

Subject: DUTY STATEMENT

REFERENCES	SECTIONS
Human Resources Policy Memos http://www.dgs.ca.gov/ohr/Home/HRPolicyMemos.aspx	HR03-013
Laws & Regulations http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9 http://www.ada.gov/pubs/adastatute08.htm	G.C. 12925-12928 Americans with Disabilities Act of 1990, Title I: Employment
Responsible Control Agency and Program	SPB, DFEH
SPB/DPA Policy Memos http://spb.ca.gov/laws/policies.cfm http://www.calhr.ca.gov/state-hr-professionals/pages/policy-memos.aspx	SPB (Pinkie) July 10, 2002 PMLs 2001-031, 98-029
Other:	
Essential Functions Duty Statement http://www.documents.dgs.ca.gov/ohr/GuidesManuals/EFManual10-05Revise.doc	
Training Manual Personnel Liaison (PL) Workshop	Contact Classification & Pay Analyst for next available workshop or class

Duty Statement

Policy

In order to comply with the provisions of the Americans with Disabilities Act of 1990 (ADA), the Department of General Services will adhere to the guidelines outlined in Government Code 12926 and Personnel Management Memo (PML) 2001-031.

All duty statements must specifically identify essential and marginal functions. It is recommended that supervisors and managers update duty statements for current employees to include the essential and marginal functions at the time of employees' annual performance reviews or individual development plans.

Definition/ Explanation

A **duty statement** is a description of the major function, duties, and responsibilities undertaken in a specific position. It should be a detailed account of the tasks required and performed in that position. All tasks assigned to the position should be appropriate for the classification and should fall within the scope of the California State Personnel Board (SPB) specification for that class. Also included on the duty statement are required knowledge, skills, and abilities, and a detailed description of the work conditions and environment.

The duty statement must be completed in the essential functions format on the [GS 907T](#), and must follow established guidelines for complete task statements, assigned task percentages, and job-related requirements.

“**Essential functions**” refers to the basic job duties of a position that the employee must be able to perform, with or without reasonable accommodation. Supervisors should carefully examine each position for which they have direct supervisory responsibility to determine whether tasks or functions are essential or marginal. Updating duty statements to identify essential and non-essential, or *marginal*, functions, is critical before pursuing employment actions such as advertising, recruiting, hiring, promoting, or dismissal.

Detailed instructions and tips for completing the Essential Functions Duty Statement are available in the **Essential Functions Training Manual**. The manual is accessible on the DGS Intranet (DGS Offices/Human Resources/User Guides) (<http://www.documents.dgs.ca.gov/ohr/GuidesManuals/EFManual10-05Revise.doc>).

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Duty Statement, Continued

Conflict of interest position

If the position is designated as conflict of interest, the following statement **shall** be placed prior to “Essential Functions:”

This position is designated under the Conflict of Interest Code. The position is responsible for making or participating in the making of governmental decisions that may potentially have a material effect on personal financial interests. The appointee is required to complete Form 700 within 30 days of appointment. Failure to comply with the Conflict of Interest Code requirements may void the appointment.

Procedure

The Duty Statement (907T) consists of the following required sections:

Step	Action
1	ORGANIZATIONAL SETTING AND MAJOR FUNCTIONS—A brief (1-3 sentence) description of the position’s primary role and purpose. This statement should include the position’s reporting relationship (using appropriate civil service classifications) and level of independence.
2	1) ESSENTIAL FUNCTIONS—A listing of the fundamental job duties of the position that must be performed, with or without reasonable accommodation. <i>Factors in identifying essential functions</i> A job function or task may be considered essential for several reasons, including, but not limited to, the following: <ul style="list-style-type: none"> • The position exists to perform the function • There are a limited number of other employees available to perform the function, or among whom the function can be distributed • The function is highly specialized, the person in the position is hired for special expertise or ability to perform the function • The employee must actually perform the duties • Removal of the function would fundamentally alter the job <i>Additional considerations:</i> <ul style="list-style-type: none"> • Frequency with which the task is performed • Amount of time spent performing the task (percentage) • Consequences if the task is not performed

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Duty Statement, Continued

Procedure
(continued)

Step	Action
3	<p>MARGINAL FUNCTIONS—An employer may identify functions that are performed but are not essential, as defined above. Such duties can be characterized as “non-essential” or “marginal” functions.</p> <p>Supervisors may find it necessary to reassign or trade marginal duties among employees within a given work site. This shift or exchange of duties may be done so that one employee would receive the marginal functions that an employee with a disability was not able to perform. The employee with the disability would then assume marginal functions they are able to perform. The intent of such restructuring of workload is not to relieve an employee with a disability of his/her duties or to assign undesirable tasks based on disability or lack of disability.</p>
4	<p>KNOWLEDGE, SKILLS, AND ABILITIES—Knowledge, skills, and abilities (KSAs) necessary to perform the job.</p> <p>These are obtained from the specification for the classification. The KSAs may expand upon those listed in the specification in order to define job requirements, but all KSAs on the duty statement must tie directly to the KSAs listed on the specification. KSAs should support the essential functions and may serve as primary selection criteria in the selection process.</p>
5	<p>DESIRABLE QUALIFICATIONS (optional)—Includes Special Personal Characteristics, Additional Qualifications, and Interpersonal Skills.</p> <p>These qualifications usually address specific business needs and represent additional attributes that enhance the incumbent’s ability to perform a particular function (i.e. “willingness to travel” and “ability to handle sensitive issues tactfully”).</p>

