

Essential Functions Under the Americans with Disabilities Act

To ensure compliance with the Americans with Disabilities Act, it will be helpful for you to verify the *essential functions* of each job description. The first consideration in determining whether a job function is essential is to ask, "Are employees in this job actually performing this function?" If the answer to this question is "yes," then ask, "Would removing this function fundamentally change the job?" The Equal Employment Opportunity Commission (EEOC) has issued guidance to assist in identifying essential functions. According to the EEOC, a function may be considered essential if:

- The job exists to perform this function.
- There are a limited number of other employees available to perform the function, or only a few workers among whom the function can be distributed.
- A function is highly specialized, and the person in the position is hired for special expertise or ability to perform the function.

The EEOC guidance provides types of evidence which may be considered in determining whether a job function is essential. Such evidence includes, but is not limited to:

- The employer's judgment.
- A written job description prepared before advertising or interviewing applicants for a job.
- The amount of time spent performing the function.
- The consequences of not performing the function.

Please review the functions that have been identified as *essential functions* on your completed job description, and verify that this determination is accurate based on the actual job duties performed.