

WAC 388-447-0100 Progressive evaluation process Step VIII—How does the department determine ability to perform other work? When we determine you cannot do work you have done in the past, we consider your age, education, and other factors to decide if you are able to perform other work.

(1) We evaluate education in terms of formal schooling or other training to acquire skills that enable you to meet job requirements. We classify your level of education as follows:

If you:	Then your education level is:
(a) Can't read or write a simple communication, such as two sentences or a list of items.	Illiterate
(b) Have no formal schooling or vocational training beyond the eleventh grade; or (c) Have participated in special education in basic academic classes of reading, writing, or mathematics in high school.	Limited education
(d) Have received a high school diploma or high school equivalency certificate; or (e) Have received skills training and was awarded a certificate, degree or license.	High school and above level of education

(2) We approve incapacity if you have a moderate or marked physical impairment and meet the criteria below:

Exertion Level	Age	Education Level	Other Vocational Factors
Sedentary	Any age	Any level	Does not apply
Light	50 and older	Any level	Does not apply
Light	35 and older	Illiterate or LEP	Does not apply
Light	18 and older	Limited Education	Does not have any past work
Medium	50 and older	Limited Education	Does not have any past work

(3) We approve incapacity when you have a moderate or marked mental health impairment and we have objective medical evidence that social or cognitive factors described in WAC 388-447-0070 interfere with working as follows:

Social and Cognitive Limitation	Age
(a) Moderately impaired in your ability to: (i) Communicate and perform effectively in a work setting; and (ii) Maintain appropriate behavior in a work setting.	50 years and older

Social and Cognitive Limitation	Age
(b) Markedly impaired in your ability to: <ul style="list-style-type: none"> (i) Understand, remember, and persist in tasks following detailed instructions; (ii) Set realistic goals and plan independently; or (iii) Learn new tasks. 	45 years and older
(c) Markedly impaired in your ability to: <ul style="list-style-type: none"> (i) Understand, remember, and persist in tasks by following very short and simple instructions; (ii) Perform activities within a schedule, maintain regular attendance, and be punctual within customary tolerances without special supervision; (iii) Perform routine tasks without special supervision; (iv) Adapt to changes in a routine work setting; (v) Make simple work-related decisions; (vi) Be aware of normal hazards and take appropriate precautions; (vii) Ask simple questions or request assistance; (viii) Communicate and perform effectively in a work setting; (ix) Complete a normal workday and work week without interruption from psychologically based symptoms; or (x) Maintain appropriate behavior in a work setting. 	Any age

(4) We approve incapacity when you have both a mental and physical impairment with at least a moderate overall severity and we have objective medical evidence that social or cognitive factors in WAC 388-447-0070 interfere with your ability to work as follows:

Age	Education	Other Restrictions
Any age	Any level	(a) You are moderately impaired in your ability to communicate and perform effectively in a work setting.
50 or older	Limited education or less	(b) You are restricted to medium exertion level or less.
Any age	Limited education or less	(c) You are restricted to light exertion level or less.

(5) If you do not meet the criteria listed above, and there are jobs you can do in the national economy, we will find you able to perform other work and take the following actions:

- (a) Deny incapacity; and

(b) Give you examples of jobs you can do in the national economy despite your impairment(s).

(6) If there are no jobs you can do in the national economy despite your impairment(s), we approve incapacity.

[Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.100, 74.04.770, 74.08.025, 74.62.030, and 2013 2nd sp.s. c 10. WSR 13-24-044, § 388-447-0100, filed 11/26/13, effective 1/1/14.]