

Employment Practices *Update*

Bringing important information to emergency service organizations

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Job Descriptions: Accurate and Fully Utilized?

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Developing accurate written job descriptions is integral to maintaining equality in the workplace and mitigating exposure to personnel-related litigation. Utilize job descriptions for hiring and selection, performance management and evaluation, determining discipline, delegation of duties and legal compliance. This article provides guidance for emergency service organizations (ESOs) to utilize job descriptions.

Getting the most out of job descriptions

Written and published job descriptions are important to ESOs, their members and job applicants for a variety of reasons.

Hiring/Selection – Making candidates aware of updated job descriptions can help clarify expectations by defining essential physical and mental job functions, minimum qualifications and time and training requirements.

Job descriptions may also be used as a tool for planning candidate interviews. Tie questions directly to the requirements and qualifications listed in the job description helping with consistency in interviewing.

Orientation – Integrating a well-structured job description in the orientation process may help communicate priorities and define position expectations.

Performance Management/Evaluation – Without accurate job descriptions, it may be difficult to establish and measure performance standards. An annual performance evaluation can provide an opportunity for those currently holding the position to review and offer suggestions for updating the job description. An annual exercise allows the opportunity for an ESO member and supervisor to reassess essential and non-essential job duties, time allocation and objectives.

Coaching and Corrective Action – Written position descriptions may help guide ESO members by defining essential and non-essential job duties. Discipline may result if a worker's performance doesn't meet the operational and non-operational standards set forth in the job description.

The annual performance evaluation also provides an opportunity for those currently holding the position to review and offer suggestions for updating the job description.

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Continued on page 2

Hard Skills vs. Soft Skills

While an ESO member may be proficient in the operational hard skills aspects of the job, he or she may be equally lacking in the soft skills necessary to be an effective, well-rounded worker.

Consider including soft skills in written job descriptions, such as:

- Respectful to supervisors, peers, subordinates and citizens regardless of position within the organization, gender, race, age, ethnicity, religion, sexual orientation and other characteristics or perspectives.
- Exhibit professionalism.
- Work well with, teach, coach or assist others.
- Practice teamwork (knowing when to lead and when to follow).
- Avoid unnecessary conflict.
- Communicate well (good listener and contribute to conversations).
- Positive and optimistic attitude.
- Willingness to change or be flexible.
- Convey leadership.
- Positive work ethic.
- Show initiative.
- Provide constructive ideas to improve the job or work environment.
- Does not participate in gossip or spreading rumors.
- Uphold the values, mission and ethics of the organization.

Legal Concerns – Written job descriptions may help provide evidence that the ESO's personnel decisions are based on legal, business-related grounds.

- **Disabilities** – The Americans with Disabilities Act (ADA) requires that employees be able to perform the essential physical and mental requirements of the job, with or without a reasonable accommodation. It would be a violation of the ADA to fail to provide a reasonable accommodation to the known physical or mental limitations of a qualified individual with a disability, unless to do so would create an undue hardship on the employer. The duty to accommodate relates directly to the worker's essential job functions. Therefore, it is important for the job description to identify the position's essential physical and mental elements.
- **Nondiscrimination** – An ESO employee or volunteer may accuse the organization of unlawful discrimination. Well-written job descriptions may help the ESO support its legitimate decisions related to compensation, promotion, discipline, termination or other work-related opportunities.
- **Wrongful termination** – A former ESO member may allege the organization terminated the working relationship for unlawful reasons. Accurate and utilized job descriptions could help provide documentation supporting the legitimate and lawful reasons for the termination.

Conclusion

To be effective, utilize job descriptions regularly as part of hiring/selection, performance management and legal compliance.

- **Family and medical leave** – The federal Family and Medical Leave Act (FMLA), for instance, requires a health care provider certify that the medical condition for which the employee is seeking leave renders the worker unable to perform one or more of the employer's job functions. Thus, a written position description that details the essential functions of the job could enable the health care provider to give an informed opinion.

Who should develop job/position descriptions?

Begin with current job analysis when writing or updating job descriptions. Rather than relying solely on supervisors, solicit those presently occupying the positions to bring the most accurate perspectives. Seek assistance from human resources professionals and legal counsel familiar with emergency services and labor and employment laws.

Tips for maintaining job descriptions

Below are suggestions for developing useful job descriptions:

- 1 **Job title** – Clarify the position, title, level and rank (if appropriate).
- 2 **Statement of purpose and objectives of the position** – A couple of sentences should answer the question of why the position exists, preferably tying the job to the ESO's overall mission.
- 3 **Job qualifications** – Describe the required education, experience, skills and certifications necessary to perform the job.
- 4 **Key job responsibilities** – Set forth a detailed list of specific job duties and tasks, typically in order of significance. Essential physical and mental job functions are commonly separated from the non-essential or marginal job tasks. Job functions are essential if they are necessary to accomplish the central purpose of the position, routinely and typically performed and often highly specialized. Non-essential tasks are more easily assigned to other workers, less important or less frequently necessary.
- 5 **Special working conditions** – Explain whether the position demands shift, overtime or as-needed work. Also list inherent work-related hazards and environmental conditions.
- 6 **Reporting structure** – Describe the position's upward and downward reporting structure. Consider including an organizational chart.
- 7 **Fair Labor Standards Act (FLSA)** – For wage and hour consideration, include a statement about whether the position is exempt or non-exempt.
- 8 **Changing duties** – Include a statement that indicates when duties and responsibilities change, the job description will be reviewed and subjected to modification due to business necessity.
- 9 **"And Other Duties as Assigned"** – Insert a statement saying that while the job description outlines the major responsibilities of the job, other assignments and duties may be required. This helps encourage initiative and also avoid situations where an ESO worker thinks, "That's not part of my job description."