concepts are linked, they are by no means synonymous. A transferable skill is defined as a practical work skill or application which the individual has actually attained, and which may be applied...
Continued: Why Transferable Skills are Not Enough

across more than one job or occupation. An aptitude reflects the individual's potential for attaining a type or class of related practical skills, but by no means necessarily infers that the individual has actually acquired that skill at the point of examination.

Thus, while a client may demonstrate a strong performance on "clerical perception" on the General Aptitude Test Battery (GATB) for instance, this by no means indicates that (s)he has the requisite knowledge and skills currently to function in a clerical capacity (e.g. word-processing experience, office management skills, microcomputer skills, etc.) Rather, it implies that the individual has sound visual perception skills for discerning details in text-based materials, and thus possesses one of the foundation skills typically required of clerical occupations.

Similarly, strong spatial aptitude (suggesting learning potential for complex three-dimensional formats) essential to blueprint reading for instance, is not synonymous with acquired and proven skills in blueprint reading, or CAD CAM design. Likewise, a high performance in numerical aptitude does not equate to the presence of bookkeeping/accounting experience or skills, although a person with a prior history of such skills would certainly be expected to perform well on this type of aptitude measure, depending upon the nature of disability.

True Transferable Skills Analyses (TSA)

Transferable skills, and transferable skills analyses then, are completely distinct from aptitude assessment. Unfortunately, too often, true transferable skills analyses are not presented in reports overtly, nor do they generally appear to be integrated into the final occupations recommended. The upshot is that clients are often recommended for occupations with which their tested aptitudes match, but for which they have no known practical skills or knowledge. Therefore, the client does not in fact have the skill-set to immediately pursue such occupations, as implied by the "transferable skills analysis".

Such analysis should reflect a rigorous account of the individual's job history by discrete skill-sets acquired
across the span of jobs and occupations performed. The number of years during which the individual has performed the skill and qualitative aspects (e.g. at what level of complexity/proficiency of the skills performed) must also be reflected. Clearly, one summer job as cook in a slow cottage-town fast food restaurant is not equivalent to five years experience as a senior cook in a chain restaurant, which is not the same as 10 years experience as a senior chef in a Keg restaurant, for instance. Each of these “transferable skills histories” in isolation or as part of a more diverse employment history may have the identical aptitude profile. If the aptitude profile is utilized as the basis for the “transferable skills analysis” as it often appears to be, then in some instances the client’s employability and residual earnings capacity will likely be overestimated for the person with the least skills/experience.

Measurement of Aptitudes

Despite the above strengths of an appropriately performed transferable skills analysis, proper measurement of aptitude remains a critical component of an evaluation of employability and earnings capacity. The weakness of the TSA alone is that it restricts its assessment to the individual’s past proven skills without regard for his/her ability to pick up new skills through short to longer term training: in a current earnings capacity evaluation, only short term/training on the job capability is considered, while more rehabilitation-oriented assessments look at longer term training as a means of maximizing earning potential. Where the TSA leaves off, aptitude and related testing take over.

All that it takes to become a “qualified” GATB examiner is a few days’ course. While this may be sufficient to administer the instrument and to have a basic understanding of the mechanics of its interpretation, it is clearly insufficient to interpret GATB results, or transferable skills results for that matter, in the context of today’s complex economy and labour market.

Furthermore, such courses, or even slightly more intensive ones, are also insufficient to interpret a client’s aptitude profile in the context of disability. Aptitude assessment of the able-bodied may be highly influenced by cultural and linguistic differences, as well as by educational background and socio-economic factors. In the context of disability: accidental, condition-related factors significantly further complicate the interpretation of aptitude measures.

