

## **Vocational Evaluation Services in Employment Law Cases**

### Types of cases in which vocational evaluations are used effectively

- Wrongful termination
- Discrimination
- Disability

### Vocational Evaluation Services in Employment Law

- Development of interrogatories and deposition questions
- Case analysis
  - Work history including job change timing and reasons
  - Prior job search experience
  - Transferable work skills and experience
  - Education and credentials
  - Prior employment relationships
- Research of labor market to address wage loss damages
  - Job availability
  - Salaries and wages
  - Expected job search duration
  - Appropriate methods of job search
  - Required skills and experience
  - Labor market conditions
- Analysis of adequacy of job search for mitigation of wage loss damages
  - Frequency of job search efforts
  - Consistency of job search efforts
  - Number of job search efforts
  - Timing of job search efforts
  - Methods used in job searches
  - Geography of jobs sought
  - Appropriateness of job search efforts
  - Job search skills
- Analysis of the effect of disability on employment
  - Job options
  - Job availability
  - Salaries
  - Accommodations needed
- Analysis or coordination of the ADA/FEHA interactive process for accommodations
  - Essential job function analysis
  - Functional capacity restrictions
  - Identification of reasonable accommodations
  - Communication with the parties