
Appendix A: O*NET Citations in the Code of Federal Regulations

The search for O*NET and the DOT in the most recent editions of the C.F.R. was performed on September 8, 2023, using the Electronic Code of Federal Regulations at <https://www.ecfr.gov>. Nine O*NET citations and 23 Dictionary of Occupational Titles (DOT) citations were identified.

Search term: Occupational Information Network

Title 8: Aliens and Nationality

Chapter I – Department of Homeland Security

Subchapter B – Immigration Regulations

PART 214 – NONIMMIGRANT CLASSES

SECTION 214.2 – SPECIAL REQUIREMENTS FOR ADMISSION, EXTENSION, AND MAINTENANCE OF STATUS

“(iii) Document retention.

(A) An employer must retain all documents and records in support of an approved petition, and any semiannual report. An employer must retain evidence that supports the semiannual report including, but not limited to:

- (1) Personnel records for each CW–1 worker including the name, address of current residence in the Commonwealth, age, domicile, citizenship, point of hire, and approved employment contract termination date;
- (2) Payroll records for each CW–1 worker including the **O*NET job classification**; wage rate or salary, number of hours worked each week, gross compensation, itemized deductions, and evidence of net payments made and received biweekly; and....”

Title 22: Foreign Relations

Chapter I – Department of State

Subchapter E – Visas

PART 42 –VISAS: DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT AS AMENDED

SUBPART B - State Plan and Other Requirements for Vocational Rehabilitation Services

SECTION 42.33 – DIVERSITY IMMIGRANTS

“(a) General —

- (1) *Eligibility to compete for consideration under section 203(c).* An alien will be eligible to compete for consideration for visa issuance under INA 203(c)

during a fiscal year only if he or she is a native of a low-admission foreign state, as determined by the Secretary of Homeland Security pursuant to INA 203(c)(1)(E), with respect to the fiscal year in question; and if he or she has at least a high school education or its equivalent or, within the five years preceding the date of application for a visa, has two years of work experience in an occupation requiring at least two years training or experience. The eligibility for a visa under INA 203(c) ceases at the end of the fiscal year in question. Under no circumstances may a consular officer issue a visa or other documentation to an alien after the end of the fiscal year during which an alien possesses diversity visa eligibility.

(2) ***Definition of high school education or its equivalent.*** For the purposes of this section, the phrase high school education or its equivalent means the successful completion of a twelve-year course of elementary and secondary education in the United States or successful completion in another country of a formal course of elementary and secondary education comparable to completion of twelve years' elementary and secondary education in the United States.

(3) ***Determinations of work experience.*** For all cases registered for the 2003 Diversity Visa Program and Diversity Visa Programs occurring in subsequent fiscal years, consular officers must use the **Department of Labor's O*Net On Line** to determine qualifying **work experience**.

Title 34: Education

Subtitle B – Regulations of the Offices of the Department of Education

Chapter III – Office of Special Education and Rehabilitative Services,
Department of Education

**PART 361 – STATE VOCATIONAL REHABILITATION SERVICES PROGRAM
SUBPART B – STATE PLAN AND OTHER REQUIREMENTS FOR VOCATIONAL
REHABILITATION SERVICES
SECTION 361.18 COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT**

“(2) As used in this section—

(i) ***Profession or discipline*** means a specific occupational category, including any paraprofessional occupational category, that—

- (A) Provides rehabilitation services to individuals with disabilities;
- (B) Has been established or designated by the State unit; and
- (C) Has a specified scope of responsibility.

(ii) Ensuring that personnel have a 21st-century understanding of the evolving labor force and the needs of individuals with disabilities means that personnel have specialized training and experience that enables them to work effectively with individuals with disabilities to assist them to achieve competitive integrated

employment and with employers who hire such individuals. Relevant personnel skills include, but are not limited to—

- (A) Understanding the functional limitations of various disabilities and the vocational implications of functional limitations on employment, especially with regard to individuals whose disabilities may require specialized services or groups of individuals with disabilities who comprise an increasing proportion of the State VR caseloads, such as individuals with traumatic brain injury, post-traumatic stress syndrome, mental illnesses, autism, blindness or deaf-blindness;
- (B) Vocational assessment tools and strategies and the interpretation of vocational assessment results, including, when appropriate, situational and work-based assessments and analysis of transferrable work skills;
- (C) Counseling and guidance skills, including individual and group counseling and career guidance;
- (D) Effective use of practices leading to competitive integrated employment, such as supported employment, customized employment, internships, apprenticeships, paid work experiences, etc.;
- (E) Case management and employment services planning, including familiarity and use of the broad range of disability, employment, and social services programs in the state and local area, such as independent living programs, Social Security work incentives, and the Social Security Administration's Ticket-to-Work program;
- (F) Caseload management, including familiarity with effective caseload management practices and the use of any available automated or information technology resources;
- (G) In-depth knowledge of labor market trends, occupational requirements, and other labor market information that provides information about employers, business practices, and employer personnel needs, such as data provided by the Bureau of Labor Statistics and the **Department of Labor's O*NET occupational system;....”**

