



Job descriptions and evaluations

*A resource guide for school
management*



Ohio School
Boards Association

The information in this book is designed to provide general information and guidance. It should not be relied upon as legal advice. If legal advice is required, the services of an attorney should be obtained.

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Job descriptions and evaluations are valuable resources for applicants, employees, supervisors and human resource administrators. To be valuable, however, they must be accurate, up-to-date and sufficiently detailed to clearly communicate expectations and prevent misunderstandings.

Can you answer “yes” to all of the following situations?

- Each position in the district has an updated job description and job evaluation.
- All the district’s job descriptions detail the essential functions of the job.
- Each employee has a copy of his or her job description.
- The district has a plan to regularly review or revise job descriptions and evaluations.
- The district has job descriptions and evaluations for supplemental positions.

If you answered “no” to any of these situations, it is time to start a job description/job evaluation revision project. This book is designed to help school management develop accurate job descriptions and evaluations.

Instructions

Included with this text is a file containing more than 60 sample classified job descriptions. The samples are provided as PDFs and Microsoft Word documents and can easily be modified to match specific positions within districts. After reading the text, use the job descriptions as a starting point to create accurate and concise job descriptions for employees. It is important to note that included job descriptions are only *samples*; each district must draft job descriptions to match the actual duties performed in each position in the district.

Because of ever-changing licensure and evaluation requirements for certified staff, sample descriptions quickly become outdated. Nonetheless, their general format should be the same as for classified

staff. This book contains information on state law changes to teacher evaluations, as well as general formatting guidelines that provide assistance in drafting or updating existing certified job descriptions.

Introduction

Job descriptions

Definition and use

A job description is a written statement that specifies the requirements, responsibilities and working conditions of a particular job. Job descriptions are vital management tools for organizational planning, budgeting and personnel administration.

Job descriptions serve many purposes. They clarify responsibilities within the district, define relationships among individuals and departments, and facilitate communication. Accurate job descriptions are an invaluable source of information during the entire employment process, from job posting, recruiting and screening to hiring and placement. Once job descriptions are revised, job postings should be generated based on the information contained in the job description. Job descriptions make recruiting and screening more efficient and help employers assess applicant qualifications and the job's requirements. In addition, they are helpful for:

- evaluating;
- new employee orientation and training;
- determining compensation;
- resolving equity issues;
- addressing performance deficiencies;
- performing job audits;
- succession planning;
- substitute planning.

The greatest benefit to management is the legal defense that job descriptions provide. Although job descriptions are not specifically required by law, they provide the ideal mechanism for management to determine the essential functions of the job in accordance with the [Americans with Disabilities Act \(ADA\)](#). Absent written proof of the essential functions, it is likely that a court, hearing officer or arbitrator will

make that determination instead of management.

Rather than having unwritten job requirements, an accurate job description provides evidence that employment practices are administered evenhandedly. The job description provides an objective basis for comparing applicants for a position based on established criteria for the necessary qualifications, skills and abilities. The job description communicates to potential employees job responsibilities and expectations. Since there is clear communication, job descriptions facilitate better hiring decisions.

Typically, the job description lists the chain of command. From the employees' perspective, the job description allows them to see how their positions fit into the entire organization. The job description allows employees to see their roles and contributions relative to other employees.

Job descriptions should list job responsibilities. This provides a written record for management to use to document performance deficiencies. There should be a close correlation between job descriptions and the evaluation tool and process.

Job descriptions also provide a basis for determining compensation. They provide the necessary data for wage and salary administration and for settling disputes regarding pay equity.

All too often, however, job descriptions are outdated, overly generic or even nonexistent. Common problems with job descriptions include:

- exaggerating or downplaying the importance of the job;
- failing to list the job's essential functions;
- using ambiguous language;
- failing to focus on results;
- describing requirements or characteristics that are unnecessary or unsubstantiated.

Key considerations

Job descriptions need to be sufficiently detailed to list essential functions, while at the same time not being so detailed as to hinder management's flexibility. Detailed job descriptions typically result in fewer interpretation problems. However, jobs are dynamic, and detailed job descriptions may quickly become outdated.

Each specific position within the school district, including supplemental

positions, should have a job description. Job descriptions should be written to reflect the position, not the person employed in the position.

Many times, a district's collective bargaining agreement will place restrictions on the district's ability to unilaterally edit job descriptions. Prior to beginning a job description project, review your collective bargaining agreement to ensure compliance with contract language.

Developing up-to-date job descriptions can be a very time-consuming process. It is important to devote adequate resources to make the process a success. Once completed, use job descriptions to enhance the school personnel management system rather than just putting them back on the shelf to collect dust. The benefits of accurate job descriptions make the process well worth the effort.

Job evaluations

Definition and use

A job evaluation is a written instrument that creates a uniform process of assessing how well employees do their jobs compared with a set of standards and communicating that information to those employees.

Like job descriptions, job evaluations serve many purposes. They:

- establish a process and criteria for evaluating performance;
- provide documentation in the event of legal action;
- clarify goals in employee job-performance development;
- limit managerial discretion, thus creating consistency and avoiding illegally based employment decisions.

Job evaluations should be created directly from job descriptions. A well-written evaluation will match the job duties set forth in the job description. Evaluations can be drafted in a variety of ways. Common formats include a numeric scoring system, a three-tiered rating system ("doesn't meet, meets, exceeds") and written narrative. A combination (numeric and narrative) is often most effective because it allows a broader assessment of an employee's performance. It also is helpful to allow space for employee comments on the evaluation form.

Process

It is important for all supervisors to receive training in completing evaluations. Training is essential so there is consistency and credibility in the evaluation process. An annual refresher on conducting evaluations

also is a good idea. Finally, when an employee is promoted into a supervisory position, evaluation training should be a standard practice.

There should be a mechanism in place for input from other supervisors if one supervisor does not routinely observe or oversee all of the employee's job duties. This also adds credibility to the overall evaluation process because it ensures feedback on the employee's performance will be based on actual observation.

Evaluation forms should require the employee's signature, indicating receipt of the evaluation. The employee also should be allowed to provide his or her written feedback on the evaluation form. If there is no space on the evaluation, allow the employee to submit comments in a format that can be attached to the evaluation form.

When job descriptions are updated, job evaluations also should be updated to reflect the changes.

Ohio Teacher Evaluation System

In 2011, a new teacher evaluation system was developed under the state biennial budget. The Ohio Teacher Evaluation System (OTES) continues to be amended through subsequent legislation, but its major provisions are found in Ohio Revised Code (RC) [3319.111](#), RC [3319.112](#) and RC [3319.58](#). Boards are required to follow the standards-based state framework that consists of teacher performance and student growth measures. OTES also sets specific guidelines for observations and time lines for written reports. Teachers' evaluations must now be aligned with OTES and should be drafted by each district in accordance with OTES, individual labor agreements and board policy language.

Chapter 2

Americans with Disabilities Act

Purpose

[The Americans with Disabilities Act \(ADA\)](#) is a federal statute that applies to public and private employers with 15 or more employees. Title I of ADA, which deals with employment, prohibits discrimination against qualified individuals with disabilities in job application procedures, as well as hiring, discharge, promotion, compensation, job training and other terms and conditions of employment. In addition, Title I requires employers to reasonably accommodate qualified disabled applicants and employees so they can perform the essential job functions.

Congress passed Title I of ADA to combat disability discrimination in the workplace. Because disabled individuals face obstacles that traditionally exclude them from normal American life, ADA's primary goal is to provide qualified disabled individuals with equal opportunity and access to jobs, promotions, pay and other terms and conditions of employment.

The [Equal Employment Opportunity Commission](#) (EEOC) has drafted regulations and guidance to assist in complying with ADA.

Definitions

To understand ADA, it is important to be familiar with its definitions. Often, enforcing ADA depends on interpreting its key terms.

