

## Federal Record Retention Requirements

There is often confusion among employers concerning the legal requirements for recordkeeping and retention of employee files and other employment-related records. Not only are there federal recordkeeping requirements, but individual states also have requirements that must be followed. Some requirements apply to most or all employers, while others apply primarily to government contractors and subcontractors. Many of these requirements are dependent on the particular law which applies to the type of record and the number of employees.

This chart may also be helpful when combined with the **state recordkeeping laws** chart.

Generally an employer could establish the following retention periods for both electronic and paper-based records:

- Personnel: 7 years after termination.
- Medical/benefits: 6 years after plan year. \*
- I-9 forms: Not more than 3 years after termination.
- Hiring Records: 2 years after hiring decision.

(\* an exception would be to maintain employee exposure records for at least 30 years, under the requirements of 29 CFR 1910.1020).

If the employer is involved in an employment-related dispute with a terminated employee and this dispute has not yet been reconciled, retain all documents relating to that employee.

Once the required retention time frames have been met be sure to create a destruction log and destroy records by shredding to ensure that no confidential employee information is inadvertently released.

Type of Record	Relevant Law	Years to be Kept	Records Covered
Selection, Hiring & Employment Records	Age Discrimination in Employment Act (20 or more employees)	1 year after creation of the document or the hire/no hire decision whichever is later. (3 years for federal contractors)	Job applications, resumes, job ads, screening tools/tests, interview notes and other records related to hire/no hire decisions.
	Americans with Disabilities Act (15 or more employees)		Records related to promotions, demotions, transfers, performance appraisals, terminations,
	Civil Rights Act of 1964 (Title VII) (15 or more employees)		

	<p>Section 503 of the Rehabilitation Act of 1973 (federal contractors)</p> <p>Vietnam Era Veterans Readjustment Assistance Act (federal contractors)</p> <p>Executive Order 11246 (applies to federal contractors)</p> <p>Service Contract Act, Davis-Bacon Act, Walsh-Healey Act (apply to federal contractors)</p>		<p>reasonable accommodations and/or requests, training records, incentive plans, merit systems, and seniority systems.</p> <p>AAP records relating to hiring benchmarks and utilization goal analyses; hiring metrics analyses; and self-identification records for veterans and individuals with disabilities.</p> <p>Copy of EEO-1 survey and intake forms if applicable.</p>
Payroll Records, Time Sheets/Cards	<p>Age Discrimination in Employment Act (20 or more employees)</p> <p>Fair Labor Standards Act (1 or more employee)</p> <p>Equal Pay Act (1 or more employee)</p> <p>Lilly Ledbetter (1 or more employee)</p> <p>Service Contract Act, Davis-Bacon Act, Walsh-Healey Act (apply to federal contractors)</p> <p>Family Medical Leave Act (50 or more employees)</p>	3 years (There are no retention requirements under Lilly Ledbetter, however it is recommended that employers retain records for length of employment, plus an additional <b>5 years</b> )	<p>Basic employee data: name, address, Social Security number, gender, date of birth, occupation and job classification.</p> <p>Compensation records:</p> <p>Amounts and dates of actual payment.</p> <p>Time and day of week when employee's workweek begins.</p> <p>Total hours worked each day and workweek. employee's Basis and rate which wages are hour", paid (e.g., "\$9 per "\$455 a week", "piecework").</p> <p>Straight time and overtime hours/pay.</p> <p>All additions to or deductions from the employee's wages.</p> <p>Total wages paid each</p>

