

... THE VALUE OF ... JOB DESCRIPTIONS



by Rebecca Boartfield

Fewer things may seem as uninteresting as job descriptions – even in the world of HR. They are not as scary as lawsuits. They are not funny like some of the crazy things that employees do. They certainly don't seem cool. Job descriptions are one of the least talked about and most underappreciated aspects of employment compliance. And one of the most important.

Most employers don't have job descriptions, completely disregarding an essential element to employee management. When they do, they're not done well; eliminating the value of having done them in the first place.

Bottom line: as an employer or manager of people, you need to know why they're important, how best to write them, and when to make use of them. In the end, you may not think they're any more exciting than you do now, but hopefully you'll appreciate their value.

Why Bother?

There are many reasons to have accurate job descriptions on hand for every position within the practice. **Here are just three:**

- 1. HIRING TOOL:** A job description helps to focus on the skills needed for the job. When interviewing, job descriptions can be used as the basis for developing solid job-related interview questions that help identify whether candidates have the skills and abilities you need. The job description helps write a better advertisement, and a copy of the job description shown to applicants gives them an accurate picture of the job. A new hire that quits because the job "wasn't what I expected" can cost you time, money, and productivity. When new employees are provided a well-written job description, you set the stage for better performance.
- 2. STAFF MANAGEMENT TOOL:** A work environment where assignments and responsibilities are unclear is confusing, wastes time, and can lead to misunderstandings and disagreements. One of the easiest, most effective ways to let employees know what you expect is with well-written job descriptions. Once the employee is hired, go over the job description in detail with him/her, emphasizing any duties that may require training.
- 3. SUPPORTS EMPLOYMENT DECISIONS:** If an employee or a government agency challenges an employment decision, one of the most important documents you will be expected to provide is a copy of the job description. This can be a key component in defending your employment decisions. Job descriptions document the duties, qualifications, and physical requirements of a job; and therefore help you support why you felt one applicant was qualified and another was not, why you pay one employee more than you pay another, or why you terminated an employee for poor job performance.

What should it include?

A good job description is comprised of the following key elements:

- Position title
- Employment status (exempt/non-exempt, full-time/part-time)
- A statement of the major purpose of the position
- Minimum eligibility requirements

- A description of the physical demands, the type and amount of work to be performed
- The individual or position the employee reports to
- "Essential functions"

What are "essential functions"?

According to the Equal Employment Opportunity Commission (EEOC), "Essential functions are the basic job duties that an employee must be able to perform, with or without reasonable accommodation. You should carefully examine each job to determine which functions or tasks are essential to performance. This is particularly important before taking an employment action such as recruiting, advertising, hiring, promoting, or firing."

When writing essential functions consider:

1. What employees actually do and the amount of time spent on each function.
2. The amount of work to be performed.
3. Keeping sentence structure as simple and concise as possible.
4. Beginning each sentence with an active verb and avoiding use of the words "responsible for."
5. Including a percentage of time each essential function consumes as part of the whole job. Adding the percentage of time to each essential function helps clarify the level of importance that particular duty has as it relates to all other duties. For example, "Answers telephone, routes calls, provides information, and takes messages in accordance with practice procedures: 20%."

Inability to perform a non-essential or marginal function of a job is generally not an acceptable reason to refuse to hire or promote an individual with a disability. Therefore, it is important to distinguish clearly between essential and marginal duties on a job description.

If a hiring or employment decision is challenged, you may be required to show that the qualification standards used in the decision-making process are job-related and consistent with business necessity. A job description with essential functions listed can serve this purpose. In order to use a job description to back up your decisions, it must be prepared before advertising or interviewing for a job.



When to Use Them?

As mentioned, essential functions are used in hiring, ongoing personnel and performance management, and supporting decisions. *One of most important reasons is reasonable accommodation decisions.*

Disability laws impact nearly every employer, whether the employer has five hundred employees or five employees. The purpose of disability laws is to ensure that individuals with disabilities are given the same consideration for employment decisions as individuals without disabilities.

These laws protect individuals from adverse employment action based on their disability alone. Adverse employment actions are demotions, terminations, cutting of hours, etc. – basically anything in which the individual suffers a setback. When employers are confronted with an employee who has a mental or physical disability, the employer must consider making reasonable accommodation for that individual to continue employment.

Reasonable accommodation is defined by the EEOC as *“any change in the work environment (or in the way things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment.”*

An employer must make a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee unless the employer can show that the accommodation would cause an undue hardship on the operation of its business.