First, "disability" is defined as a physical or mental impairment that substantially limits one or more major life activities (like seeing or walking); having a record of such an impairment; or being regarded as having such an impairment. Examples of qualified disabilities include AIDS, epilepsy, heart disease or alcohol addiction. Examples of conditions that do not qualify as disabilities under ADA include

homosexuality, pedophilia, kleptomania or current use of illegal drugs. Not only must a person meet the definition of disabled, but he or she must also be “qualified.” A qualified individual is one who has the required education, skills, experience, licenses and other qualifications needed for the job, and can perform the essential functions of the job with or without reasonable accommodation.

An employer is required to “reasonably accommodate” qualified disabled applicants or employees so they can perform the essential functions of the job. Although deciding on the appropriate reasonable accommodation requires a case-by-case analysis, an accommodation can be a simple adjustment or purchase, like raising a desk level to fit a wheelchair or buying special telephones. An accommodation also can be more complex, such as part-time, modified work schedules. An employer is required to make a reasonable accommodation unless the accommodation would cause “undue hardship” on the employer’s business. Undue hardship is defined as an accommodation that is unduly costly, extensive, substantial or disruptive or would fundamentally alter the nature or operation of the business. Finally, and most importantly for job description purposes, “essential functions” are defined as the fundamental duties of a position. A person must be able to perform these duties, either unaided or with the assistance of a “reasonable accommodation.”

In 2008, the [Americans with Disabilities Act Amendments Act](#) (ADAAA) was signed into law. According to EEOC, the intent of ADAAA is to establish predictable, consistent and workable standards by adopting “rules of construction” for ADA. The rules require:

- The definition of disability to be interpreted in favor of broad coverage for individuals.
- The term “substantially limits” to be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of ADA.
- With one exception (“ordinary eyeglasses or contact lenses”), the determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures, such as medication or hearing aids.
- An impairment that is episodic or in remission to be considered a disability if it would substantially limit a major life activity when active.

- Expansion of the definition of “major life activities” by including two non-exhaustive lists, the first of which includes many activities already recognized by EEOC; the second list includes major bodily functions.
- A change to the definition of “regarded as” so that it no longer requires a showing that the employer perceived the individual to be substantially limited in a major life activity, but instead that the individual is “regarded as” if he or she is subject to an action prohibited by ADA based on an impairment that is not transitory or minor.

Determining essential functions

Deciding which functions are “essential” requires a case-by-case analysis. First, does the school board actually require an employee to perform this function? Second, does the position exist only to perform this function? Third, is the function specialized? Fourth, can this function be performed by only a limited number of employees? Fifth, if this function were removed, would it fundamentally alter the job? And, sixth, are the consequences of failing to perform this function severe?

Taking each inquiry individually, starting with the first, the board should ask whether it actually requires an employee to perform a particular function. For example, using the cash register may be listed as an essential duty of a “lunchroom attendant.” However, if the school has never actually required the lunchroom attendant to use the cash register, then it is clearly not an essential function of the position.

Second, does the position exist only to perform this function? For example, the reason a “baker” position exists is to bake. Thus, the ability to bake is an essential function of the position.

Third, is the function specialized? Certain jobs require a person with a highly specialized skill to perform that job. For example, a “French teacher” requires the specialized skill of speaking fluent French. Thus, the ability to speak fluent French would be an essential function of the position.

Fourth, can this function be performed by only a limited number of employees? This inquiry becomes important in small offices, as opposed to larger ones. For example, in a small office, it may be necessary for each person in the “secretary” position to register students for school; however, in a large office, an employee might be excused from that duty because others would be available to perform it.

Fifth, if this function were removed, would it fundamentally alter the job? For example, if a school district removed the duty of typing from the position of “clerk typist,” the position would be fundamentally altered.

Sixth, are the consequences of failing to perform this function severe? If so, then the function is probably an essential one. For example, a “maintenance supervisor” may spend only a few minutes each day inspecting the boiler; however, if he or she fails to inspect the boiler, very serious consequences could arise. Thus, inspecting the boiler would be an essential function of the position.

After a board decides which functions are essential, it is important to describe essential functions using result-oriented language. For example, physical components of essential functions can be described as “adjusting, digging, painting or writing.” Mental components of essential functions can be described as “calculating, organizing, planning or supervising.”

How job descriptions facilitate compliance

Keeping in mind ADA’s definitions, especially that of “essential functions,” job descriptions facilitate legal compliance with ADA by:

- describing whether an applicant is “otherwise qualified” for a position;
- ensuring employer knowledge of which functions the employee must be able to perform with or without reasonable accommodation;
- serving to communicate essential duties to employees;
- providing adequate preparation for ADA discrimination charges;
- facilitating proper interviewing inquiries.

For an employer, it is important that applicants initially meet the “otherwise qualified” definition. If an applicant does not possess the requisite education, experience and skills listed in the position description, the employer is not obligated to hire the applicant, regardless of whether the applicant is disabled.

The essential functions section of the job description is integral to legal compliance with ADA, because it facilitates employer knowledge of which functions the employee must be able to perform, with or without reasonable accommodation. In turn, the employer knows which functions it is required to reasonably accommodate.

If a qualified disabled applicant or employee cannot perform an essential function, with or without reasonable accommodation, the board

is not obligated to hire or retain that applicant or employee. Consider the scenario of a school secretary who suddenly loses a significant amount of hearing in both ears, and therefore meets the definition of “disabled” because it substantially limits a major life activity (e.g., hearing). One of the essential functions of the school secretary position is communicating via telephone. In this situation, the board of education needs to ask whether a reasonable accommodation exists that would allow the secretary to perform the essential function of communicating via telephone. If a reasonable accommodation exists, the school district is obligated to accommodate the employee. If a reasonable accommodation does not exist, the school district is not obligated to accommodate and is not required to retain the employee. On the other hand, if communicating via telephone is not an essential function of the job, the secretary is not required to perform that function and the task can be assigned to another employee. In that situation, neither the employee nor employer need worry about accommodating for that task.

Job descriptions serve to communicate essential duties to employees. The goal of job descriptions is to promote clarity as to which functions are essential. Boards validate essential functions by having incumbent employees sign off in agreement that the listed essential duties reflect their true fundamental duties. It is important for the board and employee to agree on essential functions, because otherwise a time-consuming and costly debate can occur as to which functions are essential.

An employer with current and complete job descriptions is adequately prepared to respond to discrimination charges. Boards cannot expect to defend a discrimination charge if they have not identified the essential functions of each position within their district. EEOC and the [Ohio Civil Rights Commission](#) (OCRC) will request and consider job descriptions when determining essential functions. Accordingly, boards should have accurate job descriptions prepared before they advertise or interview for a position. It is much easier to convince EEOC and OCRC that a function is essential if it has been made a part of the job description prior to the personnel decision that provoked the charge of discrimination.

Job descriptions that highlight essential duties facilitate proper ADA-related interview inquiries. A board may ask an applicant if he or she can perform essential job functions as long as the question is not phrased in terms of having a disability. Specifically, an employer may not

inquire as to whether a job applicant has a physical or mental disability, or about the nature or severity of any such disability, but may inquire as to whether the applicant can perform an essential function of the job.

Additional do's and don'ts for applicant interviewing under the parameters of ADA include:

- an employer may ask about work attendance records with previous employers, as long as the inquiry does not refer to illness or disability;
- an offer of employment may be made conditional upon a subsequent medical examination, but only if such medical examination is required for all other new employees;
- a medical examination may not be required prior to an offer of employment;
- employers may not make inquiries into past or current medical conditions not related to the position at issue, workers' compensation claims or military discharge.

Chapter 3

Fair Labor Standards Act

Purpose

[The Fair Labor Standards Act](#) (FLSA) is a federal statute that the U.S. Supreme Court has held applicable to public employees. It sets forth minimum wage, overtime pay, record keeping and child-labor standards and applies to both full- and part-time employees.

