

CONTENT EXPERTISE

Estimating Job Numbers for Vocational Expert Testimony in Social Security Disability Appeal Hearings in Light of the Recent SSR 24-3p Ruling

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The U.S. Social Security Administration (SSA) Office of Hearings Operations (OHO) uses Vocational Experts (VEs) to provide evidence at hearings which an administrative law judge (ALJ) considers when making a decision about disability. Social Security Ruling (SSR) 24-3p became effective on January 6, 2025. SSA's reference manual, *SSR 24-3p: Use of Occupational Information and Vocational Specialist and Vocational Expert Evidence in Disability Determinations and Decisions* contains a glossary of key terms, a summary of general changes regarding expectations for VE testimony, an example of a general approach to estimating job numbers in VE testimony, and an occupational information resource list. The purpose of this paper is to provide an overview of current resources typically utilized by SSA VEs and recommendations for approximating the numbers of full-time jobs that are available in the current U.S. labor market in light of the recent SSR 24-3p ruling.

The U.S. Social Security Administration (SSA) Office of Hearings Operations (OHO) uses Vocational Experts (VEs) to provide evidence at hearings which an administrative law judge (ALJ) considers when making a decision about disability. VEs must hold board certification (i.e., Certified Rehabilitation Counselor or Certified American Board of Vocational Experts Fellow/Diplomate) and must obtain a Blanket Purchase Agreement (BPA) with the federal government in order to be considered to serve as a VE with the SSA. The VE may testify in person at a hearing, by video teleconferencing, by telephone, or sometimes the VE may provide opinions in writing by answering written questions called interrogatories (U.S. SSA, 2025a).

VEs provide impartial expert opinion evidence regarding available employment in the current U.S. labor market in their role (U.S. SSA, 2025a). The VE provides expert opinion evidence based on knowledge of the following resources described in SSA's *Vocational Expert Handbook*:

- The skill level and physical and mental demands of occupations
- The characteristics of work settings

- The existence and incidence of jobs within occupations
- Transferable skills analysis and SSA regulatory requirements for transferability of work skills
- Up-to-date knowledge of, and experience with, industrial and occupational trends and local labor market conditions
- An understanding of how SSA determines whether a claimant is disabled, especially at steps 4 and 5 of SSA's sequential evaluation process
- Involvement in or knowledge of vocational counseling and the job placement of adult, differently-abled workers into jobs
- Knowledge of, and experience using, vocational reference sources of which the Social Security Administration has taken administrative notice under 20 CFR 404.1566(d) and 416.966(d), including:
 - The Dictionary of Occupational Titles (DOT)
 - The Selected Characteristics of Occupations Defined in the Revised Dictionary of Occupational Titles (SCO)
 - County Business Patterns and Census reports published by the Bureau of Census
 - The Occupational Outlook Handbook (OOH) published by the Bureau of Labor Statistics
 - Any occupational analyses prepared for SSA by various state employment agencies
 - Any other reliable source of occupational information commonly used in the vocational profession and relevant under SSA's rules (U.S. SSA, 2025d, pp. 8–9).

The purpose of this paper is to provide an overview of resources typically utilized by SSA VEs and recommendations for testimony regarding the numbers of full-time jobs that are available in the current U.S. labor market in light of the recent SSR 24-3p ruling (U.S. SSA, 2025c).

Social Security Ruling 24-3p

Social Security Ruling (SSR) 24-3p became effective on January 6, 2025. SSA's *SSR 24-3p: Use of Occupational Information and Vocational Specialist and Vocational Expert Evidence in Disability Determinations and Decisions Reference Materials* contains a glossary of key terms, a summary of general

changes regarding expectations for VE testimony, an example of a general approach to estimating job numbers in VE testimony, and an occupational information resource list (U.S. SSA, 2025b).

Occupational Information, Key Terms, and Classification Systems

SSA defines data sources as “any reliable source of occupational information that is commonly used by vocational professionals and is relevant under SSA rules” (U.S. SSA, 2025b, p. 2). The different types of occupational classification systems in these sources include the DOT, SCO, Occupational Employment and Wage Statistics (OEWS) data, Occupational Requirements Survey (ORS) data, and the SOC code system. The OEWS utilizes the SOC code system, and SOC codes can correspond to multiple DOT numbers.

