

INDIVIDUAL UNEMPLOYABILITY

SCHEDULAR VERSUS EXTRASCHEDULAR TDIU

Both routes apply the same central question about substantially gainful employment.

38 C.F.R. 4.16

ROUTE COMPARISON

WHAT CHANGES AND WHAT DOES NOT

4.16(a) SCHEDULAR	4.16(b) EXTRASCHEDULAR
- Percentage threshold is met - VA adjudicates entitlement using the full record - Threshold alone does not guarantee an award	- Percentage threshold is not met - Evidence may support referral to the Director, Compensation Service - Below-threshold ratings do not bar TDIU

SHARED MERITS QUESTION

THE SAME EVIDENCE THEMES MATTER

1 ECONOMIC COMPONENT Can the veteran earn more than marginal income in qualifying work?	2 NONECONOMIC COMPONENT Do service-connected limitations permit the acts required by substantially gainful work?
3 INDIVIDUAL BACKGROUND Work history, education, training, and skills inform the functional analysis.	4 NO AGE FACTOR Age and impairment from nonservice-connected disabilities are not bases for TDIU.