The influencing factors, which must be incorporated into the interpretation, include the presence of a psychological disorder, pain condition, physical impairments, cognitive impairments, motivational and secondary gain issues and the presence of pre-morbid elements. It requires literally years of experience beyond post graduate training to become competent in appropriately: (a) determining the effects of these various influences on the tested aptitude results; (b) determining whether all or parts of the aptitude profile are invalid; (c) cross-validating aptitude results with other ability measures (e.g. intelligence) prior vocational history; and, (e) making appropriate adjustments to the aptitude profile to assure validity, based on the above inputs.

Once the above process is achieved, it also requires the necessary experience to integrate the most valid estimate of the aptitude profile with the client’s broader physical, psychological and cognitive limitations/functional capacities, and transferable skills, and then to interpret these relative to labour market information and standard business hiring practices.

Comparing Tested to Past Aptitudes
Continued: Why Transferable Skills are Not Enough

A comparison of the individual's tested aptitudes to his/her aptitude levels based upon cumulative prior work history is an important step in the assessment process. This step serves to verify the lower limits of the tested aptitude profile and if invalid, may substitute for the overall or certain components of the tested aptitude results. The benefits of incorporating this added level of analysis is that it reduces the likelihood that the estimated aptitude profile will underestimate the client's employment (and hence earning) potential.

In the ideal world, a thorough analysis would include an actual assessment of each prior work environment to accurately document the quantity/quality dimensions of the acquired work skills. Such job analysis also serves to determine the accuracy with which the NOC/DOT average aptitude classification of each prior occupation matches the actual job demands: one would then be able to substitute the job task analysis results for the NOC/DOT average values to most accurately reflect the individual's proven past aptitude profile. However, time and cost preclude this step in the process from occurring in most situations.

Integrating Achievement Data

In several instances observed in reports prepared prior to the REC DAC evaluations, occupations were selected without due regard for the client's academic achievement levels. Occupations such as bank teller, customer service clerk, and similarly skilled occupations were suggested for several individuals who, largely because of their English-as-a-second-language status, were functionally illiterate. An individual who had been recommended for work as a bank teller was found to be functionally innumerate based upon a tested arithmetic level equivalent to grade four.

In most cases, these occupations were selected on the basis of aptitude assessment alone without any academic achievement measures having been used. In two of these cases, the client had scored somewhat better on a measure of single word reading performed during the REC DAC exam as well as on prior earning capacity assessment:

however, unlike the prior assessment, the REC DAC psycho-vocational assessment included a broader-based measure of reading comprehension.

As is common of ESL clients (a significant proportion of clients assessed by this REC DAC to date) measures of reading comprehension will often reveal the individual's true functional reading level. To date, several of the earnings capacities assessments have been based upon “transferable skills” analyses alone, often with some aptitude testing but generally no achievement testing whatsoever. When achievement testing has been included in more involved assessments, it is often not fully integrated into the final occupational selection, and often measures of reading comprehension are omitted.

Integrating Physical/Functional Situational Data

It is clear from the review of prior reports that even when the occupational selections have been appropriate from the psycho-vocational perspective (which few, if any have been) many have been inappropriate from the standard of accommodating the client's post-traumatic physical capabilities. This reinforces the pivotal role of qualified functional evaluators in addition to medical input (often from the client's own specialist may be insufficient.)

Medical input provides key information about the validity of job tasks over time relative to the nature of the pathology. In other words, it addresses the issue of whether the pathology is likely to be made worse over time by anticipated job demands or whether the natural course of the impairment is one of deterioration, likely rendering the person incapable of performing anticipated job tasks over a specific time frame.

With respect to functional assessments, it is clear that any evaluation of employment/earnings capacity clearly must go beyond the client's self-reporting of functional tolerances. Evaluators within our REC DAC have come once again to appreciate the value of the traditional longer term

continued on page 6...
Continued: Why Transferable Skills are Not Enough

situational assessment process over that of the one or two day FAE/FCE. Endurance issues are particularly relevant here.