			<p>pay period.</p> <p>Date of payment and the pay period covered by the payment.</p> <p>Records explaining any sex-based pay differences.</p> <p>Annuity and pension payments.</p> <p>Fringe benefits paid.</p>
Form I-9	Immigration Reform and Control Act (1 or more employee)	3 years after date of hire or one year after date of termination, whichever is later	
Employment Benefits	Employee Retirement Income Security Act	6 years	<p>Except for specific exemptions, ERISA's reporting and disclosure requirements apply to all pension and welfare plans, including: Summary plan description (updated with changes and modifications), annual reports, notice or reportable events (such as plan amendments that may decrease benefits, a substantial decrease in the number of plan participants, etc.), plan termination.</p>
Tax Records	<p>Federal Insurance Contribution Act (all employers)</p> <p>Federal Unemployment Tax Act (all employers)</p> <p>Federal Income Tax Withholding (all employers)</p>	4 years from date tax is due or paid	<p>Amounts of wages subject to withholding.</p> <p>Agreements with employee to withhold additional tax.</p> <p>Actual taxes withheld and dates withheld.</p> <p>Reason for any difference between total tax payments and actual tax payments.</p> <p>Withholding forms</p>

			(W-4, W4-E).
Safety Data	Occupational Health & Safety Act (10 or more employees)  Walsh-Healy Act (federal contractors)	5 years following the year records pertain to (*Medical exams, material safety data sheets and exposure to toxic substances records retained for the duration of employee's job tenure plus <b>30 years</b> )	Log of occupational injuries and illnesses. Records of injuries and illnesses. Summary of injuries and illnesses. Records of exposure to toxic substances for each employee.
Family Medical Leave Records	Family Medical Leave Act (50 or more employees)	3 years	Basic employee data, including name, address, occupation, rate of pay, terms of compensation, daily and weekly hours worked per pay period, additions to/deductions from wages and total compensation. Dates of leave taken by eligible employees. Leave must be designated as the FMLA leave. For intermittent leave taken, the hours of leave. Copies of employee notices and documents describing employee benefits or policies and practices regarding paid and unpaid leave. Records of premium payments of employee benefits. Records of any dispute regarding the designation of leave.
Health Care Continuation	Consolidated Omnibus Budget Reconciliation Act (20 or more employees)	There are no recordkeeping requirements under COBRA. However, many experts	Provide written notice to employees and their dependents of their option to continue group health

		recommend that records be maintained for <b>6 years</b> from the date of the record to remain consistent with ERISA requirements.	plan coverage following certain qualifying events, such as the employee's termination, layoff or reduction in working hours, entitlement to Medicare, or the death or divorce of the employee (that would cause dependents to lose coverage under the employer's plan).
Polygraph Test Records	Employee Polygraph Protection Act (1 or more employee)	3 years	Polygraph test result(s) and the reason for administering.
Affirmative Action Plan/Data	Executive Order 11246 (applies to federal contractors)  The Uniform Guidelines on Employee Selection Procedures (100 or more employees)	2 years	Applications and other personnel records that support employment decisions (e.g., hires, promotions, terminations) are considered "support data" and must be maintained for the AAP.
Credit Reports	Fair and Accurate Credit Transactions (1 or more employee)	No retention requirement. Law requires shredding of all documents containing information derived from a credit report. Don't discard for at least one year though (see Selection, Hiring & Employment Records)	
Drug Test Records	Department of Transportation (DOT) covered safety-sensitive transportation	1 year from test date (up to 5 years for records relating to drug testing for DOT positions,	

	positions; aviation, trucking, railroads, mass transit and pipelines.	see § 382.401 for specific DOT retention requirements)	
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**CLASS TITLE:** POLICE OFFICER

06/13

**DEPARTMENT:** ██████████ City Police Department

**ACCOUNTABLE TO:** Police Sergeant

**STATUS:** Regular, full-time, union

**Primary Objective of Position:** Under general supervision, performs a variety of law enforcement work associated with patrol and traffic control for the ██████████ Police Department.

**Essential Functions:** Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills, and other characteristics. This list of tasks is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class.

Duties require the ability to retrieve and disseminate criminal justice information, conduct interviews, intervene in disputes, effect lawful arrest and to testify in court. Also requires frequent dealings with DUI suspects/offenders, intoxicated individuals and persons with mental disorders. Must be able to properly use all weapons assigned by the Police Department.

**Tasks:**

Patrol an assigned area of the City on an assigned shift in a radio-equipped vehicle to preserve law and order, including checking businesses and residences, discovering and preventing the commission of crimes, and enforcing state and municipal laws and ordinances; respond to calls for assistance, including motor vehicle crashes, assaults, domestic disturbances, thefts, and other criminal or civil complaints; frequently deal with DUI suspects/offenders, other intoxicated persons, and person with mental disorders.

