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Since being founded in 1963, Pioneer Human Services has expanded from a single halfway house to a nationally recognized non-profit with nearly 60 locations across Washington State. Pioneer provides an array of treatment, housing, job training and employment services for people who are re-entering society from prison or jail and those who are overcoming substance use disorders. Pioneer's goal is to provide a chance for change for people who want to turn their lives around.

Despite our growth and progress, our core values and purpose have not wavered. Everyone deserves an opportunity to achieve their potential including our employees! We are committed to creating a dynamic work environment that encourages professional and personal growth.

From our health plans and Employee Assistance Program, to our tuition assistance and retirement plans, Pioneer is committed to providing benefits that matter to you at each stage of your employment.

We are always looking for talented individuals who are passionate about making a difference in the lives of others. If you've been looking for a company that's as dedicated to helping people as you are, you've found it!

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## Employee Benefits

At Pioneer, we know that compensation is more than just a paycheck. That's why we are committed to offering competitive wages and a comprehensive benefits package that includes health insurance, retirement, and vacation benefits for full-time employees. From our health plan and wellness program, to our tuition reimbursement and retirement plans, Pioneer is committed to providing benefits that matter to you at each stage of your employment

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### May 2017

#### May is Mental Health Month



This year for **May is Mental Health Month**, MHA is talking about *Risky Business*. It is important to educate people about habits and behaviors that increase the risk of developing or exacerbating mental illnesses, or *could be signs of mental health problems themselves*. Get involved! <http://www.mentalhealthamerica.net/may>

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cited in Buck v. Berryhill, No. 14-35976, archived August 30, 2917

## Social Security

## Program Operations Manual System (POMS)

Effective Dates: 09/14/2012 - Present

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TN 6 (05-99)

# DI 25020.010 Mental Limitations

## A. Policy

### 1. Nonexertional vs. Exertional

Mental limitations are generally considered to be nonexertional, but depression and conversion disorders may also limit exertion.

### 2. Medical Listing Not Met or Equaled

- cited in Buck v. Berry, No. 14-35976, archived August 30, 2017*
- a. It cannot be assumed that a failure to meet or equal one of the medical listings for mental impairments equates with the capacity to do at least unskilled work.
  - b. If a medical listing is not met or equaled, the process must continue to consider whether the individual can meet the mental demands of PRW and, if not, whether he or she has the ability to adjust to other work considering his or her remaining mental and other functional capacities and vocational factors.

### 3. Mental Demands of Unskilled Work

- a. The **basic mental demands of** competitive, remunerative, **unskilled work** include the abilities (on a sustained basis) to:
  - understand, carry out, and remember simple instructions;
  - make judgments that are commensurate with the functions of unskilled work, i.e., simple work-related decisions.
  - respond appropriately to supervision, coworkers and work situations; and
  - deal with changes in a routine worksetting.
- b. A **substantial loss of ability to meet** any of the **basic mental demands** listed in A.3.a. above.
  - severely limits the potential occupational base and thus,

- would justify a finding of inability to perform other work even for persons with favorable age, education and work experience.

**NOTE:** "Substantial loss" cannot be precisely defined. It does not necessarily relate to any particular adjective, number, or percentage. In practical terms, an individual has a substantial loss of ability to perform a basic mental activity when he or she cannot perform the particular activity in regular, competitive employment but, at best, could do so only in a sheltered work setting where special considerations and attention are provided. This requires professional judgment, on the basis of the evidence in file in each case. The impairment in a claim of this type may meet or equal the listed medical criteria. Therefore, before making a determination that includes vocational evaluation, the adjudicator should discuss the case with a psychiatrist or psychologist to learn whether a significant part of the evidence had been previously overlooked or underrated.

- c. A person who can meet all of the mental demands listed in "DI 25020.010A.3.a." and has only a mental limitation(s) will almost always be capable of adjusting to other work since his or her potential occupational base would be the unskilled jobs at all exertional levels.

**EXCEPTION:** In a few **rare** instances where a person's vocational profile is **extremely** adverse (e.g., closely approaching retirement age, limited education or less, and essentially a lifetime commitment to a field of **unskilled** work that is now precluded by a mental impairment), a finding of "disabled" may be appropriate. (This would be adjudicated under the Lifetime Commitments Special Medical-Vocational Profile. See DI 25010.001B.3.).

## B. Procedure

### 1. Introduction

In DI 25020.010B.2. through DI 25020.010B.5. it shows how the specific abilities listed in section I ("Summary Conclusions") on the mental RFC assessment form (SSA-4734-F4-SUP) relate to:

- the basic mental demands of work listed in DI 25020.010A.3.a. and
- the ability to perform work at various exertional levels and for specific jobs.

