

**Subject:** ESSENTIAL FUNCTIONS

REFERENCES	SECTIONS
Law & Regulation <a href="http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9">http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9</a>  <a href="http://www.ada.gov/pubs/ada.htm">http://www.ada.gov/pubs/ada.htm</a>	G.C. 12925-12928  Americans with Disabilities Act of 1990, Title I: Employment
SPB/CalHR Policy Memos <a href="http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx">http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx</a>	PMLs 2001-031, 98-029
<b>Other:</b>	
Essential Functions Training Manual <a href="http://www.documents.dgs.ca.gov/ohr/GuidesManuals/EFManual10-05Revise.doc">http://www.documents.dgs.ca.gov/ohr/GuidesManuals/EFManual10-05Revise.doc</a>	

**Subject:** Essential Functions

**Definition/Explanation:**

“Essential functions” refers to the fundamental job duties of the employment position the individual holds or desires. Supervisors should carefully examine each position for which they have direct supervisory responsibility to determine which functions or tasks are essential to perform. Identifying essential functions is critical before taking employment actions such as advertising, recruiting, hiring, promoting, or firing.

**FACTORS IN IDENTIFYING ESSENTIAL FUNCTIONS**

A job function or task may be considered essential for several reasons, including, but not limited to, the following:

- 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

*Additional considerations:*

- Frequency with which the task is performed
- Amount of time spent performing the task (percentage)
- Consequences if the task is not performed

**MARGINAL (NON-ESSENTIAL) FUNCTIONS**

An employer may identify functions that are performed but are not essential as defined above. Such duties can be characterized as “marginal functions.”

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.

**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 Section 12926 and Personnel Management Memo (PML) 2001-031.

As of 7/1/02, all duty statements submitted to fill vacant positions 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.

**Procedure:**

Guidelines, detailed instructions, and worksheets for identifying Essential Functions may be found in the following reference guides:

- *Essential Functions Duty Statement Training Manual*
- ["The Supervisor's Role in Determining Essential Job Functions"](#)

The attached Essential Functions Decision Chart is a helpful tool for managers and supervisors in identifying essential job functions under ADA.

**Attachments:** [Decision Table for Determining Essential Functions](#)