

## Lessons Learned: Job Descriptions Do Matter

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**Norma W.  
Zeitler**  
Partner

When was the last time you reviewed the job descriptions of your employees? At the time of the review, did you ask supervisors to review the job descriptions to see if they were accurate? What about the employees – did you have each employee review and sign the applicable job description, acknowledging that it accurately described the job duties as performed by the employee? While there is no legal **requirement** to regularly update job descriptions (or even to have them), the 11<sup>th</sup> Circuit's decision in [Mason v. United Parcel Services](#) serves as a reminder that job descriptions do matter. In *Mason*, the Plaintiff claimed that UPS failed to accommodate her various lifting restrictions and thus discriminated against her in violation of the Americans With Disabilities Act. In affirming summary judgment for UPS, the 11<sup>th</sup> Circuit explained that in determining whether a function is essential, relevant evidence includes (among other things) the employer's judgment as to what functions are essential, a written job description and the amount of time actually spent performing the function. As to the written job description for Mason's position with UPS, it required (among other things) that employees like Mason be able to lift packages (of a certain weight) above their shoulders and lower them to foot level – two actions Mason could not do because of her alleged disability. Because Mason failed to rebut evidence (from the job description) that those two actions were, in fact, essential functions, the court found UPS had no duty to excuse Mason from performing them. This case serves as an important reminder for all employers that now would be a good time to review written job descriptions to make sure they are up-to-date and accurate, and that they clearly delineate essential and non-essential job functions (and the physical or mental abilities needed to perform them).

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