Although most employers are familiar with FLSA, the [U.S. Department of Labor](#) (DOL) regulations change often, requiring employers to monitor FLSA and its impact. Much of the confusion surrounding FLSA deals with who is “exempt” and who is “nonexempt.” Job descriptions often are used as supporting documentation in establishing a job’s exempt status.

Congress passed FLSA in 1938 in an attempt to battle the Great Depression. It calls for American employers to employ the greatest number of people at a minimum, realistic wage. It monetarily penalizes employers who, rather than distributing their existing work among a greater number of employees, require current employees to work longer hours. Therefore, the purpose of FLSA is to motivate employers to hire more employees instead of increasing the hours worked by existing employees.

Major provisions

FLSA is a complex law for employers because it addresses several different issues. The major provisions set requirements for:

- minimum wage;
- overtime pay;
- record keeping;
- child-labor standards.

The act requires covered employees to receive a minimum wage

of not less than \$7.25 per hour effective July 24, 2009. While FLSA provides a ground-level minimum wage, states may establish higher minimum wage standards. However, if a state standard conflicts with the federal FLSA standard, the higher standard applies. Ohio's FLSA counterpart is RC [4111](#), Minimum Fair Wage Standards. [DOL's website](#) is an excellent resource for tracking current [federal and state minimum wages](#).

Although FLSA specifies an hourly minimum wage, boards of education are not required to pay covered employees on an hourly basis. Rather, boards may pay on a salaried, commission, monthly, piecemeal or any other basis, as long as workweek pay equals or exceeds the minimum wage standard.

As opposed to prohibiting covered employees from working beyond a set number of hours, FLSA curtails work hours by requiring boards to pay employees, whose workweek exceeds 40 hours, money beyond their normal rate (e.g., overtime). FLSA does not require extra pay for Saturdays, Sundays or holidays. It does not require pay for vacations, holidays or severance; discharge notices; time off for holidays and vacations; or limit the number of hours those over age 16 may work.

The law's record-keeping provisions require boards of education keep records for all covered employees (including exempt employees). FLSA mandates that boards maintain employees' personnel data and detailed time and payment records.

The act's child-labor provisions serve to defend the educational opportunities of minors. FLSA achieves this by prohibiting children's employment in jobs where conditions are detrimental to their health or well-being. Further, the statute restricts the number of hours a person under age 16 may work. The statute also creates a list of farm and non-farm jobs too dangerous for minors to perform.

It is important for school districts to comply with FLSA because the penalties for its violation are severe. FLSA provisions can be enforced by private employee lawsuits or actions taken by DOL's Wage and Hour Division. Employees suing privately may recover back pay, liquidated damages, attorney's fees and court costs. DOL uses special investigative procedures and can seek injunctive relief. In addition, the U.S. Department of Justice can criminally prosecute persons who commit willful violations. Civil penalties also may be assessed. In addition, the

U.S. secretary of labor can independently initiate investigations or bring suits on behalf of employees.

Exemptions

For job description purposes, school districts must know which employees:

- are not covered by FLSA;
- are covered by FLSA;
- are exempt from FLSA.

Employees who are not covered by FLSA include bona fide independent contractors, trainees, some summer interns, bona fide volunteers and those associated with elected officials. Covered employees are those who are not exempt. Exempt employees, because of their occupations, are exempt only from some FLSA requirements. For example, the major FLSA exemptions relate to executive, administrative, learned professional employees (called “white collar” exemptions) and computer employees. While these types of employees are exempt from minimum wage and overtime provisions, their employers are still required to comply with record-keeping provisions.

A school district must know how to determine if an employee is exempt so the district does not violate FLSA. It is the employer’s burden to affirmatively prove that its employees come within FLSA’s exemptions. As stated above, the three main kinds of exemptions are for executive, administrative and learned professional employees. If an employee falls under one of these exemptions, then he or she is exempt from the FLSA overtime and minimum wage requirements.

Superintendents and principals are examples of employees who meet the “executive” exemption. To qualify for the executive employee exemption, *all* of the following tests must be met:

- The employee must be compensated on a salary base (as defined in the regulations) at a rate not less than \$455 per week.
- The employee’s primary duty must be managing the enterprise or managing a customarily recognized department or subdivision of the enterprise.
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent.
- The employee must have the authority to hire or fire other employees, or the employee’s suggestions and recommendations as to the hiring,

firing, advancement, promotion or any other change of status of other employees must be given particular weight.

Individuals engaged in overall academic administration, such as assistant superintendents of schools, vice principals and heads of academic departments are examples of employees who meet the “administrative” exemption.

To qualify for the administrative employee exemption, *all* of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week.
- The employee’s primary duty must be the performance of office or nonmanual work directly related to the management or general business operations of the employer or the employer’s customers.
- The employee’s primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

Teachers, professors and nurses are examples of employees who meet the “learned professional” exemption. To qualify for the learned professional employee exemption, *all* of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week.
- The employee’s primary duty must be the performance of work requiring advanced knowledge, defined as work that is predominantly intellectual in character and includes work requiring the consistent exercise of discretion and judgment.
- The advanced knowledge must be in a field science or learning.
- The advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

Individuals employed as a computer systems analyst, computer programmer, software engineer or similarly skilled worker in the computer field may meet the computer employee exemption.

To qualify for the computer employee exemption, the following tests must be met:

- The employee must be compensated either on a salary or fee basis at a rate not less than \$455 per week or, if compensated on an hourly basis, at a rate not less than \$27.63 an hour.
- The employee must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker

in the computer field performing the duties described below.

- The employee's primary duty must consist of:
 - ◆ the application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;
 - ◆ the design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;
 - ◆ the design, documentation, testing, creation or modification of computer programs related to machine operating systems; or
 - ◆ a combination of the aforementioned duties, the performance of which requires the same level of skills.

The salary basis test

One element all exemptions have in common is the salary basis test. To be paid on a salary basis means that an employee must regularly receive a predetermined amount each pay period on a weekly or less frequent basis. The salary basis test prohibits employers from reducing the predetermined amount due to variations in the employee's work quality or quantity.

However, special salary basis issues exist when it comes to exempt employees. Issues like wage deductions, hourly pay, overtime pay and disciplinary deductions can become problematic.

Circumstances in which the employer may make deductions from pay

Deductions from pay are permissible when an exempt employee is: absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees or for military pay; for penalties imposed in good faith for infractions of safety rules of major significance; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule

infractions. Also, an employer is not required to pay the full salary in the initial or terminal week of employment or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

Effect of improper salary deductions

The employer will lose the exemption if it has an “actual practice” of making improper salary deductions. Factors to consider when determining if an employer has an actual practice of making improper deductions include, but are not limited to: the number of improper deductions; the time period in which the employer made improper deductions; the number and geographic location of both the employees whose salary was improperly reduced and the managers responsible; and whether the employer has a clearly communicated policy permitting or prohibiting improper deductions. If an “actual practice” is found, the exemption is lost during the time period of the deductions for employees in the same job classification working for the same managers responsible for the improper deductions.

How job descriptions facilitate compliance

With the FLSA provisions previously outlined in mind, the next issue is how job descriptions facilitate compliance with FLSA. In *Corning Glass Works v. Brennan*, 417 U.S. 188 (1974), the U.S. Supreme Court held that it is the employer’s burden to affirmatively prove that its employees fall within FLSA’s exemptions. Boards of education must prove each and every exemption element with substantial evidence. However, due to FLSA’s complexity, boards face a difficult task when it comes to deciding each exemption element. Thus, it is imperative that boards base their decisions on actual job duties.

Classifying jobs as exempt or nonexempt necessitates that a board fully analyze each and every position in its organization and create a comprehensive job description of responsibilities, tasks and requirements for each position. General descriptions of a category of jobs will not satisfy FLSA. Using the carefully formulated job description, the board can more readily determine the job’s exemption status. For example, to establish that an employee falls within the administrative employee exemption, the job description should indicate that the employee’s actual

duties include the primary duty of performing administrative functions in an educational establishment in work related to academic instruction or training. Further, such job description also should indicate that the employee executes special assignments and tasks under general supervision.

