*This pamphlet will provide managers and supervisors with the information necessary to determine essential job functions as addressed in the ADA.*

**WHY ESSENTIAL FUNCTIONS?**

The Americans with Disabilities Act (ADA) is a federal law that establishes guidelines to ensure that people with disabilities enjoy the same employment opportunities and benefits available to persons without disabilities. This may require an employer to provide a reasonable accommodation to a qualified individual with a disability.

An employee is required under the ADA to perform the **essential functions** of his/her job with or without a reasonable accommodation. Reasonable accommodations may include modifying existing equipment or facilities, restructuring the job, providing assistive devices and/or altering work methods.

**WHAT ARE “ESSENTIAL FUNCTIONS?”**

***Essential Functions*** are the duties of a position that must be performed by the incumbent **with or without** a reasonable accommodation. Functions may be considered essential for several reasons:

* the employee is actually required to perform that function;
* the job exists to perform that function;
* the function requires specialized skills or expertise and the person is hired for that expertise;
* there are only a limited number of employees available to perform the function;
* the amount of time spent performing the function;
* the consequences of the function not being performed; or
* the terms of a collective bargaining agreement.

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In determining whether a function is essential consider:

* the supervisor’s judgment as to which functions are essential;
* a written job description prepared before advertising or interviewing applicants; and
* other commonsense indicators such as the actual work experience of present or former employees in the job.

Marginal duties that are not considered essential can often be reassigned to other employees without interfering with the performance of the essential functions of the job.

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**IDENTIFICATION OF ESSENTIAL FUNCTIONS**

By accurately identifying the essential job functions, you will have taken the first step in responding to requests for accommodation and clarifying possible areas of confusion.

**LOOK AT EVERY JOB**

All positions should have written job descriptions that include the essential functions of the position.

Using resources such as job descriptions and personal observations, supervisors and managers should carefully examine each position in their area in order to:

* determine essential functions on a case-by-case basis; and
* ensure that essential job functions are identified and clearly documented for every job; and
* distinguish between essential and marginal functions.

**For more information on the Commonwealth’s Disability-Related Employment policy, see Management Directive 205.25.**

**Checklist for Identifying Essential Job Functions**

* Begin by stating the most fundamental fact(s) about the job. Develop a list of job functions.
* Identify the purpose of the function and the result to be accomplished, not how the duty is presently performed. Although it may be essential that a function be performed, it is usually not essential that it be performed in a specific way.
* Determine if the employee actually performs the function. If not, the function cannot be essential.
* Observe the job as it is actually done and talk to the employees who have done or are doing the job.
* Review each job function with the following questions in mind.

**ASK YOURSELF**

If you can answer “yes” to any of these questions, the function is essential.

\_\_Would removing the function fundamentally change the job?

\_\_Does the position exist to perform the function?

\_\_ Are there a limited number of other employees available to perform the function?

\_\_Is the function highly specialized and does it require special skills?

\_\_ Does the employee spend a significant amount of time performing the specific function?

**Questions?**

If you have a question or need additional information about essential job functions contact your Human Resources office or you may contact:

Executive Offices

Equal Employment Opportunity Division

222 Finance Building

Harrisburg, PA 17120

(717) 783-1130

**Americans With Disabilities Act**

**Commonwealth of Pennsylvania**

**Executive Offices**

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