Chapter VI – Office of Postsecondary Education, Department of Education

PART 600 – INSTITUTIONAL ELIGIBILITY UNDER THE HIGHER EDUCATION ACT OF 1965, AS AMENDED

SUBPART A – GENERAL

SECTION 600.2 – DEFINITIONS

Recognized occupation: An occupation that is—

“(1) Identified by a Standard Occupational Classification (SOC) code established by the Office of Management and Budget (OMB) or an **Occupational Information Network O*Net-SOC code established by the Department of Labor**, which is available at www.onetonline.org or its successor site; or

(2) Determined by the Secretary in consultation with the Secretary of Labor to be a recognized occupation.”

Title 20: Employees' Benefits

Chapter V – Employment and Training Administration, Department of Labor PART 618 – TRADE ADJUSTMENT ASSISTANCE UNDER THE TRADE ACT OF 1975, AS AMENDED

SUBPART F – TRAINING SERVICES

§ 618.635 Work-based training.

(a) *OJT* —

(1) **Description.** OJT is work-based training provided under contract with an employer in the public, nonprofit, or private sector to an AAW who is employed by the employer. OJT may be approved if the worker meets the requirements under §§ 618.610, 618.615, and 618.665. The State must determine that the OJT in question:

- (i) Can reasonably be expected to lead to suitable employment with the employer offering the OJT;
- (ii) Is compatible with the skills of the worker;
- (iii) Includes a curriculum through which the worker will gain the knowledge or skills to become proficient in the job for which the worker is being trained; and
- (iv) Can be measured by standards or targets that indicate the worker is gaining such knowledge or skills.

(2) **Related education.** Related skills training provided as part of the OJT contract and sponsored by the employer may be provided in conjunction with the OJT. Such training may be provided at the employment site, or at educational institutions, or other locations. TAA Program funds can be used to pay the OJT participant's expenses associated with the educational or instructional component (e.g., classroom and distance learning, tools, uniforms, equipment, and books) for an AAW's participation in an OJT program.

(3) **Duration.** The OJT contract with the employer must specify the duration of the OJT. The duration of the OJT must be appropriate to the occupational goal for which the AAW is being trained, taking into consideration the skills requirements of the job for which the AAW is being trained, the academic and occupational skill level of the AAW, and the work experience of the AAW, as documented in the worker's IEP, if available. The duration of the training must be long enough for the worker to become sufficiently proficient in the occupation for which the training is being provided to enable the worker to perform as well as workers in comparable positions within the firm. The OJT:

- (i) Must not exceed the specific vocational preparation required for the occupation, as listed on O*NET (www.onetonline.org); and

(ii) Must not exceed 104 weeks in any case.

**PART 651 – GENERAL PROVISIONS GOVERNING THE WAGNER-PEYSER ACT
EMPLOYMENT SERVICE**

**SECTION 651.10 – DEFINITIONS OF TERMS USED IN THIS PART AND PARTS
652, 653, 654, AND 658 OF THIS CHAPTER.**

Occupational Information Network (O*NET) system means the online reference database which contains detailed descriptions of U.S. occupations, distinguishing characteristics, classification codes, and information on tasks, knowledge, skills, abilities, and work activities as well as information on interests, work styles, and work values.

O*NET–SOC means the occupational codes and titles used in the O*NET system, based on and grounded in the Standard Occupational Classification (SOC), which are the titles and codes utilized by Federal statistical agencies to classify workers into occupational categories for the purpose of collecting, calculating, and disseminating data. The SOC system is issued by the Office of Management and Budget and the Department of Labor is authorized to develop additional detailed **O*NET occupations within existing SOC categories. The Department uses O*NET–SOC titles and codes** for the purposes of collecting descriptive occupational information and for State reporting of data on training, credential attainment, and placement in employment by occupation.

**PART 655 – TEMPORARY EMPLOYMENT OF FOREIGN WORKERS IN THE
UNITED STATES**

**SUBPART N - Labor Certification Process for Temporary Agricultural Employment in
the United States (H-2A Workers)**

SECTION 655.1308 - Offered wage rate.

(g) ***Skill level.***

(1) Level I wage rates are assigned to job offers for beginning level employees who have a basic understanding of the occupation. These employees perform routine tasks that require limited, if any, exercise of judgment. The tasks provide experience and familiarization with the employer's methods, practices, and programs. The employees may perform higher level work for training and developmental purposes. These employees work under close supervision and receive specific instructions on required tasks and results expected. Their work is closely monitored and reviewed for accuracy.