The key to making job descriptions helpful in facilitating compliance with FLSA is by compiling them thoroughly and honestly. Courts can construe any FLSA exemption narrowly against the employer asserting it. Therefore, a court is not going to blindly accept a board's job description as reflective of the job's actual duties unless the board derived the position description from actual job duties, not "ideal" or "wish list" duties. If prepared honestly, the job description will provide reliable guidance for determining a job's exempt status and facilitating good faith compliance with FLSA.

Chapter 4

Public Employment Risk Reduction Program — Ohio's OSHA

Purpose and major provisions

Ohio's version of the federal [Occupational Health and Safety Act](#) (OSHA) is known as the [Public Employment Risk Reduction Program](#) (PERRP), found in [RC 4167](#). While OSHA does not cover public employees, PERRP adopts all existing OSHA standards, along with regulations adopted by the administrator of workers' compensation. PERRP is designed to reduce the risk of death and serious physical harm to public employees. Any full- or part-time employee of a board of education is considered a "public employee" for PERRP purposes. If not already subject to OSHA, privately contracted workers controlled by a board of education also are considered public employees subject to PERRP.

PERRP delegates duties to both boards of education and their employees. [RC 4167.04](#) requires boards of education to provide a place of employment "free from recognized hazards that are causing or are likely to cause death or serious physical harm to public employees" and to comply with risk reduction standards. [RC 4167.05](#) requires employees to "comply with Ohio employment risk standards, rules and orders ... [and] comply with safety rules the public employer establishes for purposes of fulfilling compliance with the Ohio employment risk reduction standards, rules or orders."

Many job descriptions, in an effort to demonstrate PERRP compliance, contain a "working conditions" section. This section becomes very

important when employers and employees consider job conditions uncomfortable or dangerous. Unusual or adverse job conditions should be specified within the job description so an applicant or newly hired employee is aware of what conditions to expect.

How job descriptions facilitate compliance

What kinds of items are included in a job description's working conditions section? Some environmental working conditions that could appear in a job description include:

- work near moving mechanical parts;
- work in high places;
- exposure to fumes or airborne particles;
- exposure to toxic or caustic chemicals;
- exposure to outdoor weather conditions;
- exposure to loud noises;
- interaction with unruly children;
- exposure to blood, bodily fluids and tissue.

There are two main reasons why a working conditions section in the job description facilitates compliance with PERRP. First, the section helps boards avoid investigations by the administrator of workers' compensation or the administrator's designee pursuant to [RC 4167.10](#). Second, the working conditions section helps boards of education avoid a school employee's good-faith refusal to work under dangerous conditions via [RC 4167.06\(A\)](#).

The working conditions section helps boards avoid investigations. If employees are appropriately informed of their working conditions through job descriptions, they will better understand under what conditions the employer expects them to work. Job descriptions can facilitate a greater understanding about what is or is not a possible violation of a PERRP standard. As a result, boards can avoid unnecessary investigations.

Under [RC 4167.06\(A\)](#), "a public employee acting in good faith has the right to refuse to work under conditions that the public employee reasonably believes present an imminent danger of death or serious harm to the public employee, provided that such conditions are not such as normally exist for or reasonably might be expected to occur in the occupation of the public employee." The employee's refusal must be in writing. The administrator of workers' compensation or the administrator's

designee shall inspect the premises and issue citations. Until the board of education corrects the condition, the employee has a right to continued employment, full compensation and no retaliation.

The working conditions section of a job description helps boards avoid a school employee's refusal to work. It is important for the board to include unusual and adverse working conditions in job descriptions so the employee knows what to expect. If employers apprise employees of the position's working conditions through job descriptions, employees are aware of the normal, reasonably expected working conditions of the job and, accordingly, will be less likely to establish a good-faith refusal to work.

Chapter 5

Anti-discrimination laws

Title VII's purpose and major provisions

[Title VII of the Civil Rights Act of 1964](#), a federal statute, makes it unlawful for an employer to fail or refuse to hire an individual or otherwise discriminate against any individual with respect to compensation, terms, conditions or privileges of employment because of his or her membership in a protected class. Protected classes include race, color, religion, sex or national origin. Title VII functions to assure equal employment opportunities by putting an end to employment practices that have traditionally favored certain employees. For purposes of this statute, an employer is defined as any person employing 15 or more employees.

The [Genetic Information Nondiscrimination Act of 2008 \(GINA\)](#) prohibits employers from discriminating against individuals on any aspect of employment on the basis of legally acquired genetic information. According to EEOC, "An employer may never use genetic information to make an employment decision because genetic information is not relevant to an individual's current ability to work."

Title VII is enforced by EEOC and by individual employees who file civil actions. EEOC's enforcement begins when a claimant files, within 300 days of the unlawful practice, a written discrimination charge. EEOC then conducts an investigation and decides whether there is reasonable cause to believe the charge is true. If reasonable cause exists, EEOC must attempt to eliminate the practice by informal dispute resolution processes. If not resolved informally, EEOC, the attorney general or the complaining employee (with EEOC authorization) may bring a civil action against the employer. If the civil action is successful, the claimant may obtain reinstatement, hiring, back pay, compensatory damages and/or attorney fees. Claimants may not receive punitive damages from school districts.

Ohio Civil Rights Act's purpose and major provisions

Similar to Title VII, the Ohio Civil Rights Act (OCRA), [RC 4112](#), prohibits unlawful discrimination by any employer because of race, color, religion, sex, military status, national origin, disability, age or ancestry of any person; discharge without just cause; refusal to hire or otherwise to discriminate against that person with respect to hire, tenure, terms, conditions or privileges of employment; or any matter directly related to employment. This statute also prohibits an employer from retaliating against an individual who opposes unlawful employment practices. For the purposes of this statute, an employer is defined as any person employing four or more persons.

[RC 4112](#) is enforced by OCRC, a five-member commission that receives, investigates and passes upon written charges of discrimination. OCRC's enforcement usually begins when an employee files, within six months of the date the unlawful practice allegedly occurred, a written discrimination charge. OCRC then conducts a preliminary investigation and decides if there is probable cause to believe the allegations contained in the complaint. If probable cause does not exist, OCRC will take no further action on the complaint. However, if probable cause does exist, OCRC must try to eliminate the unlawful practice by informal dispute resolution methods. If voluntary compromise fails, OCRC issues a formal complaint and conducts a hearing. If OCRC finds that the employer did not discriminate, it may dismiss the complaint. However, if OCRC decides the employer did discriminate, it can issue a cease-and-desist order, demand hiring, reinstatement, promotion or back pay. OCRC may not award compensatory damages, punitive damages and/or attorney's fees.

How job descriptions facilitate compliance

Job descriptions facilitate compliance with Title VII and OCRA in two ways.

First, job descriptions define job qualifications. While boards may not hire, fire, promote or treat differently based on membership in a protected class, boards can hire, fire, promote or treat differently based on qualifications.

Second, job descriptions aid boards of education in their efforts to tailor employment and pre-employment tests to job requirements.

Job descriptions are helpful when it comes to compliance with anti-discrimination laws, because while these acts prohibit an employer from treating an individual differently on the basis of race, color, religion, sex or national origin, employers can treat individuals differently on the basis of qualifications and/or merit. Job descriptions define the requirements and standards of employment, which are imperative considerations in such cases.

Job descriptions also facilitate compliance with anti-discrimination laws by spelling out job requirements that, in turn, can be used by boards to administer employment and pre-employment tests. If an employment practice excludes members of a protected class and cannot be shown to be related to job performance, the practice is prohibited. Though Title VII does not preclude testing or measuring procedures, Title VII prohibits tests unless they are “demonstrably a reasonable measure of job performance.”