**NOTE:** The purpose of section I ("Summary Conclusion") on the SSA-4734-F-SUP is chiefly to have a worksheet to ensure that the psychiatrist or psychologist has considered each of these pertinent mental activities and the claimant's or beneficiary's degree of limitation for sustaining these activities over a normal workday and workweek on an ongoing, appropriate, and independent basis. **It is the narrative** written by the psychiatrist or psychologist **in section III** ("Functional Capacity Assessment") of form SSA-4734-F4-Sup **that adjudicators are to use as the assessment of RFC**. Adjudicators must take the RFC assessment **in section III** and decide what significance the elements discussed in this RFC assessment have in terms of the person's ability to meet the mental demands of past work or other work. This must be done carefully using the adjudicator's informed professional judgment.

### 2. Mental Abilities Needed For Any Job

#### a. Understanding, carrying out, and remembering simple instructions

*cited in Buck v. Berryhill, No. 14-35976, archived August 30, 2017*

- The ability to remember locations and worklike procedures.
- The ability to understand and remember very short and simple instructions.
- The ability to carry out very short and simple instructions.
- The ability to maintain concentration and attention for extended periods (the approximately 2-hour segments between arrival and first break, lunch, second break, and departure).
- The ability to perform activities within a schedule, maintain regular attendance, and be punctual within customary tolerances.
- The ability to sustain an ordinary routine without special supervision.
- The ability to work in coordination with or proximity to others without being (unduly) distracted by them.
- The ability to complete a normal workday and workweek without interruptions from psychologically based symptoms and to perform at a consistent pace without an unreasonable number and length of rest periods.

#### **b. Use of judgment**

- The ability to make simple work-related decisions.
- The ability to be aware of normal hazards and take appropriate precautions.

#### **c. Responding appropriately to supervision, coworkers, and usual work situations**

- The ability to ask simple questions or request assistance.
- The ability to accept instructions and respond appropriately to criticism from supervisors.
- The ability to get along with coworkers or peers without (unduly) distracting them or exhibiting behavioral extremes.

#### **d. Dealing with changes in a routine worksetting — the ability to respond appropriately to changes in (a routine) work setting.**

### **3. Mental Abilities Critical For Performing Unskilled Work**

The claimant/beneficiary must show the ability to:

- a. remember work-like procedures (locations are not critical).
- b. understand and remember very short and simple instructions.
- c. carry out very short and simple instructions.
- d. maintain attention for extended periods of 2-hour segments (concentration is not critical).
- e. maintain regular attendance and be punctual within customary tolerances. (These tolerances are usually

cited in Buck v. Bell, No. 14-35976, archived August 30, 2017

strict.) Maintaining a schedule is not critical.

- f. sustain an ordinary routine without special supervision.
- g. work in coordination with or proximity to others without being (unduly) distracted by them.
- h. make simple work-related decisions.
- i. complete a normal workday and workweek without interruptions from psychologically based symptoms and perform at a consistent pace without an unreasonable number and length of rest periods. (These requirements are usually strict.)
- j. ask simple questions or request assistance.
- k. accept instructions and respond appropriately to criticism from supervisors.
- l. get along with coworkers or peers without (unduly) distracting them or exhibiting behavioral extremes.
- m. respond appropriately to changes in a (routine) work setting.
- n. be aware of normal hazards and take appropriate precautions.

#### 4. Mental Abilities Needed To Do Semiskilled and Skilled Work

- a. The basic abilities listed in "DI 25020.010B.2." (i.e., the "abilities needed to perform any job" ) are necessary.
- b. Often, there is an **increasing requirement for understanding and memory** and for **concentration and persistence**, e.g.: the ability to:
  - understand and remember detailed instructions,
  - carry out detailed instructions, and
  - set realistic goals or make plans independently of others.
- c. Other special abilities may be needed depending upon the type of work and specific functions it involves.

#### 5. Degrees of Mental Limitations vs. Specific Jobs

Different jobs require different degrees of mental ability.

**EXAMPLE 1:** Most competitive jobs require the **ability to meet basic standards of neatness and cleanliness**. However, the standards that must be met vary greatly depending upon whether the job(s) being considered involve dealing with the public; or working in a factory, a coal mine, a stock yard, etc.

**EXAMPLE 2:** Most competitive jobs require the ability to travel to and from work and thus, would be precluded by **extreme agoraphobia** in which the person is incapable of leaving his or her home. However, a mild case of agoraphobia may not preclude the ability to travel to and from work or preclude work performed in the same (and thus, familiar) setting each day.