An example of this arose in the context of an individual with a significant single lower extremity impairment. Over the course of one or two days, the uninvolved lower extremity had little difficulty compensating for the weakness of the injured one. However, over a week-long evaluation, due to the load and postural demands, the joints (e.g. knee) of the injured leg became symptomatic for early arthritis and it was medically established that it would deteriorate in the medium-term. Certain occupations, including his past occupation, were ruled out on this basis.

Brain Injury and Emotional Conditions

Although few files to date have involved the possibility of traumatic brain injury (TBI) those which have did not raise this issue or address it in the pre-DAC residual earnings capacity assessment. While this is a whole topic in and of itself, suffice it to say that a client who is recognized or suspected of having a TBI should have neuropsychological input into the occupational selection process.

In particular, neuropsychological deficits may have ramifications on the individual’s cognitive perceptual functioning and may either adversely influence the aptitude profile and/or result in the aptitude profile’s overestimating the person’s true capacity in a number of contexts.

More specifically, memory/learning deficits may preclude the individual from learning a new job efficiently enough to realistically be considered readily employable in that arena. Similarly, post-traumatic problems in executive functioning—organization, planning, problem-solving, multi-tasking—will be undetected by traditional measures of aptitude, intelligence and achievement even by the otherwise most qualified psycho-vocational examiner.

Finally, one must carefully evaluate the individual psychologically, both from the standpoint of potential emotional pathology which may have arisen post-traumatically, as well as in terms of characterological features that go beyond vocationally-related temperaments.

With respect to the former, certain emotional conditions may rule out certain types of occupation. The most obvious example being of an occupation requiring that the person drive, when the individual has a clinically severe phobia for driving or being a passenger. A less obvious example may be an individual with a post-traumatic depressive disorder whose symptoms may intensify in a job where they may be isolated from others. With respect to the latter, a person who has always been somewhat of a loner and has always worked in isolation will likely, depending upon his/her personality make-up, be ill-suited to occupations in which frequent dealings with the public or co-workers are required.

Another interesting example which arose during the course of a REC DAC was that of an individual who had been previously diagnosed with major depression, with many prior examiners suggesting that she was unemployable on psychological grounds. This was also the author’s initial impression at the beginning of the assessment process, upon interview and psycho-vocational testing. However, during the course of the five day situational assessment, the client became much more animated and engaged. This change no doubt occurred as a direct result of increased structure, shift in focus to productive tasks, and renewed hope for the future (i.e. a shift in her prior perception of being totally disabled) brought about by her observing her own capabilities rather than limitations, which she had previously been focused upon. In the end, she was deemed to be employable and with no anticipated loss of earning capacity, as work was viewed by both the team and the client as being a therapeutic imperative. In other cases, the depth of the psychological disability was confirmed, but to the contrary of prior LEC assessment (which had occurred without psychological input.)

Best Timing of Earning Capacity Assessments

In order to provide sufficient time for vocational rehabili-
tation planning and implementation particularly when a significant loss of earnings capacity is anticipated, employability/earning capacity assessments should occur as early as possible. Generally, in the case of obvious significant disablement, once the client is medically (or where the maximal functional recovery is predictable) and psychologically stable, the assessment may occur. For chronic soft tissue clients, the best timing is more debatable, but the assessment should occur upon a plateau in functional recovery, likely no later than six to eight months post-condition onset, assuming that appropriate clinical management has occurred up to that point.

Conclusions: An Integrated Team Approach

There is no doubt that, to some degree, reluctance to provide a streamlined employability assessment is born out of pressures from insurers to minimize the cost of these. However, in seeking to reduce costs, we must be aware that doing so may come at a significant longer term financial impact—which by far outweighs any additional cost incurred by a more comprehensive assessment process—to both clients and insurers, depending on an over or underestimate of the individual’s residual earnings capacity.

This review has provided examples of how an improper LECB award arising out of a non-integrated assessment can unfairly burden either party and can also reduce the likelihood of future rehabilitation success. In the context of a client’s support system, rendering a verdict of employ-