Chapter 6

Project preparation and job analysis

The work of job description development can seem like a formidable task. Determining the process for revising, updating and writing job descriptions is an important step. Organizing the project into a series of interrelated steps is necessary to stay on track and to make the project more manageable.

Developing a project outline or plan from the very beginning can make the process run smoothly. The project plan should include:

- agreement and commitment on the part of the school board, by resolution or policy;
- determination of the project scope;
- assignment of overall administrative responsibility for carrying out the project;
- determination of whether the project will be accomplished in-house or with the assistance of an outside consultant;
- establishment of a schedule for accomplishing the project;
- communication to school staff on the purpose of the project;
- cooperation of union officials;
- development of a job analysis questionnaire or survey;
- determination of a method for job analysis;
- determination of which staff will be involved in the analysis;
- completion of the job analysis questionnaires or surveys;
- development of first drafts of job descriptions;
- development of a process for reviewing drafts;
- final review and approval by the board of education;
- distribution of copies to district staff;
- determination of a method for keeping job descriptions up-to-date.

Project preparation

The job description project's success will depend heavily on who has been assigned responsibility for overseeing its completion. The ideal candidate is the district's personnel or human resources administrator. In smaller districts, the superintendent or assistant superintendent tends to act in this capacity. Regardless of the district's size, one central office individual should be the project coordinator.

After the board and superintendent have determined that the job description project should be a priority, and the administrative coordinator is appointed, the district will have to determine who will be responsible for the actual development of the job descriptions. Will the project be done by in-house staff, or will an outside consultant be contracted? Important elements to consider at this stage include whether:

- the district has the time to devote to all aspects of the project;
- the district will be able to maintain objectivity without alienating staff members;
- the district will devote time to supervise the project from beginning to end;
- the district has people skilled in writing technical descriptions;
- the district has expertise in the laws pertaining to job description content.

Regardless of whether the district decides to keep the project in-house or work with a consultant, a rough time line for the project's completion is important. For example, the district may want to work on each classification in phases. The administrative group can best be handled during the summer months.

Initial organization and planning can take up to two months. Once the method for job analysis has been determined, the analysis stage will take two to four months. It is advisable to give employees adequate time to complete the analyses. If they are only given a couple days, it is likely the analyses will not reflect all of their responsibilities. After the analyses have been completed, preparing first drafts will take two to six months, depending on the system for revision, condition of existing job descriptions and drafting expertise.

Communication is imperative throughout the entire process. All staff should be fully informed about the project, including its purpose, scope, benefits and participants. As soon as the board approves the project, word will spread throughout the district. Misconceptions about the purpose of the project will undoubtedly abound. Therefore, a staff

meeting should be held to provide factual information about the project's purpose. A memorandum to all personnel that includes concise, factual information can be distributed at the meeting, or in its place. The board should explain the job description policy and the administration's plan for making use of it once completed.

Prior to making a full staff announcement, however, the board and administration should gain the support of union representatives and local union presidents. In most cases, the district will encounter few problems. However, employees sometimes believe that management is revising job descriptions in order to change their jobs without employee input. Including district staff in the development of the descriptions and explaining management's intent behind job description development will make the process run smoother in the long run.

Job analysis process

To effectively draft job descriptions and evaluations, the district will have to determine what everyone does. The district likely has no job descriptions to work from, or has extremely outdated ones.

Job analysis is the process of gathering, organizing and evaluating information about the work that is being done in the school district. Job analysis can be done several ways and involve numerous school employees.

There are several pieces of data that the district should collect to draft a job description. Prior to developing a job analysis questionnaire, the district will need to accomplish two important tasks. First, the district will need to develop a list of all job titles, the number of people in each position and the building in which they work. This can best be accomplished by looking at the district's personnel directory, organizational chart and negotiated agreements. Second, the district will need to complete a review of its facilities. For each building or facility, a checklist regarding the type of building, the equipment used and the type of work performed there should be completed. A sample facilities review checklist is included in [Appendix A](#).

The data from the checklist will provide important information on qualifications of individuals performing certain jobs in each building, and may result in the need for additional positions (e.g., separation of custodians by building).

Job analysis questionnaire

A sample job analysis questionnaire is included in [Appendix B](#). The questionnaire should include several items, such as job title, who the position reports to (supervisor's title), FLSA status (exempt or nonexempt) and employment status (regular, temporary, full time or part time). FLSA and employment status should be completed by the position's supervisor, project administrator or human resources department.

The objective of the job analysis questionnaire is to obtain as much information about the position as possible. Therefore, the more questions asked, the more information revealed. Asking the same general questions in a number of different ways will accomplish this objective.

Note how questions No. 1, 2, 5 and 9a are basically asking for the same information — what exactly does a person in this position do?

Question No. 1 asks: "Briefly state in two or three sentences the primary purpose and major function of the job."

Question No. 2 asks: "Describe, in as much detail as necessary, the primary responsibilities of the job. Please feel free to add additional sheets if necessary, or write on the back side of this survey. The more detail provided, the more comprehensive the job description will be."

Question No. 5 asks: "Supervisory responsibilities: Does the job require supervising or evaluating other employees? If yes, give their job titles and a brief description of supervisory responsibilities."

Question No. 9a asks: "Give examples of the planning and scheduling activities and responsibilities the job requires. Also indicate any responsibilities the job has that relate to designing, developing and recommending new practices, policies, procedures, methods, systems, etc."

The answers to these questions should enable the individual drafting the job description to obtain a general description of the position, the position's essential job duties and the position's other job duties. Each question asks for the same information a bit differently. Because the individual in the position may not think of the planning and scheduling activities he or she does as actual duties, the goal of the questionnaire is to jog the person's memory so he or she includes all of the necessary information about the position.

The level of education required for the position also is important.

However, the district needs to remember that the answer to this question should reflect the education that would be required should the position be vacant. The individual currently in the position may have learned a lot on the job (especially if he or she has been in the position for a long time and the job has evolved), but may not have the level of education that the administration would prefer if the position were vacant. Knowledge, skills and abilities required for the job (Question No. 6), licenses or certifications necessary to perform the job (Question No. 7) and equipment used on the job (Question No. 8) also will play important parts in drafting the job description.

The sections on working conditions (Question No. 10) and physical demands (Question No. 11) are very important when looking at whether a reasonable accommodation would be necessary for a disabled employee or future employee. This information is covered in detail in [chapter 2 on ADA](#).

Questions No. 9 and No. 12 are designed to obtain information relevant to the status of the employee under FLSA. Question No. 9 asks: “Which of the following best describes the planning and scheduling activities and responsibilities?” The options for answering this question vary from “None” to “Extensive — a substantial level of planning duties exist” Question No. 12 asks: “Does the job require availability to work beyond the normal workday? If yes, how is the time compensated, e.g., overtime, comp time, no pay, etc.?”

Finally, there should be a place for the individual to add anything that may not have been asked and that he or she feels is important to the overall position. Question No. 13 asks: “Please provide any additional comments regarding any aspect of the job that would be helpful in developing an accurate job description.” To this end, the district may want to add a job duties form with each questionnaire. Typically, duties marked as important and/or frequently performed will be listed as essential functions. This form will allow the person completing the questionnaire to list possible duties for which an individual in the position could be responsible. A copy of the existing job description should be attached to the questionnaire for reference.

Job analysis method

The final step of the job analysis process is to determine what method

will be used to complete the questionnaires. Will each employee be personally interviewed? Will each employee complete a questionnaire on his or her own? Will groups of employees complete the questionnaire in a focus group? Will only selected employees complete the questionnaire? If so, how will such individuals be chosen?

As an initial step, each administrator should complete his or her own questionnaire. Unless the district has large numbers of individuals who hold the same administrative title, this process works well. A focus group would not be used in this case. However, the job description project coordinator should plan a brief training session on how to complete the questionnaires. The goal of this session is to explain the importance of the project and answer any questions.