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cited in *Buck v. Berryhill*, No. 14-35976, archived August 30, 2017



## Social Security

## Program Operations Manual System (POMS)

Effective Dates: 03/28/2016 - Present

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TN 6 (02-15)

# DI 25025.005 Using the Medical-Vocational Guidelines

## Citations:

Social Security Act (the Act) §§: [223\(d\)\(2\)\(A\)](#) and [1614\(a\)\(3\)\(B\)](#)

20 CFR §§: Part 404, Subpart P, Appendix 2, [404.1520\(f\)](#), [404.1560](#) thru [404.1569\(a\)](#), [416.920\(f\)](#), and [416.960](#) thru [416.969\(a\)](#)

Social Security Rulings (SSR): [96-9p](#), [86-8](#), [85-15](#), [83-14](#), [83-12](#), [83-11](#), and [83-10](#)

## A. The medical-vocational guidelines and sequential evaluation

*cited in Buck v. Berryhill, No. 14-35976, archived August 30, 2017*

### 1. Applying step 5

Apply step 5 of sequential evaluation only after determining the claimant:

- is not performing substantial gainful activity (SGA);
- has a severe impairment;
- does not meet or equal a listed impairment;
- cannot do any past relevant work (PRW) based on a function-by-function comparison of residual functional capacity (RFC) with the demands of PRW both as the claimant performed the job and as the occupation is generally performed in the national economy; and
- does not meet one of the special medical-vocational profiles found in "Special Medical-Vocational Profiles" in [DI 25010.001](#).

### 2. Exceptions to following the steps in order

It is not necessary to follow the steps in order when the claimant:

- meets the requirements for expedited step 4 of sequential evaluation as described in "Expedited Vocational

Assessment at Steps 4 and 5 of Sequential Evaluation" in [DI 25005.005](#); **or**

- is not performing SGA, has a severe impairment(s), cannot do PRW, and the adjudicator determines it is more expeditious to allow the case on a medical-vocational basis as described in "Curtailing Development of Fully Favorable Claims" in [DI 24515.020](#) than it would be evaluate the claimant's impairment(s) under the listings.

**CAUTION:** No matter how restrictive a claimant's RFC, you must always develop the claimant's PRW and perform step 4 of sequential evaluation prior to finding the claimant disabled at step 5 of sequential evaluation. See [DI 25005.005D.1.a](#).

## B. Using a rule to direct a determination

### 1. How to determine if a rule directs a determination

A rule directs a determination when:

- the claimant can do substantially all of the range of work represented by the exertional requirements for Table No. 1, 2, or 3; and
- his or her vocational factors of age, education, and past work experience meet the criteria of a rule.

To determine if the claimant's vocational factors meet the criteria of a rule, use the categories for:

- age found in "Age as a Vocational Factor" in [DI 25035.005](#) and Borderline Age in [DI 25015.006](#),
- education found in "Education as a Vocational Factor" in [DI 25015.010](#), and
- past work experience found in "Work Experience as a Vocational Factor" in [DI 25015.015](#).

**NOTE:** Rule 204.00 never directs a determination. See [DI 25025.005C.1](#) in this section.

### 2. The implication of a rule directing a determination

When the claimant's exertional RFC and vocational factors of age, education, and past work experience meet the criteria of a rule, the issues of work adjustment and existence of work in the national economy for the claimant are resolved.

If the rule directs a determination of:

- not disabled, the rule supports our finding that the claimant can adjust to other work that exists in significant numbers in the national economy; or
- disabled, the rule supports our finding that the claimant is not capable of adjusting to other work that exists in significant numbers in the national economy.

**IMPORTANT:** If the claimant has impairment-related exertional and nonexertional limitations, and the applicable exertional rule would result in a finding of disabled, use that rule to direct a medical-vocational allowance.

**EXAMPLE:** A 55-year-old claimant with a high school education and unskilled past work experience has a light RFC and nonexertional limitations of occasional bilateral handling. The claimant meets the criteria of rule 202.04

considering his exertional limitations only. The decision column for that rule says "disabled". Use rule 202.04 to direct a determination of disability. Do not consider the additional impact occasional handling would have on the light occupational base.

## C. Using a rule as a framework for a determination

Because the claimant's RFC and vocational factors of age, education, and past work experience must meet the criteria for a rule to direct a determination, we apply the medical-vocational rules as a framework for a determination more often than we use them to direct a determination.

### 1. How to determine if a rule should be used as a framework

When a claimant's exertional RFC or vocational factors do not meet the criteria of a medical-vocational rule, use the medical-vocational guidelines as a framework for a determination.

**IMPORTANT:** Because rule 204.00 involves consideration of nonexertional limitations or restrictions, it never directs a determination. Always use rule 204.00 as a framework for a determination.

### 2. Implications for using a rule as a framework for a determination

When we use a medical-vocational rule as a framework, the rule provides guidance for the disability determination.

This means that using a rule as a framework does not always resolve the issue of whether a significant number of jobs exist in the national economy to which the claimant can adjust.

For instructions on how to address the issue of a significant number of jobs when using a rule as a framework, see "A Significant Number of Jobs to Support a Framework "Not Disabled" Determination" in [DI 25025.030](#).

To Link to this section - Use this URL:

<http://policy.ssa.gov/poms.nsf/lnx/0425025005>

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