Expectations for VE Testimony

Under the new SSR 24-3p ruling, VEs must explain their general approach to estimating job numbers. VEs may use occupational data that do not precisely correspond to each other (e.g., DOT and OEWS), and VEs must explain how they accounted for the differences when providing estimates on the numbers of available jobs. VEs must explain whether there are differences between the data source’s definitions and SSA’s definitions in three areas that are defined by SSA policy: the skill, exertion, and education levels of jobs.

Calculating Approximate Numbers of Full-time Jobs in the National Labor Market with Bureau of Labor Statistics Resources

In 2023, about 134 million people were employed in the United States on a full-time basis, returning to pre-pandemic levels (Statistica, 2024). Extrapolating approximate numbers of full-time jobs for specific jobs listed in the DOT that are available in the current U.S. labor market involves a methodical process and specialized knowledge using data provided by the U.S. Bureau of Labor Statistics (BLS).

Locating Job Numbers by Industry Sectors

The Current Employment Statistics (CES) program available through the BLS provides estimated job numbers arranged by industry sectors. The CES program produces detailed industry estimates of nonfarm employment, hours, and earnings of workers on payrolls (U.S. BLS, 2025a). The CES program began publishing series under the North American Industry Classification System (NAICS) in 2003. For information about NAICS in the CES program, see www.bls.gov/ces/naics/home.htm. For information about CES series ID structure, see www.bls.gov/ces/naics/home.htm#2.3.

BLS staff combine data from the CES, the OEWS, and Current Population Survey (CPS) programs in order to develop their National Employment Matrix industry structure. Data from OEWS, CES, and CPS used to construct the matrix are cross walked to produce employment statistics which are organized according to the 2022 NAICS codes (U.S. BLS, 2025a).

All published CES data can be accessed from the CES Databases page at www.bls.gov/ces/data/home.htm. NAICS-based data are available from the tools in the “Employment, Hours, and Earnings – National (Current Employment Statistics – CES)” row of the first table on the page. “Employees on nonfarm payrolls by industry sector and selected industry detail, seasonally adjusted” includes job numbers by NAICS codes (U.S. BLS, 2022).

North American Industry Classification System (NAICS) Industry Codes

Currently, there are 1,012 NAICS (2022) CODES and 867 SOC (2018) CODES. NAICS was developed through the Office of Management and Budget (OMB) and adopted in 1997 to replace the Standard Industrial Classification (SIC) system. For a crosswalk of NAICS and SIC codes please visit <https://www.naics.com/naics-to-sic-crosswalk-2/>. Each specific NAICS (2022) code classification is associated with a unique six-digit number. The current NAICS hierarchy includes 96 three-digit Subsectors and 308 four-digit Industry Groups. There are 689 five-digit NAICS codes, which is the level that provides comparability in code and definitions for most of the NAICS sectors providing more industry detail. In total, there are 1,012 six-digit level NAICS, which allows for the U.S., Canada, and Mexico each to have Country-Specific detail.

Standard Occupational Classification (SOC) Codes

The 2018 SOC system is a federal statistical standard used by federal agencies to classify workers into occupational categories for the purpose of collecting, calculating, or disseminating data. All workers in the U.S. are classified into one of 867 detailed occupations according to their occupational definition (U.S. BLS, 2018).

Occupational Employment and Wage Statistics (OEWS) Data

The OEWS survey measures occupational employment and wage rates for wage and salary workers in nonfarm establishments nationally, and in the 50 states and the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. The OEWS program produces employment and wage estimates annually for approximately 830 occupations arranged by SOC codes (U.S. BLS, 2025b).

Occupational Requirements Survey

Information from the BLS ORS provides VEs with data on the environmental, exertional, and educational requirements for current jobs in the labor market. According to the BLS ORS and based on the most current 2023 estimate of 134 million full-time jobs in the national labor market:

Environment

- About 80% of all jobs require public interaction

- About 80% of jobs require exposure to moderate noise levels

Exertion Level

- Roughly 30% of all jobs are performed at sedentary
- Roughly 30% of all jobs are performed at light
- Roughly 30% of all jobs are performed at medium
- Roughly 10% of all jobs are performed at heavy/very heavy

Skill and Education Level

- Approximately 30% of jobs require no minimum education
- Approximately 40% of all jobs require graduation from high school
- Approximately 30% require specialized education (e.g., certificate, degree) (U.S. BLS, 2025c)

It is possible to retrieve a specific data series from the ORS database. The data tool allows the user to retrieve the estimate they are interested in through selecting specific elements such as the occupation and job requirement.