The support staff and certified teaching positions, however, should be processed differently than the other groups. The district should not ask each and every teacher or bus driver to complete a questionnaire. Instead, a sample of individuals should be selected from which to conduct the survey. Those chosen should represent each building in the district, as well as both veteran and newly hired staff. This cross section will produce the most accurate and representative job analysis. Most importantly, the district should not exclude troublesome or difficult employees. Including these individuals in the process will ensure their buy-in of the job description project, and may even turn them around to management's side.

After the sample individuals have been selected, the district has two options for completing the questionnaires — each individual can be given a questionnaire to complete on his or her own, or a focus group can be established. If the focus group option is selected, a facilitator will be required. The facilitator should be someone who is an objective party, such as the project director or outside consultant. Gathering all the individuals together and having an effective focus group session will take time. Brainstorming possible answers to survey questions and flip-charting responses may take a few hours or a few days. For support staff, overtime will most likely have to be paid if the session is held after the workday.

The option of having each individual complete a separate questionnaire is time-consuming for the person drafting the job descriptions. He or she may have to combine eight or 10 different

questionnaires into one draft. Discrepancies may appear and further clarification may be needed. Regardless of the option selected, training on how to complete the questionnaires is important, especially if employees are asked to complete them on their own.

Once all of the questionnaires have been completed, the supervisors should review them for accuracy. Experience has shown that supervisors are sometimes surprised at the duties their staff are or are not performing. Prior to completing the first drafts, the employees and the supervisors should agree on the general overall duties and responsibilities to be included in the job descriptions.

Draft descriptions

The next step in the job description process involves writing first drafts, second drafts and, in many instances, third drafts for each position. After each draft is completed, a copy should be given to either the focus group or the individual (depending on the method employed) for review and comment. At the first draft stage, both major and minor changes may be necessary. In the second or third draft stages, minor changes, especially in grammar and spelling, are most common.

Once the changes have been made, the job description project coordinator will finalize the drafts and submit them to the board of education for review and approval. The board can either review them at a special board meeting with the job description coordinator and/or superintendent present, or a copy can be given to each board member for individual review and comment.

Upon final approval, the board adoption date should be placed on the last page of each job description. The district then determines how the job descriptions will be stored. A master copy of all job descriptions should be readily available in the central office, either in hard copy and/or electronically. Each district department may want to keep copies of their job descriptions, as well. Each employee should sign his or her job description, with a copy for his or her records and the personnel file.

Chapter 7

Job description format

Content

Job descriptions should answer two fundamental questions: why the position exists and what functions are performed. It is important to focus on describing what the responsibilities and duties of the position are rather than focusing on how they are to be performed. For ADA purposes, focus on the task to be performed rather than on how to perform it.

Job descriptions vary in length and content. While some are very specific, others are rather generic. Due to ADA legal restrictions, it is preferable to have job descriptions that are specific enough to detail the essential functions of the job. Failure to specify the essential functions leaves the door open for lawsuits and can lead to a judge (instead of management) determining the essential functions.

The following information is typically included in all job descriptions:

- job title, code, department and building;
- FLSA status (exempt or nonexempt);
- general terms of employment (e.g., full time, part time, regular or temporary);
- purpose and function of the job;
- essential job duties;
- educational or vocational requirements related to job duties;
- required skills, knowledge and abilities;
- required certification or license;
- physical and/or mental demands;
- environmental conditions to which exposed;
- equipment and/or machines used;
- results expected, either quantitative or qualitative;
- supervisory responsibilities, if applicable;

- placement in the chain of command and how the job relates to others;
- provision for the incumbent's acknowledgment of the details of his or her job description.

Each position in the district should have its own job description. As a result, numerous people with the same job title may have the same job description, even though some tasks may vary. The job description should describe the job, not the person in the job. If two people have the same job title, but perform entirely different tasks, then it is probably necessary to create a separate job description for each.

Development

To create a good job description, the position should be analyzed and the job portrayed in an objective, nondiscriminatory manner. Job descriptions should be clear, concise and reflective of the current position, not based on what the job might entail years from now. When future changes occur, the existing job description should be revised.

The key to developing good job descriptions is the job analysis process. Regardless of whether the district chooses to survey select employees, uses focus groups or conducts personal interviews, the information obtained from the job analysis questionnaire must be easily transferable to the job description format. The greater the correlation between the format of the job analysis questionnaire and the job description, the easier it will be to prepare the first draft.

The job analysis questionnaire should reflect the essential elements of the job. Potential job duties, tasks, responsibilities, physical requirements and working conditions should be listed. The employee or supervisor completing the job analysis questionnaire should indicate whether each of the duties is essential, occasional or not applicable to the position. If this is done properly, the task of writing the job descriptions is much easier.

Some guidelines for writing job descriptions include:

- use simple words whose meanings are clear and not open to interpretation;
- avoid abbreviations or jargon that are not easily understood;
- use action verbs in the present tense (e.g., type, assemble, prepare);
- include end results and any specific measures of performance (e.g., submit forms within 24 hours of receipt);

- delete all nonessential words;
- include unusual demands of the job (e.g., frequent overtime required, occasional operation of a motor vehicle in inclement weather);
- describe the minimum qualifications for the job;
- include a statement that the employee is required to perform other duties as required;
- include a revision date to monitor when future revisions will be necessary;
- conclude with a statement such as “This job description is not an exhaustive list of all tasks to be performed and is subject to change.”

Summary

Each position in the district should have a concise, objective, up-to-date, written job description that identifies the job, gives its purpose and essential functions and indicates where the job fits into the overall organization. Well-written job descriptions tell employees what is expected of them and help supervisors and managers make effective staffing, evaluation and compensation decisions. Although the revision process may be time-consuming, the end result is worth the investment. A job analysis process that includes both employees and supervisors in the analysis and draft development stages will result in descriptions that accurately reflect the jobs and lead to better working relationships for all involved.

Chapter 8

Glossary of terms

Americans with Disabilities Act (ADA)/ Americans with Disabilities Act Amendments Act (ADAAA) — a federal law and its subsequent amendments that prohibits employment discrimination against qualified individuals with disabilities.

disability — under ADA, a physical or mental impairment that substantially limits one or more major life activities, or having a record of such an impairment or being regarded as having such an impairment.

employer — under Title VII of the Civil Rights Act of 1964, any person employing 15 or more persons; under OCRA, any person employing four or more persons.

essential functions — fundamental duties of a job which: are actually required to be performed by the employee; are necessary to the existence of the position; require specialized skill; are performed by a limited number of employees; if removed from the job, would fundamentally alter it; and if the employee failed to perform them, would result in severe consequences.

exempt status — under FLSA, an employee who meets all exemption elements.

facilities review checklist — a checklist to be completed for each building in the district to elicit information on various aspects of each facility.

Fair Labor Standards Act (FLSA) — a federal law that regulates employment issues, including minimum wage, overtime pay, record keeping and child-labor standards.

focus group — a group of employees selected as a representative sample for purposes of completing job analysis questionnaires.

job analysis — the process of determining what each position in a district consists of, including title, department, supervisor to which it reports, building or facility in which it works, employment status, FLSA status, primary purpose and major function, essential job duties, other job duties, qualifications, required knowledge, skills and abilities, equipment operated, working conditions and physical demands.

job analysis questionnaire — a questionnaire designed to elicit information from employees about their positions during the job analysis process.

job description — a written statement that specifies the requirements, responsibilities and working conditions of a particular job.

job evaluation — a written statement and process of evaluation of an employee's job performance.

nonexempt status — under FLSA, an employee who is paid on an hourly basis and subject to overtime pay.

Occupational Safety and Health Act (OSHA) — a federal law that prohibits regulations and standards formulated by the Occupational Safety and Health Administration applicable to private sector employers to reduce the risk of death or serious physical harm to private sector employees.

