

Management Lifestyles

T&J Associates

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Essential Job Functions

Job analysis provides an objective basis for hiring, evaluating, training, accommodating and supervising employees as well as improving an organization's efficiency.

It is an investigative process that involves observing an individual who is actually doing a job, observing co-workers, interviewing the worker, and interviewing co-workers. Additional data collection might be achieved using task-centered questionnaires, checklists, and journal entries. A job analysis

essentially involves determining the job's purpose and the structure of the job setting, including specifics about the work-site, workstation, and activities.

A job function is "essential" when performance of the function is the reason that the job exists. A function may be "essential" when:

- The number of employees available to perform the function is limited.
- The function requires specialized skills.
- The function occupies a large percentage of time.
- Failure to perform the



function may have serious consequences.

To be protected under Title I of the Americans with Disabilities Act (ADA), an employee or applicant must have a disability and also be qualified to perform the essential job functions with or without reasonable accommodation.

Employment Law Guide

The Department of Labor (DOL) makes it easier for employers to understand and comply with U.S. labor and employment laws with its updated Employment Law Guide.

The Employment Law Guide addresses new

changes in labor policy including federal minimum wage, expansion of FMLA for qualified relatives of injured active duty veterans, child labor regulations in the agricultural industry, and the Defense Base Act which provides workers'

compensation benefits to civilian employees working outside the U.S.

Each chapter in the Employment Law Guide corresponds to the laws addressed in the DOL's *First-Step Advisor*.

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Business Tips:

- Ensure each of your job descriptions is accompanied by essential job functions.
- Maintain updated material and resources on employment law.
- Conduct an organizational climate survey to enhance your operations.
- There's unlimited value in self-assessments.

Organizational Climate Surveys

Organizational climate is the process of quantifying the “culture” of an organization. It is a set of properties of the work environment, perceived directly or indirectly by the employees, that is assumed to be a major force in influencing employee behavior.

Climate and culture are both important aspects of the overall context, environment or situation. Organiza-

tional climate is often defined as the recurring patterns of behavior, attitudes and feelings that characterize life in the organization, while an organization culture tends to be deep and stable. Although culture and climate are related, climate often proves easier to assess and change.

There are two related difficulties in defining organization climate: how to define climate, and how to



measure it effectively on different levels of analysis.

Scientific theories provide ration-
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Sex-Based Harassment

Although U.S. Equal Employment Opportunity Commission (EEOC) guidelines specifically address conduct that is sexual in nature, the Commission notes that sex-based harassment -- that is, harassment not involving sexual activity or language -- may also give rise to Title VII liability (just as in the case of harassment based on race, national origin or religion) if it is "sufficiently pat-

terned or pervasive" and directed at employees because of their sex.

Acts of physical aggression, intimidation, hostility or unequal treatment based on sex may be combined with incidents of sexual harassment to establish the existence of discriminatory terms and conditions of employment.

Sex discrimination also can in-

It is unlawful to harass a person because of that person's sex.

volve treating someone less favorably because of his or her connection with an organization or group that is associated with people of a certain sex.

Women in the Labor Force

The United States Department of Labor defines labor force as all persons age 16 and over working or looking for work. A person is *employed* if he or she is working for pay.

In 2009, 72,019,000 women were in the civilian labor force, 66,208,000 of whom were employed. Women in

the workforce are vital to the nation's economic security.

The U.S. Department of Labor Women's Bureau, established by Congress in 1920, is the only federal agency mandated to represent working women in the public policy process.

The mission of the Women's Bu-

reau is to promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment. It develops policies and standards and conducts inquiries to safeguard the interests of working women.

Employment Law

Disability Discrimination Suit

Olsten Staffing Services Corp., a nationwide temporary employment agency, agreed to pay \$75,000 to settle an EEOC disability discrimination lawsuit. Olsten allegedly refused to refer a deaf job applicant for temporary employment as a production worker despite his meeting all the actual qualifications for the job. [EEOC v. Olsten Staffing Services Corp.]

OSHA vs. Strict Employer Policy

An employee was killed in an accident when he was thrown out of a vehicle. He was not wearing a seatbelt. The company had a strict policy requiring the wearing of seatbelts. However, OSHA found the policy did not constitute a defense to liability in this case. Investigation showed that the seatbelt had been



inoperable for some months. In re Burford Tree, Inc. (2010).

ERISA

The Employee Retirement Income Security Act of 1974, or ERISA, protects the assets of millions of Americans so that funds placed in retirement plans during their working lives will be there when they retire. ERISA is a federal law that sets minimum standards for pension plans in private industry.

Professional Development

Myers-Briggs, a mother and daughter team, chose four dichotomies to make Jung's theory of psychological types understandable and useful in people's lives.

The goal of the personality type indicator assessment is to help participants better understand personality differences and how those differ-

ences affect communication and teamwork.

The objectives help identify your personality type, understand types of others, learn to use the indicator to form better relationships, understand

why conflict occurs between individuals, and develop strategies to better communicate with others.

Enhance your skills. Take the quiz, determine your type, and review other characteristics and pitfalls.

Professional development is lifelong learning, increasing knowledge, and enhancing skills.

Organizational Climate Surveys (continued from page 2)

able for why leaders should improve stress and morale in the workplace to achieve maximum performance. Climate surveys can provide concrete evidence of how this works in action.

Organizational climate surveying enables the impact of HR strategies to be evaluated to create HR Return

on Investment calculations. This data changes the perspective of people-based initiatives as being an "investment" rather than a "cost" and transforming HR into a "mission-critical strategic partner" from its perception of "personnel administration."

Studies also support the links between organizational climate and many other factors such as employee retention, job satisfaction, well-being, and readiness for creativity, innovation and change.



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We're on the web!
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T&J is a limited liability company, T&J Associates of New Jersey LLC, providing employment consulting and training services in the areas of business and campus human behavior since 1986.

Our first concern is making a meaningful contribution to companies and institutions by bringing new ideas and options to help promote positive inter-relationships. Our focus is working with the client to find the best and most cost-effective solutions that contribute to improved performance in critical human resource areas.

Some workplace or campus issues are isolated or periodic and do not require the daily services of on-site staff. That's where T&J is an asset. This newsletter is a promotional piece to inform the reader of issues you may need to address. Your human resource issues and dilemmas can become our challenges. Throw down the gauntlet and lets begin!

Helping new managers get started and experienced managers get better!

The Power of Listening

Listening in a way that demonstrates understanding and respect creates a rapport from which you can sell, manage or influence others. Thus, the listener gains information, and an open, trusting relationship develops between listener and speaker.

Effective listening is an invaluable tool in situations between student and teacher, employer and employee, parent and child, spouses, or friends. The power of listening!

How to gain friends and influence enemies -- sounds like a plan. But first, we must determine our current listening skills, enhance those skills, and then use them effectively.

The difference between hearing and listening is significant. Hearing is a physical ability while listening is a skill that allows one to make sense of and understand what was heard. Listening is more than hearing and leads to the understanding of facts and ideas. There are several ways to enhance active listening. One effective method is a self-assessment.

It is estimated that people screen out or change the intended purpose of what they hear in over 70% of all communications. The biggest factor contributing to this dilemma is our preferred listening approach-- appreciative, empathic, comprehensive, discerning, and evaluative.

Your self-assessment will show how you fared in these five listening approaches.

Without listening, there is no communication.

