

MANAGE YOUR RISK

Employee Practice Exposure — Position/Job Descriptions

A detailed position / job description is the starting point of a thorough hiring process. A position / job description informs the applicant of the essential functions of the position / job. The “essential functions” of the position / job are important since these are the functions that the employee must be able to perform to be considered a viable candidate for a position / job.

The following is an outline of a possible approach that can be used to create new descriptions or modify existing descriptions in your effort to comply with the position / job description aspects of the American Disabilities Act.

Position/Job Summary

Should answer the question “why does this position / job exist in the organization.” This should be a brief statement of the major components of the position, including:

- Essential position / job functions
- Purpose and objectives of these functions
- Key relationships

Position/Job Responsibilities

This should be a list of specific responsibilities that cover the various aspects of the position / job.

Required Education/Experience

The education and experience required should:

- Reflect the level that would be established to recruit for the position / job.
- Be the same for everyone in that position.
- Be consistent with position / job’s responsibilities.
- Reflect what best fits the requirements of the position or what qualifications are necessary to advance to a higher position.

Required Skills

Skill needed should be listed on the position / job description. It may be also beneficial to include the frequency with which the skill is required. Skill requirements can only be listed with the following caveats:

- The disabled employee has the right to request an accommodation.
- The organization has the obligation to provide an accommodation unless the accommodation poses an “undue hardship” or compromises the safety of disabled person or other members/employees.

Physical Requirements and Environmental Conditions

Document the physical capabilities required to perform the responsibilities (essential position / job functions) and the special environmental conditions that are inherent in the work area where the job functions are performed.