

Essential Functions

The ADA employment regulations provide the following statements about essential functions:

1. "The term essential functions refers to the fundamental job duties of the employment position the individual with a disability holds or desires. The term essential function does not include the marginal functions of the position; and a job function may be considered essential for any of several reasons, including but not limited to the following:
 1. The function may be essential because the reason the position exists is to perform the function;
 2. The function may be essential because of the limited number of employees available among whom the performance of that job function can be distributed; and/or
 3. The function may be highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function."

Evidence of Essential Functions

The employment regulations go on to indicate what constitutes evidence that any particular function is in fact an essential one. That evidence includes, but is not limited to, the following:

1. The employer's judgment as to which functions are essential
2. Written job descriptions, prepared before advertising the job or interviewing applicants for the job
3. The amount of time spent on the job performing the function
4. The consequences of not requiring the incumbent to perform the function
5. The terms of a collective bargaining agreement
6. The work experience of past incumbents in the job
7. The current work experience of incumbents in similar jobs

Role of Job Analysis

What role(s) might job analysis play in identifying essential functions and establishing evidence of their being essential? The employment regulations are silent on this question. However, the Equal Employment Opportunity Commission (EEOC) has provided substantial and detailed assistance to organizations to deal with this and many other issues under the ADA.⁴⁰ The specific statements regarding job analysis and essential functions of the job are shown in Exhibit 4.19.

Examination of the statements in Exhibit 4.19 suggests the following. First, while job analysis is not required by law as a means of establishing the essential functions of a job, it is strongly recommended. Second, the job analysis should focus on tasks associated with the job. Where KSAs are studied or specified,