Ohio Civil Rights Act (OCRA) — a state law that prohibits unlawful discrimination by any employer because of race, color, religion, sex, military status, national origin, disability, age or ancestry of any person; discharge without just cause; refusal to hire or otherwise discriminate against that person with respect to hire, tenure, terms, conditions or privileges of employment; or any matter directly related to employment.

protected class — under Title VII, race, color, religion, sex or national origin.

Public Employment Risk Reduction Program (PERRP) — Ohio's version of OSHA that adopts all existing OSHA standards, along with regulations adopted by the administrator of workers' compensation and applies them to public sector employers to reduce the risk of death or serious physical harm to public sector employees.

PERRP violation — occurs when physical harm to a public employee is threatened or danger is imminent due to work place hazards.

qualified — under ADA, possessing the required education, skills, experience, licenses and other qualifications needed for a job, and the ability to perform the essential functions of the job, with or without reasonable accommodation.

reasonable accommodation — under ADA, an accommodation for a qualified disabled employee that does not cause undue hardship on the employer's business.

salary basis test — under FLSA, the regular receipt of a salary in a predetermined amount each pay period on a weekly or less frequent basis.

Title VII of the Civil Rights Act of 1964 — a federal law that prohibits various types of employment discrimination.

undue hardship — under ADA, an accommodation that is unduly costly, extensive, substantial or disruptive or would fundamentally alter the nature or operation of the business.

working conditions — various environmental and other conditions to which an employee may be exposed while working.

Appendix A

Sample facilities review checklist

Building name:

Date:

For purposes of this survey, the term “building” refers to any and all structures in, on or around the main building (i.e., even if the maintenance workshop is not physically part of the high school, but is a separate structure adjacent to the high school, it is considered a building for purposes of this survey).

1. Building floor plan: one story multistoried

2. If multistoried, is there an elevator in the building?
 Yes No NA

3. Is there a stair lift in the building?
 Yes No NA

4. Does the building have a basement?
 Yes No NA

5. Is a boiler’s license required of the custodian/maintenance workers in the building?
 Yes No NA

- 5a. If yes, what type of license is required:
high-pressure or low-pressure?
 High Low NA

6. Does the building have a septic system?

- Yes No NA

7. What type of water system does the building have?

- City Well NA

8. Is cafeteria food stored, prepared and/or served in the building?

- Yes No NA If yes, please explain.

9. Are custodians or maintenance workers who work in the building responsible for maintaining athletic fields outside of the building, i.e., football, baseball?

- Yes No NA If yes, please explain.

10. Are custodians or maintenance workers who work in the building responsible for preparing the gymnasium for athletic or other extracurricular events?

- Yes No NA If yes, please explain any equipment or machines that must be used or operated in preparing the gym.

11. Is there an indoor pool in the building?

- Yes No NA If yes, who is responsible for pool maintenance?

12. Are custodians or maintenance workers or other personnel who work in the building required to use any special equipment, i.e., tractor, lawn mower, etc.?

Yes No NA If yes, please explain.

13. Are custodians or maintenance workers or other personnel who work in the building required to maintain any special certifications, licenses, etc.?

Yes No NA If yes, please explain.

14. Are any personnel who work in the building required to have a commercial driver's license?

Yes No NA If yes, please explain.

15. Are any personnel who work in the building required to use computers and printers?

Yes No NA If yes, please explain.

16. Are any personnel who work in the building required to use fax machines, copy machines and other office equipment?

Yes No NA If yes, please explain.

17. Do any personnel who work in the building have access to confidential information?

Yes No NA If yes, please explain.

18. Are any personnel who work in the building required to use their own vehicles as part of their job?

Yes No NA If yes, please explain.

19. Are any personnel who work in the building exposed to excessive noise, heat, cold and/or other such conditions?

Yes No NA If yes, please explain.

20. Are any personnel who work in the building required to perform duties that could be considered repetitive motion, i.e., typing, mopping, etc.?

Yes No NA If yes, please explain.

21. Is the entire building in compliance with the Americans with Disabilities Act (i.e., provide wheelchair access, etc.)?

Yes No NA If not, what are the limitations?

22. Are custodians or maintenance workers responsible for snow removal?

- Yes No NA

23. Does the building have an active security system?

- Yes No NA

23a. If yes, are district personnel responsible for the system’s upkeep, maintenance, etc.?

- Yes No NA If yes, please explain.

24. Are there any other facility characteristics, or duties or responsibilities of personnel working in the building that would be important for us to know in developing the job analysis questionnaire (i.e., additional characteristics of the outside or inside of the building, job duties of an employee that only that employee performs, other equipment required to be operated, required certificates or licenses, and any and all information that you feel may be pertinent)?

- Yes No NA If yes, please explain. (Attach more sheets if necessary)

Appendix B

Sample job analysis questionnaire

Job title:

Department:

Building/facility:

Reports to (supervisor's title):

FLSA status: Exempt (salaried)
 Nonexempt (hourly/eligible for overtime)

Employment status: Regular Full time
 Temporary Part time

1. Briefly state in two or three sentences the primary purpose and major function of the job.

2. Describe, in as much detail as necessary, the primary responsibilities of the job. Please feel free to add additional sheets if necessary or write on the back side of this survey. The more detail provided, the more comprehensive the job description will be.

3. Select the level of education and/or experience needed to successfully accomplish the essential duties of the job.
- No prior experience or training.
 - High school diploma or general education degree (GED); or one to three months related experience and/or training; or equivalent combination of education and experience.
 - Associate's degree (AA) or equivalent from a two-year college or technical school; or six months to one year related experience and/or training; or equivalent combination of education and experience.
 - Bachelor's degree (BA) or equivalent from a four-year college or university; or one to two years related experience and/or training; or equivalent combination of education and experience.
 - Master's degree (MA) or equivalent; or four to 10 years related experience and/or training; or equivalent combination of education and experience.
 - Doctoral degree (Ph.D.) or equivalent; or more than 10 years related experience and/or training; or equivalent combination of education and experience.

Please provide additional comments regarding educational requirements of the job if necessary (i.e., number of years related experience, type of training, etc.).

4. Does the job require working with confidential information?
- Yes No If yes, please provide examples.

5. Supervisory responsibilities: Does the job require supervising/evaluating other employees?
- Yes No If yes, give their job titles and a brief description of supervisory responsibilities.

6. List any knowledge, technical skills, special training or abilities required/necessary to perform the job, e.g., typing, plumbing skills, computer skills, basic first aid, etc.

7. List any certifications or licenses required/necessary to perform the job, e.g., CDL, CPR certification, boiler's license, etc.

8. Does the job require use of any hand tools, machines or equipment?
 Yes No If yes, list the equipment (e.g., pickup truck, convection oven, welder, etc.); office machines (e.g., typewriter, calculator, etc.); educational tools (e.g., Language Master, etc.); or any others that you are required to operate on a regular and recurring basis.

9. Which best describes the planning and scheduling activities and responsibilities the job requires (place a check mark next to one of the following)? The response to this question is important in determining Fair Labor Standards Act status.

- None
- Very limited — little opportunity to plan or schedule activities.
- Limited — some planning of activities is required.
- Moderate — a moderate amount of planning activities is required.
- Significant — a relatively large part of the job is planning or scheduling activities.
- Extensive — a substantial level of planning duties exists, usually affecting numerous employees and activities, and requiring a significant amount of time.

9a. (If you answered “none” to question No. 9, please skip this question.) Give examples of the planning and scheduling activities and responsibilities the job requires. Also indicate any responsibilities the job has that relate to designing, developing and recommending new practices, policies, procedures, methods, systems, etc.

10. Following are a number of environmental and other working conditions that may be related to the job. Please place a check mark in the column that best describes the exposure to or the frequency of the condition. There is an area for comments.

