

# ***SIXTH CIRCUIT SOCIAL SECURITY MANUAL***

## **8<sup>th</sup> EDITION**

**By David Ettinger**

January 2, 2008

Dear Social Security Advocates,

The Legal Aid Society is pleased to publish this the Eighth Edition of the Sixth Circuit Social Security Manual. This edition updates the Seventh Edition published in January 2004. The manual is now current for decisions issued through December 31, 2007. The manual summarizes selected Sixth Circuit Social Security decisions issued before 1994, all published Sixth Circuit Social Security decisions issued since 1994, and selected Sixth Circuit District court decisions issued since 2000.

I hope that the manual will remain a useful tool for attorneys working on federal court Social Security cases within the Sixth Circuit. Please let me know if you find any errors or have suggestions for improving the manual.

This brochure is being sent primarily to those who have purchased past editions of the manual. Please help spread the word by sharing this brochure with your colleagues who handle Social Security cases at the federal court level.

Sincerely,

David Ettinger  
Attorney  
Legal Aid Society

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### ***The Manual . . .***

The 2008 Eighth Edition of the Sixth Circuit Social Security Manual reviews over 300 Social Security decisions from the Sixth Circuit Court of Appeals and from district courts within the Sixth Circuit. It includes references to selected decisions issued before 1994, to significant decisions issued from 1994 to 1994, and to all published Sixth Circuit decisions issued since 1994. The manual summarizes decisions, but does not comment on them.

### ***Its Use . . .***

The manual is designed to assist attorneys with brief writing for federal court Social Security cases in the Sixth Circuit. Its primary purpose is to assist attorneys in identifying potentially relevant authority. Cases should not be cited in reliance on the Manual without first being fully reviewed.

### ***What's new . . .***

In recent decisions, the Court held that adverse hearing decisions will not be affirmed even if supported by substantial evidence when an ALJ fails to give good reasons for rejecting the opinion of a treating physician. *Bugars v. Comm.*, 478 F.3d 742 (2007); that a claimant's ability to perform daily activities — drive, clean, read, exercise, watch TV — did not support an adverse credibility finding; and that claims based on fibromyalgia need not be supported by objective evidence. *Bugars v. Comm.*, 496 F.3d 334 (2007).

# Sixth Circuit Social Security Manual

**United States. Social Security  
Administration**



## **Sixth Circuit Social Security Manual:**

*Clearinghouse Review* ,2001      *Complete Guide to Human Resources and the Law, 2017 Edition* Shilling,2016-10-21

The Complete Guide to Human Resources and the Law will help you navigate complex and potentially costly Human Resources issues You ll know what to do and what not to do to avoid costly mistakes or oversights confront HR problems legally and effectively and understand the rules The Complete Guide to Human Resources and the Law offers fast dependable plain English legal guidance for HR related situations from ADA accommodation diversity training and privacy issues to hiring and termination employee benefit plans compensation and recordkeeping It brings you the most up to date information as well as practical tips and checklists in a well organized easy to use resource The 2017 Edition provides new and expanded coverage of issues such as The Supreme Court held in March 2016 that to prove damages in an Fair LaborStandards Act FLSA donning doffing class action an expert witness testimony could be admitted Tyson Foods Inc v Bouaphakeo 136 S Ct 1036 2016 Executive Order 13706 signed on Labor Day 2015 takes effect in 2017 It requires federal contractors to allow employees to accrue at least one hour of paid sick leave for every 30 hours they work and unused sick leave can be carried over from year to year Mid 2016 DOL regulations make millions more white collar employees eligible for overtime pay by greatly increasing the salary threshold for the white collar exemption Updates on the PATH Act Protecting Americans From Tax Hikes Pub L No 114 113 The DOL published the fiduciary rule in final form in April 2016 with full compliance scheduled for January 1 2018 The rule makes it clear that brokers who are paid to offer guidance on retirement accounts and Individual Retirement Arrangements IRAs are fiduciaries In early 2016 the Equal Employment Opportunity Commission EEOC announced it would allow charging parties to request copies of the employer s position statement in response to the charge The Supreme Court ruled that in constructive discharge timing requirements run from the date the employee gives notice of his or her resignation not the effective date of the resignation Certiorari was granted to determine if the Federal Arbitration Act FAA preempts consideration of severing provisions for unconscionability      **Social Security Rulings** ,1978

