



# JOB ASSESSMENT & ESSENTIAL JOB FUNCTIONS

The Americans with Disabilities Act (ADA) requires employers to focus on the essential functions of a position to determine whether an individual is qualified. Essential job functions are the fundamental job duties that an applicant or employee must be able to perform, with or without reasonable accommodation. The Essential Job Functions Form is intended to supplement the position description and announcement in identifying essential job functions. If you need assistance completing this form, please contact Susan Unger OTR/L, CEAS at 651-968-5260.

## Why Essential Functions are important to your Company

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Before you start the hiring process it's important that you understand the job, its essential functions, and what characteristics will be required for a candidate to be successful in the job. The best way to ensure your understanding is to write down a complete description of the job and its specifications by utilizing:

- the [Essential Job Functions Questionnaire](#) prior duty statements
- the classification specification.

The Essential Job Functions Questionnaire an excellent tool to get you started on the completion of a duty statement because completing the form reflects:

- non-discrimination when filling a vacancy
- reflects the job/business needs vs. a specific person
- excellent benchmarks for **any** action (good or bad) in the future

This process is often called "job assessment" since you are analyzing the position and its needs. When you conduct your assessment, you should complete the entire form, which includes:

- Evaluating the organizational needs that justify filling the position (purpose of the position)
- Defining the position's essential functions, duties, and responsibilities (tasks)
- Defining the characteristics a person would need to be successful in the position (knowledge, skills, abilities, desirable qualifications, work environment, mental abilities, physical abilities and competencies or job dimensions)

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## Definitions

**Essential function** means:

**A task or tasks absolutely necessary to perform the assigned position duties.**

Essential functions tend to be:

- Critical
- Integral
- Indispensable
- Necessary
- Crucial
- Primary
- Fundamental
- Imperative
- Everyone has to do it – can't be reassigned to someone else
- Takes a lot of time or skill
- Doesn't take much time but requires a great deal of knowledge or expertise

**Marginal function** means:

**A task or tasks that may be or are unnecessary to perform the assigned position duties.**

Marginal functions tend to be:

- Peripheral
- Minimal
- Extra
- Accessory
- Borderline
- Incidental
- Someone else can do or can be reassigned.
- There are a lot of workers who do the same task and can fill in or do the same job task
- Doesn't require a great deal of time or expertise to perform
- Doesn't happen or occur very often (i.e. – once per week)

**A task statement** means:

A description of work assigned or done as part of one's duties.

## Determining Essential & Marginal Job Functions

### Essential Job Functions -

Whether a particular function, task or job duty is "essential" is a factual determination that the EEOC says must be made on a case-by-case basis. "Essential functions" are those functions that the individual who holds the position must be able to perform unaided or with the assistance of reasonable accommodation. The EEOC says that any inquiry into whether a particular function is "essential" initially focuses on whether the employer actually requires current or prior employees in the position to perform those functions.

EEOC regulations address three aspects of essential functions:

1. **Whether performance of a function is the reason that a position exists** – Meaning if the function or task ceased, serious consequences would occur or the job would likely cease to exist.
2. **The number of other employees available to perform the function** - Employers can be required to restructure jobs and redistribute nonessential job duties to other employees as a reasonable accommodation. If an employer has a relatively small number of employees for the volume of work to be performed, otherwise nonessential functions might become essential. By "other employees," the EEOC interprets this as broadly as **all** the organization's employees – not just those within an office or a department.
3. **The degree of expertise or skill required to perform the function** - In a profession or highly skilled position, the employee is hired for his or her expertise or ability to perform a specialized task that would be an essential function.

Naturally, we believe all the duties of a position are essential or we would not have them listed. We have to adjust our definition of "essential" and "marginal" to that of the EEOC and the ADA in this case and limit essential functions to those that meet the narrow definitions above.

By their nature, essential functions should encompass at least 5% of time (100 hours per year). As a guideline, it is perfectly acceptable to have only 25% - 50% of the job duties be considered essential. This does not change the classification level or minimize the importance of the work.

### Marginal Job Functions -

"Marginal" is an unfortunate choice of words in that even marginal functions or tasks under the ADA are important to us. For these purposes, marginal just means those functions that are not essential.

A function may be "marginal" when:

- \* The character of the job (scope of the responsibility, type of work, major duties) would remain the same if the duty were not performed
- \* The function occupies a small percentage of time
- \* Failure to perform the function may have minor consequences
- \* The nature of the duty is such that another University employee could perform the work with minimal to moderate disruption or inconvenience