Essential Duties and Physical Demands - Faculty

Purpose: Distribute this tool to the Supervisor of a position to define the Essential Duties and Physical Demands. This information from this tool will impact the sections within the Job Duties and Working Conditions listed on a position description within People Admin 7.

What are Essential and Non-Essential Functions?
Essential functions are the basic job duties that an employee must be able to perform, with or without reasonable accommodation. In order to comply with the nondiscrimination in employment requirements of the ADA (Title 1), it is necessary to identify the essential duties of all jobs and to identify the physical demands associated with performing the essential functions.

Non-essential functions are important to the position; however, could be redesigned or reassigned to other employees, if necessary. A supervisor should carefully examine each position to determine which functions or tasks are essential to performance or non-essential.

Questions to Ask in Determining Essential Duties and Physical Demands
For each duty and each physical demand the Supervisor should ask the following questions of him or herself to determine if the duty or physical demand is essential.

1. Why was this position created?
   - Each position is approved to perform a specific function that was a need within the department. It is that specific function that will be essential to the position.

2. Is the duty and/or physical demand specific to the reason why the position was created and not a general duty added to this position?
   - Each essential duty and/or physical demand will correlate to the specific reason the position was created.
   - Other general duties assigned such as being a "backup" for another employee, provide general assistance for various staffing projects and events and/or other duties as assigned may not be essential.

3. Could another employee perform the duty/physical demand without changing the scope and/or classification of either position?
   - If the duty and/or physical demand can be reassigned without changing the responsibility level, percentage of duty, and/or classification then it may not be essential.

4. If no, then could the duties be performed with a reasonable accommodation?
   - For questions about reasonable accommodations, contact the Office of Equal Opportunity and Compliance, titlevii@uark.edu, (479) 575-4019
Uses of the Essential Functions

A supervisor’s judgment as to which functions are essential and the written job description will be considered in matters involving the following:

- Workplace accommodation process,
- Workers’ compensation,
- Family Medical Leave Act,
- Performance management,
- Organizing work units, and in
- Internal investigations and investigations by third parties as it relates to litigation and/or claims of discrimination.

For vacant and newly established positions, compliance requires that an up-to-date job description including information determining physical demands, physical activities, visual acuity, and working conditions be approved prior to recruiting/advertising to fill the position.

Essential Duties and Physical Demands should be reviewed periodically to determine if they have changed or evolved over time. If you have questions on disability issues please contact the Office of Equal Opportunity an Compliance, (479) 575-4019 or the completion of the job description, please contact HR at (479) 575-5351.

Determining Essential Duties

1. When adding the Job Duties to the Position Description, the Supervisor should review the duties necessary to successfully perform the requirements of the position.
2. Once it is determined what duties will be assigned to this position, the Supervisor should determine whether those duties are specific to the position, meaning those duties could not be assigned to another individual because they would effect the ability of the unit to run efficiently.
Determining Essential Functions

1. When determining physical demands, a Supervisor must do so with regards to if the employee would be able to perform the duties with or without reasonable accommodation or if the duties could be assigned to another employee.

Example:

• An Assistant Professor is expected to perform the following duties and responsibilities:
  ➢ Teach graduate and undergraduate level courses on the Fayetteville campus and online courses in the state of Arkansas;
  ➢ Participate in student advisement and mentoring, including service on graduate student advisory and dissertation committees;
  ➢ Conduct research projects both individually and in collaboration with other faculty;
  ➢ Publish the results of scholarship in refereed venues;
  ➢ Obtain external funding to support research and curriculum development endeavors; and
  ➢ Provide service to the department, college, university, community, and profession.

1. Essential Duties
  ➢ For this example, all of the duties listed are essential to the position. In a general context, if the duties are required for tenure and promotion the may be considered essential to the position. This will vary depending on the type of faculty position being advertised.

2. Essential Physical Demands
  ➢ Physical demands will have to be determined based on the requirements within each discipline. In a general context, there will be very few essential physical demands of faculty positions.