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Sentencing Commission,1996 Incorporating guideline amendments effective November 1 1995      **Complete Guide to Human Resources and the Law, 2019 Edition** Shilling,2018-09-14 The Complete Guide to Human Resources and the Law will help you navigate complex and potentially costly Human Resources issues You ll know what to do and what not to do to avoid costly mistakes or oversights confront HR problems legally and effectively and understand the rules The Complete Guide to Human Resources and the Law offers fast dependable plain English legal guidance for HR related situations from ADA accommodation diversity training and privacy issues to hiring and termination employee benefit plans compensation and recordkeeping It brings you the most up to date information as well as practical tips and checklists in a well organized easy to use resource The 2019 Edition provides new and expanded coverage of issues such as The Supreme Court held in March 2016 that to prove damages in an Fair Labor Standards Act FLSA donning doffing class action an expert witness testimony could be admitted Tyson Foods Inc v Bouaphakeo 136 S Ct 1036 2016 Executive Order 13706 signed on Labor Day 2015 takes effect in 2017 It requires federal contractors to allow employees to accrue at least one hour of paid sick leave for every 30 hours they work and unused sick leave can be carried over from year to year Mid 2016 DOL regulations make millions more white collar employees eligible for overtime pay by greatly increasing the salary threshold for the white collar exemption Updates on the PATH Act Protecting Americans From Tax Hikes Pub L No 114 113 The DOL published the fiduciary rule in final form in April 2016 with full compliance scheduled for January 1 2018 The rule makes it clear that brokers who are paid to offer guidance on retirement accounts and Individual Retirement Arrangements IRAs are fiduciaries In early 2016 the Equal Employment Opportunity Commission EEOC announced it would allow charging parties to request copies of the employer s position statement in response to the charge The Supreme Court ruled that in constructive discharge timing requirements run from the date the employee gives notice of his or her resignation not the effective date of the resignation Certiorari was granted to determine if the Federal Arbitration Act FAA preempts consideration of severing provisions for unconscionability Previous Edition Complete Guide to Human Resources and the Law 2018 Edition ISBN 9781454884309      **Social Security Appeals and Case Review Process** United States. Congress. House. Committee on Ways and Means. Subcommittee on Social Security,1982      *The Family Lawyer's Guide to Bankruptcy* Shayna M. Steinfeld,Bruce R. Steinfeld,2008 This book offers practical guidance on the new legislation and how it affects divorcing spouses Among the aspects explained include the types of bankruptcy cases case commencement automatic stay property of the estate lien avoidance priority of alimony maintenance and support debts avoidability of transfers between married spouses executory contracts dismissal closing the case and revocation of discharge Appendices are contained on an accompanying CD ROM      **Social Security Acquiescence Ruling** United States. Social Security Administration,1995-03      **Freedom of Information Act Guide & Privacy Act Overview** ,      Complete Guide to Human Resources and the Law, 2020 Edition Shilling,2019-08-23 The Complete Guide to Human Resources and the Law will help you navigate complex and

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Department of Justice Manual Wolters Kluwer,2012-03-23 The new Department of Justice Manual Third Edition takes you inside all the policies and directives outlined in the latest U S Attorneys Manual used universally by the DOJ in civil and criminal prosecutions Along with comprehensive coverage of all the information relied on by today s DOJ attorneys this guide offers you other valuable DOJ publications in the form of Annotations You ll find the Asset Forfeiture Manual the Freedom of Information Act Case List and Merger Guidelines And it s all incorporated in a comprehensive six volume reference You ll discover how to Request immunity for clients using actual terminology from factors that DOJ attorneys must consider Phrase a FOIA request so as to avoid coming within an exempted category of information Draft discovery requests using terminology to avoid triggering an automatic denial by the DOJ Counsel clients on DOJ investigative tactics and their significance using actual DOJ memoranda Develop trial strategies that exploit common problems with certain methods of proof and kinds of evidence offered by the government Propose settlements or plea bargain agreements within the authority of the DOJ attorney handling the case This new Third Edition of Department of Justice Manual has been expanded to eight volumes and the materials have been completely revised to accommodate newly added materials including the text of the Code of Federal Regulations Title 28and Judicial Administration as relevant to the enforcement of the Federal Sentencing Guidelines by the Department of Justice The Manual for Complex Litigation and The United States Sentencing Commission Guidelines Manual The new edition also includes The National Drug Threat Assessment for Fiscal Year 2011 and the updated version of the Prosecuting Computer Crimes Manual In an effort to provide you with the best resource possible as part of the Third Edition the Commentaries in each volume have been renumbered to refer to the relevant section in the United States Attorneyand s Manual for more efficient cross referencing between the Manual and the Commentaries      Freedom of Information Act Guide ,2009 The Freedom of Information Act Guide is an overview discussion of the FOIA s exemptions its law enforcement record exclusions and its most important procedural aspects      ,      **Complete Guide to Human Resources and the Law, 2023 Edition (IL)** Shilling,2022      **The Complete Guide to Human Resources and the Law** Dana Shilling,2023 **Federal Register** ,2013-02      United States Government Publications Monthly Catalog ,1950

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