Frequent exposure: Job requires exposure to the particular condition on a daily or weekly basis

Occasional exposure: Job requires exposure to the particular condition sporadically or the chance of exposure exists but does not occur often

No exposure: Job does not require exposure to the working condition

Working conditions	Frequent exposure	Occasional exposure	No exposure
Work near moving mechanical parts			
Work in high places			
Exposure to fumes or airborne particles			
Exposure to toxic or caustic chemicals			
Exposure to outdoor weather conditions			

Exposure to dangerous chemicals			
Exposure to loud noises			
Requirement to travel			
Requirement to work overtime			
Interaction with unruly children			
Repetitive hand motion			
Exposure to blood, bodily fluids and/or tissue			
Operation of a vehicle in inclement weather			

Comments:

11. Please check all physical demands of the job that apply, and check the box that appropriately describes the amount of time spent doing the particular task. For duties indicated, estimate the number of pounds required.

Demand	Frequent	Occasional	NA
Standing			
Walking			
Sitting			
Lifting max. _____ lbs.			
Carrying max. _____ lbs.			
Pushing max. _____ lbs.			
Pulling max. _____ lbs.			
Climbing			
Balancing			
Stooping			
Kneeling			
Crouching			
Reading			
Hearing			
Color vision			

Comments:

12. Does the job require availability to work beyond the normal workday?
 Yes No If yes, how is the time compensated, e.g.,
overtime, comp time, no pay, etc.

13. Please provide any additional comments regarding any aspect of the job that would be helpful in developing an accurate job description.

14. Below are duties and responsibilities that may apply to the job.
Please place an "X" to all that apply.

Job responsibilities for custodian	Important and/or frequent	Occasional	NA
Perform minor repairs including, but not limited to, glass replacement, electrical, wood and metal repairs and painting			
Maintain building security system			
Maintain playground equipment			
Operate and perform routine maintenance on heating system			
Operate and maintain waste and sewage systems			

Job responsibilities for custodian	Important and/or frequent	Occasional	NA
Maintain an accurate inventory of all custodial equipment and supplies			
Request needed equipment and supplies			
Maintain school grounds and landscape			
Plow and remove snow from school grounds			
Prepare athletic fields for events			
Clean bus garage			
Mow lawn			
Maintain a clean, safe and neat boiler room			
Sweep, vacuum, mop and wax floors			
Empty trash receptacles and pencil sharpeners			
Remove cobwebs, wash windows and clean chalkboards			
Secure building nightly			

Job responsibilities for custodian	Important and/or frequent	Occasional	NA
Check boiler room nightly			
Polish furniture and woodwork as necessary			
Clean and maintain custodial equipment and materials			
Trim bushes and trees			
Perform necessary routine maintenance			
Assist with major repairs as assigned			
Transport all necessary school maintenance and custodial supplies			
Assist in the control of all maintenance and custodial tools and supplies			
Ensure the care, condition, appearance, repair or replacement of all physical equipment, buildings and grounds			
Assist work crews on assigned tasks			

Job responsibilities for custodian	Important and/or frequent	Occasional	NA
Conduct periodical inspections of buildings			
Perform electrical, plumbing, carpentry, welding, concrete and roofing duties as needed			
Deliver supplies and equipment to district buildings			
Complete paperwork as required by supervisor			
Promote good safety practices and procedures			

Appendix C

Classified job descriptions

Click on the words “Microsoft Word” or “pdf” to below the position title to open the appropriate file.

Editor’s note: The included job descriptions are only samples; each district must draft job descriptions to match the actual duties performed in each position in the district. Items in italics are often found in job descriptions, but are subjective and can be difficult to evaluate.

A

Administrative Assistant, Human Resources

[Microsoft Word](#) [pdf](#)

Aide

[Microsoft Word](#) [pdf](#)

Ala Carte Assistant

[Microsoft Word](#) [pdf](#)

Assistant Treasurer

[Microsoft Word](#) [pdf](#)

Athletic Trainer

[Microsoft Word](#) [pdf](#)

Attendance Aide

[Microsoft Word](#) [pdf](#)

B

Board of Education Member

[Microsoft Word](#) [pdf](#)

Building and Grounds Lead

[Microsoft Word](#) [pdf](#)

Bus Aide

[Microsoft Word](#) [pdf](#)

Bus Driver

[Microsoft Word](#) [pdf](#)

C

Cafeteria Helper

[Microsoft Word](#) [pdf](#)

Cafeteria Manager

[Microsoft Word](#) [pdf](#)

Cheerleader Coach (Grades 7-8)

[Microsoft Word](#) [pdf](#)

Clerical Secretary/Receptionist

[Microsoft Word](#) [pdf](#)

Clerk Typist

[Microsoft Word](#) [pdf](#)

Courier

[Microsoft Word](#) [pdf](#)

Custodian

[Microsoft Word](#) [pdf](#)

D

Dishwasher

[Microsoft Word](#) [pdf](#)

E

Elementary School Breakfast Coordinator

[Microsoft Word](#) [pdf](#)

F

Federal Grants Coordinator

[Microsoft Word](#) [pdf](#)

Food Service Staff/Cashier

[Microsoft Word](#) [pdf](#)

Food Service Staff/Cook

[Microsoft Word](#) [pdf](#)

Food Service Supervisor

[Microsoft Word](#) [pdf](#)

G

Groundskeeper

[Microsoft Word](#) [pdf](#)

Guidance Secretary

[Microsoft Word](#) [pdf](#)

H

Head Cheerleader Coach

[Microsoft Word](#) [pdf](#)

Head Coach

[Microsoft Word](#) [pdf](#)

Head Cook

[Microsoft Word](#) [pdf](#)

Head Maintenance

[Microsoft Word](#) [pdf](#)

High School Attendance Officer

[Microsoft Word](#) [pdf](#)

L

Lead Custodian

[Microsoft Word](#) [pdf](#)

Library Aide

[Microsoft Word](#) [pdf](#)

Library/Media Services Director

[Microsoft Word](#) [pdf](#)

Lighting/Sound Supervisor

[Microsoft Word](#) [pdf](#)

M

Maintenance

[Microsoft Word](#) [pdf](#)

Maintenance, Buildings and Grounds Supervisor

[Microsoft Word](#) [pdf](#)

Mechanic

[Microsoft Word](#) [pdf](#)

Monitor-Study Hall/Saturday School/After-School Detention

[Microsoft Word](#) [pdf](#)

N

Nurse's Aide

[Microsoft Word](#) [pdf](#)

O

Office Manager

[Microsoft Word](#) [pdf](#)

P

Paraprofessional

[Microsoft Word](#) [pdf](#)

Parent Involvement Coordinator

[Microsoft Word](#) [pdf](#)

Parent Mentor

[Microsoft Word](#) [pdf](#)

Payroll Clerk

[Microsoft Word](#) [pdf](#)

Pre-School Aide

[Microsoft Word](#) [pdf](#)

R

Receptionist/Curriculum Secretary

[Microsoft Word](#) [pdf](#)

S

Safety and Security Coordinator

[Microsoft Word](#) [pdf](#)

School Secretary (Elementary)

[Microsoft Word](#) [pdf](#)

School Secretary (Secondary)

[Microsoft Word](#) [pdf](#)

Secretary (Special Education Programs)

[Microsoft Word](#) [pdf](#)

Secretary I

[Microsoft Word](#) [pdf](#)

Secretary II

[Microsoft Word](#) [pdf](#)

Secretary/Administrative Assistant to the Superintendent

[Microsoft Word](#) [pdf](#)

Secretary-Records

[Microsoft Word](#) [pdf](#)

Site Monitor (Emotional Disturbance Program)

[Microsoft Word](#) [pdf](#)

Special Needs Aide

[Microsoft Word](#) [pdf](#)

Student Secretary

[Microsoft Word](#) [pdf](#)

Support Services Manager

[Microsoft Word](#) [pdf](#)

T

Transportation Director

[Microsoft Word](#) [pdf](#)

Transportation Supervisor

[Microsoft Word](#) [pdf](#)

Treasurer

[Microsoft Word](#) [pdf](#)

V

Volunteer

[Microsoft Word](#) [pdf](#)

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