Intervene in disputes, apprehend suspects, make arrests, issue citations, identify witnesses, conduct preliminary investigations, and re-establish law and order at the scene; prepare documentation of activities performed and information gathered; may conduct follow-up activities; coordinate with prosecutors and court staff to issue warrants and subpoenas, conduct pretrial research and dispositions, and prepare testimony.

Transport suspects and persons with outstanding arrest warrants to jail facilities; ensure that arrested persons are processed into jail in accordance with state and federal guidelines and Police Department policy; respond to questions and requests from citizens; assist in making presentation; some positions serve as School Resource Officers, Crime Prevention Officers, Motorcycle Officers, Field Training Officers, Firearms Instructors, Acting Shift Commander, and in other training/instructor positions; perform other duties as assigned.

**Knowledge, Skills, and Other Characteristics:**

Knowledge of the Montana Code Annotated and the ██████████ Municipal Code pertaining to police activities and public safety;

Knowledge of federal, state, county, and City of ██████████ laws and ordinances to be enforced;

Knowledge of the policies, goals, and procedures of the ██████████ Police Department;

Knowledge of the principles and practices of employee supervision and training;

## **Police Officer**

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### **Knowledge, Skills, and Other Characteristics (continued):**

- Knowledge of law enforcement principles, methods, techniques, and practices including investigation, intelligence, surveillance, court procedures, community relations, identification, patrol, special weapons and tactics, traffic control, report preparation, custody of persons and property, and crime prevention;
- Knowledge of equipment used in law enforcement, including weaponry, communications, personal computers, and automotive equipment;
- Knowledge of the street names and locations in the City of ██████████ and surrounding area;
- Knowledge and ability to promote safe work practices and ensure compliance with City safety policies;
- Skill in performing the day-to-day operations of a police officer;
- Skill in understanding and interpreting complex statutes, ordinances, regulations, standards, and guidelines;
- Skill in communicating, in person, in writing, and on two-way radio;
- Skill in preparing reports documenting the facts and actions regarding criminal and civil law enforcement incidents;
- Skill in conducting investigations of criminal activities;
- Skill in establishing and maintaining effective working relationships with City employees, other law enforcement agencies, criminal justice system staff, the business community, and citizens.

### **Qualifications:**

High school diploma. Certified peace officer. Montana driver's license (may require motorcycle operator endorsement).



**CLASS TITLE:****CONSTRUCTION PROJECTS COORDINATOR**

6/13

**DEPARTMENT:**

Development Services

**ACCOUNTABLE TO:**

Engineering Construction Project Manager

**STATUS:**

Regular, full-time, non-union

**Primary Objective of Position:** Under limited supervision, plans, coordinates and monitors the progress of complex construction projects for the City of ██████████. Enforces right-of-way issues, develops and maintains computer aided technical designs and databases.

**Essential Functions:** Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills, and other characteristics. This list of tasks is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class.

Duties require the ability to access project sites where hazardous conditions including exposure to loud noise, moving equipment, traffic, and weather may be encountered.

**Tasks:**

Develop, coordinate and monitor the progress of complex public works construction projects, such as street reconstruction, sidewalks, curb and gutter, storm drainage systems and repairs, and additions or alterations to city-owned facilities and buildings; develop project maps and data bases; analyze data for project planning and development; prepare project budgets, construction schedules, requests for proposals, contract specifications and bid documents; negotiate and administer contracts with architects, contractors, and engineers, including contract documentation required for Federal Aid Projects; monitor progress of construction; prepare reports; assure that plans and specifications are adhered to; review contractor estimates and requests for payment.

Assist in budget proposals and preparation of capital improvement program requests for City construction projects; train and assist staff Engineering in work plan development, code enforcement, engineering inspection standards and policies, software user applications, database development and maintenance and contract administration.