Applying Job Numbers Arranged by SOC Codes to Specific, Current DOT Job Titles

There are over 13,000 jobs in the DOT. However, many DOT job titles are obsolete—these jobs no longer exist in today’s labor market or only exist rarely in very insignificant numbers. VEs are required to provide a DOT code to classify all jobs in testimony, but many jobs listed in the DOT should not have job numbers associated with them when cross walked with BLS SOC code employment numbers. For example, the DOT lists 89 job titles that fall under the SOC code “printing press operators.” Many of these jobs are obsolete or exist in very low numbers in the current labor market. Here’s an example:

Title: Embossing-Press Operator

DOT Code: 659.682-014

Description: Sets up and operates press to emboss paper stock, such as labels or stationery

Job numbers per 51-5112 Printing Press Operators SOC group employment = approximately 151,000 jobs nationally for the 89 DOT jobs listed that aren’t all in the traditional paper printing

industry. Jobs in the textile industry such as workers who print onto cloth or plastic sheeting are included in the SOC group (SkillTran 2025; U.S. BLS, 2025b).

VEs consider the obsolete jobs in the DOT, utilize the job numbers from the OEWS, and apply data from the ORS to provide estimates of job numbers for specific and available DOT jobs for use in SSA testimony.

Simple math would indicate that—not taking into consideration any other factors—there are an average of about 10,000 full time jobs for each of the 13,000 DOT codes, based on the total approximately 134 million full time jobs in the national labor market. The DOT was last updated over 30 years ago. Theoretically, the average number of jobs per actual current jobs available in today’s labor market associated with the DOT codes are much higher than the 10,000 average because so many jobs in the DOT are obsolete. VEs do not give DOT job titles, consider numbers of jobs, or factor in job numbers in their calculations for jobs listed in the DOT that are obsolete. VEs estimate job numbers for specific DOT job titles that actually exist in today’s current labor market while also taking into consideration the information provided by the ORS regarding skill level, physical and mental demands of occupations, and characteristics of work settings. In calculations for numbers of actual full-time jobs available in the current labor market, VEs rely heavily on their experience providing and/or supervising job placement activities, talking with employers, and knowledge of the current labor market.

Providing Testimony

A General Approach to Estimating Job Numbers and Accounting for Data Sources That Use Different Vocational Classification Systems

The DOT, SOC system, the OEWS, and the ORS are considered reliable sources of occupational information that are commonly used by vocational professionals and are relevant under SSA rules. VEs largely base testimony on the DOT, ORS, and the OEWS. The data source used to identify occupations is the DOT. The DOT has its own unique classification system, and the OEWS data source used to identify job numbers uses the SOC system. VEs use their experience and education to determine the prevalence of specific jobs as described in the DOT within the general SOC group in the broader labor market. VEs account for the difference by calculating the specific job description, skill level, exertional level, and educational level described in the DOT, apply information from the Bureau of Labor Statistics ORS, and cross-reference the job numbers provided and arranged by occupational groups available in the OEWS and job descriptions provided in the Bureau of Labor Statistics OOH with the specific jobs listed in the DOT that currently exist in the labor market.

VEs may testify thus when asked about their general approach to estimating job numbers, including how they accounted for data sources that used different vocational classification systems.

