

The Importance of Job Descriptions

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The importance of having accurate job descriptions for employees was illustrated by a recent case. In that case, the employee was let go by an employer after suffering a non-work related injury that the employer believed prevented the employee from doing her job. The employee sued the employer, alleging disability discrimination.

The case came down to whether or not the physical requirements of the employee's position were "essential functions" of the job. If the physical aspects were essential functions of the job, and the employee was unable to perform those essential functions, the employer would be justified in the termination. However, if the physical aspects were not essential functions, the employer could face disability discrimination liability.

The key for the Court was looking at the job description for the employee's position. In that case, the job description accurately set forth the physical aspects and requirements of the job. The Court therefore sided with the employer.

The take away is that if a business has job descriptions, it is critical that they be accurate. Accurate job descriptions can help an employer in a myriad of ways, such as the above, determining whether an employee is exempt or nonexempt, or for the purposes of discipline and discharge for not performing the duties of the job. At the same time, an inaccurate job description can harm an employer. In fact, some believe that it is better to have no job description than to have an inaccurate one.

As always, if you have any questions regarding job descriptions, need any help drafting them, or would like to have them reviewed, please do not hesitate to contact Scott Leah.