

How to write effective and legal job descriptions

Job descriptions are the cornerstone of communication between you and your staff. After all, it's hard for supervisors to measure job effectiveness during performance reviews unless you and the employee both know what you expect.

Also, carefully drafted job descriptions can be useful tools in court. For example, if an employee files an Americans with Disabilities Act (ADA) lawsuit, courts will review what the organization has identified as the job's "essential functions" to see if the charges have merit. Without a written job description, the court may decide for itself which functions are essential.

Key ingredients

Job descriptions can be as brief as one paragraph or as long as several pages. At a minimum, a job description should include these elements:

Title of position. Titles may seem unimportant, but they carry a great deal of weight in the workplace and in court. Each position's title should match the level of authority and responsibility. Cross-check it against other titles in the organization.

For example, your "administrative assistant" should be doing most of the same tasks as others with that title. Don't upgrade employees by giving them inflated titles: You'll only regret it later when they ask for more money or refuse to perform tasks they consider beneath them.

Inappropriate titles also factor into discrimination charges. For example, if your "director of distribution" is really a shipping clerk, be prepared to explain why he isn't being paid the same as other "directors."

Department/supervisor. Many job descriptions include the title of the employee's direct supervisor, the department name and other identifying details that separate this position from others. Make sure the job descriptions refer to other *job titles*, not names. For example, instead of saying the position reports directly to John Smith, say it reports to the Senior VP of Sales.

Essential functions/qualifications. The key part of job descriptions is an item-by-item list of the job's duties and responsibilities.

It's important to identify which are the "essential" job functions critical to the job's successful performance. *One key legal reason:* Employees can file ADA lawsuits only if they can prove they're legally disabled and can still perform the "essential functions" of the job. If those "essential" duties aren't detailed in a job description, they're left open to a court's random interpretation.

To identify essential functions, look at the purpose of the job, the frequency of each function and the consequences if that function isn't performed.

The job description should also include the nonessential and less-frequent job duties and functions.

Four key categories to consider:

- Physical skills (e.g., standing, walking, lifting, bending)
- Learned skills (e.g., equipment proficiency, industry experience)
- Job duties (e.g., travel, hours, shifts)
- Behavioral skills (e.g., communication, leadership, time management)

Results expected. Duties are just half of the equation. What do other employees, departments and customers count on this person to do? Include expectations relating to deadlines, customer service and company success. Linking responsibilities to company goals helps the employee see how the position fits into the "big picture."

Writing tips

Use specific and clear language. Instead of a general term like "good communication skills," say the person needs "the ability to communicate company policies to nonmanagerial groups in person and in writing."

Instead of saying the position "requires heavy lifting," say it requires the ability to lift 25 pounds repeatedly overhead 10 times per hour while stacking appliances.

Begin with action verbs in the present tense, such as supervise, inspect, produce, organize, motivate, educate, administer, compose, analyze and repair.

Avoid gender-based language, such as "salesman."

Update the description as often as needed. Review job descriptions periodically to ensure they accurately reflect the employee's responsibility. Amend the document any time an employee's duties change, and review those amendments with the employee.

The bottom line: Never assume employees know what's expected of them. Put it in writing and make sure they understand.