Table 1. OEWS Major Occupational Groups and Approximate Job Numbers (U.S. BLS, 2025b)

SOC Code	Occupational Group	Approximate Job Numbers
00-0000	All Occupations	152 million
11-0000	Management Occupations	10.5 million
13-0000	Business and Financial Operations Occupations	10 million
15-0000	Computer and Mathematical Occupations	5.2 million
17-0000	Architecture and Engineering Occupations	2.5 million
19-0000	Life, Physical, and Social Science Occupations	1.4 million
21-0000	Community and Social Service Occupations	2.4 million
23-0000	Legal Occupations	1.2 million
25-0000	Educational Instruction and Library Occupations	8.7 million
27-0000	Arts, Design, Entertainment, Sports, and Media Occupations	2.1 million
29-0000	Healthcare Practitioners and Technical Occupations	9.3 million
31-0000	Healthcare Support Occupations	7 million
33-0000	Protective Service Occupations	3.5 million
35-0000	Food Preparation and Serving Related Occupations	13.2 million
37-0000	Building and Grounds Cleaning and Maintenance Occupations	4.4 million
39-0000	Personal Care and Service Occupations	3 million
41-0000	Sales and Related Occupations	13.4 million
43-0000	Office and Administrative Support Occupations	18.5 million
45-0000	Farming, Fishing, and Forestry Occupations	0.5 million
47-0000	Construction and Extraction Occupations	6 million
49-0000	Installation, Maintenance, and Repair Occupations	6 million
51-0000	Production Occupations	8.8 million
53-0000	Transportation and Material Moving Occupations	14 million

OEWS SOC Occupational Group Information

Using the information provided in [table 1](#) below, VEs may testify, “this is the OEWS SOC occupational group information I used to calculate the job numbers for the specific DOT jobs in testimony today.” VEs may choose to use more detailed SOC codes and corresponding OEWS data available from the BLS when appropriate.

Some examples of DOT job titles for jobs that exist in significant numbers in the current labor market and their corresponding major SOC occupational groups from [Table 1](#) are:

- Fast Foods Worker: 35-0000 Food Preparation and Serving Related Occupations
- Laundry Worker II and Hospital Cleaner: 37-0000 Building and Grounds Cleaning and Maintenance Occupations
- Home Attendant: 39-0000 Personal Care and Service Occupations
- Cashier-Checker, Sales Clerk, Furniture Rental Clerk: 41-0000 Sales and Related Occupations

- Office Helper, General Clerk, Charge Account Clerk:
43-0000 Office and Administrative Support Occupations
- Warehouse Worker, Burrito Maker, Lens Inserter: 51-0000
Production Occupations
- Heavy Truck Driver, Light Truck Driver, Furniture Mover:
53-0000 Transportation and Material Moving Occupations

Differences between the Data Sources Used and SSA Policy

VEs are asked by the ALJ to explain any differences between the data sources they have used in testimony and SSA policy. If the VE testifies that a job is or was performed differently than how it is described in the DOT, the VE must address this issue. The following are examples of some possible responses:

- 1) “There were no differences between the DOT and Social Security policy in the definitions of skill level, exertion, or education levels in my testimony”
- 2) “I explained the difference between how the job is described in the DOT and how the job is currently performed in today’s labor market in my testimony. I followed Social Security policy in the definitions of skill level, exertion, or education levels in my testimony”
- 3) “The DOT has not been updated since the 1990s. I explained how jobs described in the DOT that meet the hypothetical do not exist in the current labor market based on my experience and education.”

Example Provided by SSA for VE Testimony

SSA has provided an example of VE testimony that discusses a general approach to estimating job numbers, including how the VE accounted for data sources that used different vocational classification systems:

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 (U.S. SSA, 2025b, p. 6).

Conclusion

VEs must go through a strict vetting process to acquire a BPA to be considered to serve in SSA administrative law hearings. In these hearings, VEs are tasked with identifying one or more DOT job titles, DOT codes, job descriptions, transferable skills, assessing the environmental/exertional requirements for jobs, and providing numbers of available jobs in the current labor market. VEs rely heavily on BLS data combined with their years of experience providing and/or supervising job placement activities, talking with employers, and knowledge of the current labor market to provide accurate estimates of the numbers of jobs that are available for specific jobs listed in the DOT.

The recent SSR 24-3p ruling now mandates that VEs explain their general approach to estimating the job numbers they provide in testimony. (U.S. SSA, 2025b, 2025c). VEs have a wealth of data available through the U.S. BLS to assist them in calculating job numbers for use in testimony. The DOT, SOC system, OEWS, and ORS are considered reliable sources of occupational information that are commonly used by vocational professionals and are relevant under SSA rules.

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