An accommodation causes an “undue hardship” if it is too difficult or expensive for an organization to provide. What is considered reasonable varies greatly and depends on the size and resources of the organization, as well as on the nature of the accommodation. The burden of proof is on the employer to show that an accommodation is too expensive, too difficult, or too disruptive.

How do you decide (and prove) if accommodation is reasonable or not? This is where the importance (and necessity) of having well-written job descriptions come into play. It begins by obtaining medical information from the employee who states s/he cannot perform job duties and is looking for an accommodation.

Let’s play this scenario out:

- Employee indicates either directly or indirectly that s/he cannot perform a job duty
 - By reviewing the job description, it is determined that it is an essential function
 - Employee must provide information from his/her treating physician about what s/he can and cannot do as it relates to the essential functions
 - Employer sends medical certification paperwork to the treating physician along with an accurate, up-to-date job description
 - Using the job description, the treating physician makes an assessment and returns the medical certification form, indicating what the employee can and cannot do or what s/he needs to rectify the disability issue
- Examples:** Time off, modified work duties, reduction in work hours
- Employer receives this information and begins the process of determining reasonable accommodation or undue hardship

If an employer goes through this process without providing the job description that contains the essential functions, then the employer would have no documentation to otherwise support/defend any decision or adverse action taken with the employee as a result.

Conclusion

As a management tool, job descriptions can play a key role in a variety of situations - from the start of the relationship to the end of the relationship and everything in between. As consultants, we see firsthand the challenges employers face without having well-written job descriptions that are kept up-to-date. They are the go-to document for us and should be for you too.



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Ask the Consultant

Q: Will an insurance company accept a Pano x-ray and 4 Bitewings as a FMX when billing Root Planing and Scaling? We were told this by another office and wanted to see if it was true?

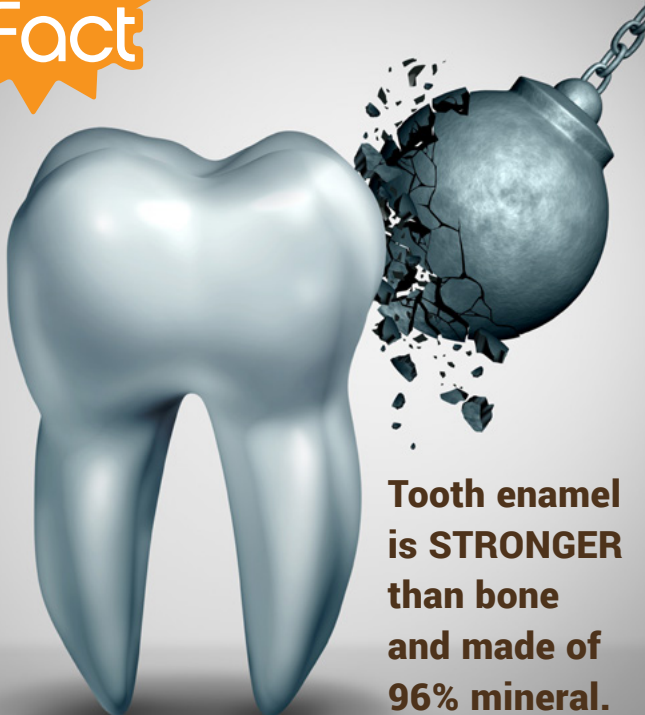
A: Yes, a Pano and 4 BWX will be considered a set of full mouth x-rays by most insurance companies.

Response provided by [Debbie Seidel-Bittke](#).



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— Andrew Carnegie



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1. Same employer
 2. Same group/policy number
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- Next, you or maybe even another Trojan client asks Trojan to update Trojan Plan Number 12345 for just ONE PATIENT.
 - While only ONE PATIENT was researched by Trojan, when you process your update, ALL FIVE OF THOSE PATIENTS WILL BE UPDATED. Same Trojan Plan Number, same employer, different insurance and/or different benefits are populated into the patients' files in your practice management system!

We'd say that's pretty magical!! Each time you process your weekly update, many of your patients are being updated behind the scenes!

To make the best use of your time, prioritize the patients for linking in this order:

1. New Patients
2. Patients of Record with new insurance
3. Patients whose coverage hasn't changed. (These patients can wait until their insurance has changed.)

Don't forget to link! Take a little time today to save time in the future.

To learn how to link properly, please contact Software Support at 800-451-9723, Ext. 1. Or, visit trojanonline.com and click on the TRAINING button to schedule a training time to learn the linking process.



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— Administration Assistant



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