(2) Level II wage rates are assigned to job offers for employees who have attained, through education or experience, a good understanding of the occupation. These employees perform moderately complex tasks that require limited judgment. An indicator that the job request warrants a wage determination at Level II would be a requirement for years of education and/or experience that are generally required **as described in the O*NET Job Zones.**

(3) Level III wage rates are assigned to job offers for employees who have a sound understanding of the occupation and have attained, either through education or experience, special skills or knowledge. These employees perform tasks that require exercising judgment and may coordinate the activities of other staff. They may have supervisory authority over those staff. A requirement for years of experience or educational degrees that are at the higher ranges **indicated in the O*NET Job Zones** would be an indicator that a Level III wage should be considered. Frequently, key words in the job title can be used as indicators that an employer's job offer is for an experienced worker. Words such as lead, senior, crew chief, or journeyman would be indicators that a Level III wage should be considered.

PART 656 – LABOR CERTIFICATION PROCESS FOR PERMANENT EMPLOYMENT OF ALIENS IN THE UNITED STATES

PART A – PURPOSE AND SCOPE OF PART 656

SECTION 656.3 Definitions, for purposes of this part, of terms used in this part.

*“O*NET* means the system developed by the Department of Labor, Employment and Training Administration, to provide to the general public information on skills, abilities, knowledge, work activities, interests and specific vocational preparation levels associated with occupations. O*NET is based on the Standard Occupational Classification system. Further information about O*NET can be found at <http://www.onetcenter.org>.”

PART C – LABOR CERTIFICATION PROCESS

SECTION 656.17 Basic Labor Certification Process

“(h) Job duties and requirements.

(1) The job opportunity's requirements, unless adequately documented as arising from business necessity, must be those normally required for the occupation and must not exceed the Specific Vocational Preparation level assigned to the occupation as shown in the O*NET Job Zones. To establish a business necessity, an employer must demonstrate the job duties and requirements bear a reasonable relationship to the occupation in the context of the employer's business and are essential to perform the job in a reasonable manner.”

Search term: Dictionary of Occupational Titles

Title 20: Employees' Benefits

PART 220—DETERMINING DISABILITY

Subpart C—Disability Under the Railroad Retirement Act for Work in an Employee's Regular Railroad Occupation

[1] [§220.13 Establishment of permanent disability for work in regular railroad occupation.](#)

Subpart K—Vocational Considerations

[2] [§220.131 Work which exists in the national economy.](#)

[3] [§220.132 Physical exertion requirements.](#)

[4] [§220.134 Medical-vocational guidelines in appendix 2 of this part.](#)

[5] [§220.135 Exertional and nonexertional limitations.](#)

[6] [Appendix 2 to Part 220—Medical-Vocational Guidelines](#)

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950-)

Subpart P—Determining Disability and Blindness

[7] [§404.1560 When we will consider your vocational background.](#)

[8] [§404.1566 Work which exists in the national economy.](#)

[9] [§404.1567 Physical exertion requirements.](#)

[10] [§404.1569 Listing of Medical-Vocational Guidelines in appendix 2.](#)

[11] [§404.1569a Exertional and nonexertional limitations.](#)

[12] [Appendix 2 to Subpart P of Part 404—Medical-Vocational Guidelines.](#)

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Subpart I—Determining Disability and Blindness

Vocational Considerations

[13] [§416.960 When we will consider your vocational background.](#)

[14] [§416.966 Work which exists in the national economy.](#)

[15] [§416.967 Physical exertion requirements.](#)

[16] [§416.969 Listing of Medical-Vocational Guidelines in appendix 2 of subpart P of part 404 of this chapter.](#)

[17] [§416.969a Exertional and nonexertional limitations.](#)

PART 655—TEMPORARY EMPLOYMENT OF FOREIGN WORKERS IN THE UNITED STATES

Subpart H—Labor Condition Applications and Requirements for Employers Seeking To Employ Nonimmigrants on H-1b Visas in Specialty Occupations and as Fashion Models, and Requirements for Employers Seeking To Employ Nonimmigrants on H-1b1 and E-3 Visas in Specialty Occupations

[18] [§655.730 What is the process for filing a labor condition application?](#)

Title 28: Judicial Administration

PART 50—STATEMENTS OF POLICY

[19] [§50.14 Guidelines on employee selection procedures.](#) (2 citations)

Title 29: Labor

PART 553—APPLICATION OF THE FAIR LABOR STANDARDS ACT TO EMPLOYEES OF STATE AND LOCAL GOVERNMENTS

Subpart A—General

Other Exemptions

[20] [§553.30 Occasional or sporadic employment-section 7\(p\)\(2\).](#)

Subpart B—Volunteers

[21] [§553.103 “Same type of services” defined.](#)

PART 1607—UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES (1978)

[22] [§1607.15 Documentation of impact and validity evidence.](#)

Title 41: Public Contracts and Property Management

Subtitle B—Other Provisions Relating to Public Contracts

PART 60-3—UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES (1978)

[23] [§60-3.15 Documentation of impact and validity evidence.](#) (2 citations)