Review public infrastructure plans prepared by professional engineers and architects for compliance with required standards; read and interpret site plans to ensure adherence to plans and compliance with Federal, state and City Municipal codes, including Americans with Disabilities Act, City-County Air Pollution Control Board rules, City Right-of-Way, zoning standards, and Manual on Uniform Traffic Control Devices.

Conduct inspections of work performed in the public right-of-way, including street cuts, paving, grading and drainage, excavations and pavement markings and striping; may assist in reviewing excavation, paving, right-of-way and other work permits as required; review building permit applications for compliance with right-of-way construction codes.

Draft engineering construction project plans and maps using computer aided drafting programs; develop and maintain construction project databases; enter existing data, plans, sketches, and maps into computer using computer aided drafting program, and enter dimensions for new plans and maps; manipulate computer aided design and GIS databases to produce maps, plans, proposals and exhibits for Engineering Division; assist with the development of City Geographic Information System (GIS) and adapting it to Public Works.

## **Construction Projects Coordinator**

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### **Tasks (cont.):**

Assist in investigation of complaints of code violations related to the public right-of-way; answer questions on code requirements and construction methods; respond to complaints from contractors, property owners, and citizens, write reports and assist citizens with Engineering Division issues; perform all other duties as assigned.

### **Knowledge, Skills, and Other Characteristics:**

Knowledge of project management techniques including scheduling, budgeting, contract development and administration;

Knowledge of the [REDACTED] Municipal Codes and Montana Code Annotated relating to execution and administration of contracts;

Knowledge of civil construction techniques, methods, practices, and tools including street, sidewalk, curb, gutter, and storm drainage construction;

Knowledge of Public Works Department policies, procedures and regulations;

Knowledge of Development Services policies, procedures and regulations;

Knowledge of GIS mapping and data systems including customized mapping and database development;

Knowledge of the [REDACTED] Municipal Code relating to public works construction projects, zoning, Special Improvement Districts, and public right-of-way;

Knowledge of and working familiarity with fair housing laws and regulations, including requirements to plan, design and build dwellings that meet fair housing accessibility requirements;

Knowledge of all state and/or federal laws requiring accessible public buildings and public accommodations;

Knowledge of City of [REDACTED] Pavement Management System;

Knowledge of computer applications including spreadsheet, word processing, database, and computer assisted design and drafting applications;

Knowledge of City of [REDACTED] Capital Improvement Plan, the Strategic Plan, and budgeting procedures;

Knowledge of the state and federal nondiscrimination and environmental laws and regulation;

Knowledge of [REDACTED] Municipal Codes and Missoula City-County Zoning standards for hillside construction and for grading, draining and erosion control design;

Knowledge of OSHA standards, guidelines and safety precautions;

Skill in managing multiple public works construction projects;

Skill in understanding, interpreting and applying complex laws, regulations, policies, procedures, and guidelines;

Skill in cost estimating, time and resource management;

Skill in employee training and development;

Skill in developing City of [REDACTED] work plans;

Skill in negotiating and communicating, in person and in writing;

Skill in using computer aided drafting techniques;

Skill in understanding property records, plans, surveys, and blueprints;

Skill in applying OSHA standards, guidelines and safety precautions when operating vehicles and city equipment;

Skill in establishing and maintaining effective relationships with contractors and consultants, other jurisdictions, local businesses, schools, special interest groups, city employees, and citizens.

### **QUALIFICATIONS:**

Bachelor's degree in construction management, public administration, or related field and one year project management experience OR high school graduation and three years construction project management experience, including contract administration and inspection of public works facilities including streets, sewers, curbs and gutters.

**CLASS TITLE:****COURT CLERK**

11/05

**DEPARTMENT:**

Municipal Court

**ACCOUNTABLE TO:**

Municipal Court Manager

**STATUS:**

Regular, full-time, non-union

**Primary Objective of Position:** Under general supervision, maintains records of arrest warrants and provides general clerical support for the [REDACTED] Municipal Court.

**Essential Functions:** Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills, and other characteristics. This list of tasks is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class.

Duties are primarily performed in an office setting where hazards and discomforts are minor and controllable.