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Duty Statement, Continued

Procedure
(continued)

Step	Action
6	<p>WORK ENVIRONMENT, PHYSICAL OR MENTAL ABILITIES—Physical and mental requirements, work conditions, hazards, and equipment used on the job and required to perform essential functions of the job. The duty statement must include a description of the following requirements/conditions using language that will not unnecessarily deter an individual from applying because of a disability:</p> <ul style="list-style-type: none"> • Specific physical requirements for the position, including requirements relating to strength (i.e. lifting), movement (i.e. reaching, climbing, kneeling, crawling), vision, hearing, and speaking. Considerations: <ul style="list-style-type: none"> ➤ specific methods, procedures, or techniques ➤ special physical agility or exertion ➤ required lifting; specific communication skills and their applications • Mental requirements relating to performance of essential functions. Considerations: <ul style="list-style-type: none"> ➤ requirements in meeting specific deadlines ➤ irregular work hours ➤ working with public ➤ negotiating or mediating ➤ handling sensitive issues ➤ analyzing/reciting specific data, laws, regulations, etc. ➤ recommending course of action to other individuals.
	<ul style="list-style-type: none"> • Environmental factors or hazards encountered on the job. Considerations: <ul style="list-style-type: none"> ➤ indoor vs. outdoor work environment ➤ hot, cold, or humid conditions or extreme changes in temperature ➤ poorly lit or noisy work environment; exposure to dust, fume, or odors ➤ a work site in a remote location, industrial setting, etc. ➤ general layout of the work environment in terms of facilities for the employee, i.e., cafeteria, restrooms, and elevators

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Duty Statement, Continued

Guidelines for task statements (essential and marginal)

- *“Other duties, as required”*
This statement is **not** an appropriate task statement, and should not be included among the essential or marginal functions. Item #12 on the 907T addresses the need to assign individuals work in other functional areas to cover absences or to balance workload during peak work periods.
 - *Task percentages*
Tasks associated with similar functions may be grouped on the duty statement, but the percentage of time performing any one task or task group *should not be greater than 30 percent or less than 5 percent*. It is noted that tasks for some positions involving frequent, repetitive duties may be difficult to break into increments of 30 percent or less (i.e. Key Data Operator). However, few positions fall into this category, and the majority of positions will permit assignment of smaller percentages for tasks.
 - *References*
Guidelines, detailed instructions, and worksheets for identifying essential and marginal functions may be found in the following reference guides:
 - Essential Functions Duty Statement Training Manual <http://www.documents.dgs.ca.gov/ohr/GuidesManuals/EFManual10-05Revise.doc>
 - *“The Supervisor’s Role in Determining Essential Job Functions”* <http://www.dgs.ca.gov/ohr/Home/HRPolicyMemos.aspx>
 - *Essential Functions Decision Chart* is a helpful tool for managers and supervisors in identifying essential job functions under ADA (refer to attachment at end of document).
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EEO/ADA compliant language

To assist in using terminology and language that meets EEO and ADA guidelines:

- Be sure that requirements link directly to the performance of one or more essential functions.
 - Focus on the outcome or result of doing the task, not the method of doing the task.
 - Carefully examine statements to determine whether the statement is too restrictive or may be misinterpreted
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Duty Statement, Continued

Additional tips for listing work environment

1. Avoid using vague language. The following are examples of statements using vague and subjective language:
 - Sitting in a normal seated position for extended periods of time.
 - Ability to see within normal range.
 - Ability to hear within normal range.

The term “normal “is **not** appropriate. Even in most office jobs an employee is usually able to stand, walk or stretch, as needed. And, visual or auditory aids can enable and employee to perform tasks satisfactorily.

2. Focus on the outcome and be sure these statements are linked to tasks.
 - Read various documents and resources.
 - Effective communication with various clients.
3. In some cases it is preferable to use broader terms.
 - “Appropriate dress for the office environment”* is preferable to “*Business dress, according to current policy.*”

*This statement will require discussion and clarification during the job offer interview. If your office does not have a dress policy, do not refer to one.

Attachments [Sample Duty Statement Template-GS907T, Rev. 3/03](#),
[Decision Table for Determining Essential Functions](#),
[Duty Statement Questionnaire](#)
