

# Social Security

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## Program Operations Manual System (POMS)

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**TN 5 (04-17)**

DI 25005.020 Past Relevant Work (PRW) as the Claimant Performed It

**CITATIONS:** 20 CFR §§: 404.1560, 404.1565, 416.960, and 416.965;

Social Security Rulings (SSRs): 82-62 A Disability Claimant's Capacity to Do Past Relevant Work, In General; and 82-40 The Vocational Relevance of Past Work Performed in a Foreign Country

### A. Determining If The Claimant Can Do PRW As He Or She Performed It

- Ensure that information about the claimant's PRW is detailed enough to compare the requirements of the work with the claimant's residual functional capacity (RFC) on a function-by-function basis.
- If the evidence does not permit a function-by-function comparison, obtain additional information from the claimant or a third party.
- If the evidence the claimant or the third party provided about how the claimant performed the PRW appears internally inconsistent, clarify the inconsistency before determining whether the claimant can do PRW as he or she performed it.

**EXAMPLE:** The claimant says he did no lifting in his job as an office cleaner, but his description of duties includes mopping and vacuuming the floors, emptying trash, and transporting trash to a central collection area. Obviously, some lifting, carrying, pushing, and pulling were required to complete the claimant's job tasks. The adjudicator will need to obtain additional information about the weights lifted, carried, pushed or pulled if ability to do this PRW as performed is material to the disability determination.

- The Dictionary of Occupational Titles (DOT) contains information about occupations in the national economy. An occupation is an aggregate of the requirements of a job as workers perform it at a number of different workplaces.

- Do not use DOT information about work requirements as a measure of the accuracy of the claimant's description of his or her past job. How workers perform a job may vary by workplace depending on an employer's needs.
- Do not use occupational information such as the DOT to fill in missing information about the job requirements.

**EXAMPLE:** The claimant's description of how he performed his PRW includes all of the information necessary except for details about the reaching and handling required. It appears that the job is within the claimant's RFC; however, his RFC includes reaching and handling limitations. The adjudicator cannot rely on the DOT to fill in this missing information in the claimant's job description when evaluating the claimant's ability to do PRW as he performed it. The adjudicator will need to contact the claimant to find out the reaching and handling requirements of the job as he performed it.

**NOTE:** If ability to do PRW as the claimant performed it is material to the disability determination, a DOT description cannot substitute for a description of how the claimant performed his or her job.

## B. Determining If Work Was A Composite Job

Composite jobs have significant elements of two or more occupations and as such, have no counterpart in the DOT.

- The claimant's PRW may be a composite job if it takes multiple DOT occupations to locate the main duties of the PRW as described by the claimant.
- If you determine that PRW was a composite job, you must explain why.
- When comparing the claimant's RFC to a composite job as the claimant performed it, find the claimant capable of performing the composite job only if he or she can perform all parts of the job.
- A composite job does not have a DOT counterpart, so do not evaluate it at the part of step 4 considering work "as generally performed in the national economy."

- At step 5 of sequential evaluation, a claimant may be able to use skills he or she gained from a skilled or semiskilled composite job to adjust to other work. See Transferability of Skills Assessment (TSA), DI 25015.017, for instructions on how to assess transferability of skills.

## C. Evaluating Work Performed In A Foreign Country

If the claimant worked in a foreign country during the relevant period:

- Make a reasoned decision whether the claimant did his or her work long enough to learn it. If necessary, obtain additional information from the claimant and look at DOT specific vocational preparation (SVP) ratings for similar work.
- If the claimant's earnings were below SGA level, consider whether the earnings provided a living wage for the local economy by asking the claimant if his or her wages provided necessities in a manner consistent with the standards of his or her locality.
- Do not consider whether the job exists in our economy or whether the claimant is illiterate or unable to communicate in English.
- Because the DOT describes work in the United States economy, you will not be able to evaluate work in a foreign country "as generally performed in the national economy," even if job titles or some duties sound similar.
- A claimant may be able to use skills he or she gained from skilled or semiskilled work performed in a foreign country to adjust to other work at step 5 of sequential evaluation. See TSA, DI 25015.017, for instructions on how to assess transferability of skills.

## D. Evaluating Work Performed In The Military

If the claimant worked in the military during the relevant period:

- Consider whether the claimant has the ability to perform his or her military occupation as he or she describes performing it.

- The step 4 determination for these cases is an analysis of the claimant's ability to perform his or her past relevant military occupation as he or she performed it. The DOT does not provide information about the physical and mental demands of all military occupations, so we are not always able to evaluate a military occupation as generally performed in the national economy. See DI 25005.025, Past Relevant Work (PRW) as Generally Performed in the National Economy.
- If the claimant's military occupation is not in the DOT, and if the claimant is unable to perform PRW as he or she describes it, proceed to step 5. At step 5 of sequential evaluation, a claimant may be able to use skills he or she gained from a skilled or semiskilled military PRW to adjust to other work. See TSA, DI 25015.017, for instructions on how to assess transferability of skills.

**EXAMPLE:** If the claimant describes past work in the military as "clerk-typist," do not consider the DOT's 203.362-010 clerk-typist to determine the claimant could perform PRW "as generally done in the national economy." The job may have transferable skills to consider at step 5, however.

## E. Evaluation Of Part-Time Work, Work With Mandatory Overtime, And Alternative Work Schedules

Generally, an RFC describes the most a claimant can do for an eight-hour day, five days a week. You may need to add additional information to the RFC in order to do a function-by-function comparison of the RFC with the requirements of any PRW that work when:

- The claimant is not able to sustain a 40-hour workweek, or
- The claimant worked part-time, mandatory overtime, or an alternative work schedule such as four 10-hour days.

Evaluate work in these categories as follows:

- If the claimant can do PRW as generally performed in the national economy (usually an eight-hour day and a five-day week), it is not necessary to evaluate whether the claimant can perform his or her part-time, mandatory overtime, or work on an alternative work schedule job as actually performed.

- If the claimant's RFC reflects an inability to sustain a 40-hour workweek and the claimant has part-time PRW, both the RFC and the PRW description need to be detailed enough to do a function-by-function evaluation of the claimant's ability to do his or her past relevant part-time work.

**NOTE:** For additional information on evaluating ability to sustain a 40-hr workweek, see Sustainability and the RFC Assessment, DI 24510.057.

## F. Evaluating Work With Accommodations Provided By The Employer

Evaluate ability to do PRW with accommodations provided by the claimant's employer as follows:

- If a previous employer offered accommodations that allowed the claimant to perform PRW with his or her impairment, and the claimant retains the ability to do the PRW with the accommodations in place, find the claimant able to do PRW as he or she performed it even if the accommodations might not be available in other workplaces or if work ceased because the employer removed the accommodations.
- Be alert to the possibility that such work may not be SGA due to a special employment situation (for example an unsuccessful work attempt (UWA) or impairment-related work expense (IRWE)), military service, or that because of extensive subsidy, the claimant's earnings are not SGA. See Special Employment Situations, DI 10505.025; Military Service, DI 10505.023; and Determining Countable Earnings, DI 10505.010.
- Do not assume disability accommodations would be available when assessing ability to do PRW as workers generally perform it in the national economy.

**EXAMPLE:** The claimant has worked in a tollbooth collecting highway tolls. This work was relevant. The claimant's supervisor permitted her to sit on a stool while working, although other collectors stood during their shifts. A new supervisor decided that all collectors must stand during their shifts except for breaks and lunch. The claimant stopped work because she was not able to stand for an eight-hour day due to her back impairment. Find the claimant capable of performing her PRW as she performed it, if consistent with her RFC.

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