**Tasks:**

Perform a variety of duties to maintain records of outstanding arrest warrants; issue warrants and bonds for failure to appear and other offenses based on court orders and procedures, assign docket numbers, enter in computer system, and update system records to reflect warrants cleared through payments, court appearances, or arrests; work closely with Police Department to monitor status of outstanding warrants; monitor alcohol, drug and anger management programs.

Assist with waiting on customers and answering telephones; answer questions, provide information on tickets and basic court procedures, take payments, issue receipts; update computerized data base on status of tickets, including entering information from court appearances, sentences, fines, payment schedules, and payments received; file, code; perform clerical duties such as making copies, entering summons and expungements, preparing mailings, scheduling payments and community service work, calling potential jurors, and completing criminal justice report forms; may perform Court Reporter duties during absences.

**Knowledge, Skills, and Other Characteristics:**

Knowledge of general [REDACTED] Municipal Court operations, practices, policies, and procedures;  
Knowledge of general criminal justice system operations, including tickets, warrants and court orders;

Knowledge of basic office procedures and practices;

Knowledge of basic functions of department and roles of department personnel;

Knowledge of organizational rules and procedures relating to cash handling;

Skill in performing keyboarding operations at a rate of 35 words per minute as evidence by a certified typing or keyboarding test;

Skill in utilizing standard office equipment, including personal computers, copying machines, multi-line telephones, fax machines, and cash registers;

Skill in utilizing word processing, spreadsheet and data base applications;

Skill in performing routine mathematical calculations such as addition and subtraction;

Skill in establishing and maintaining routine working relationships with citizens, departmental staff, and employees in other city departments.

**Qualifications:**

High school education and two years general clerical experience, or high school education and two years course work in clerical studies.

**CITY OF ██████████**  
**POSITION VACANCY NOTICE**

**COURT CLERK**

**SALARY:** \$14.5731/HOUR  
**CLOSING DATE:** May 1, 2012 before 5:00 p.m.  
**DEPARTMENT:** Municipal Court  
**ACCOUNTABLE TO:** Municipal Court Manager  
**STATUS:** Regular, full time, non-union

**Primary Objective of Position:** Under general supervision, provides general administrative support for the ██████████ Municipal Court.

**Essential Functions:** Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills, and other characteristics. This list of tasks is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class.

Duties are primarily performed in an office setting where hazards and discomforts are minor and controllable.

**Tasks:**

Enter records in computerized databases; enter court codes; update records on status of tickets, court appearances, sentences, fines, payment schedules, and payments received; update case dispositions, court orders, warrants and summonses; prepare and issue orders of the court including probation orders, release documentation, sentencing information, and summonses; document court proceeding outcomes; prepare computerized court calendar; search files and contact witnesses, attorneys or litigants to obtain information for the court; follow procedures to secure exhibits such as money, drugs or weapons; work closely with Police Department to monitor status of outstanding warrants; create referrals to outside programs; monitor alcohol, drug and anger management programs.

Assist customers and answer telephones; answer questions; provide information on tickets, judicial procedures and forms, court appearances, trial dates, adjournments, outstanding warrants, summonses, subpoenas, witness fees, and payment schedules; take payments including verifying amounts of checks, credit cards and cash, and issue receipts; balance cash drawer and calculate daily transactions; file; perform clerical duties such as making copies, prepare mailings, and calling potential jurors; may perform Clerk to the Judge job duties during absences; perform other duties as assigned.

**Knowledge, Skills and Other Characteristics:**

Knowledge of general court operations, practices, policies, and procedures including laws, legal codes, and regulations;  
Knowledge of general criminal justice system operations, including tickets, warrants and court orders;

Knowledge of office procedures and practices;  
Knowledge of cash handling procedures including credit cards, checks and cash;  
Knowledge of computerized cash register operation and reconciliation procedures;  
Skill in performing keyboarding operations at a rate of 35 words per minute as evidence by a certified typing or keyboarding test;  
Skill in performing 10 key data entry at a rate of 9,000 keystrokes per hour (KPH);  
Skill in utilizing standard office equipment, including personal computers, copying machines, multi-line telephones and fax machines;  
Skill in utilizing word processing, spreadsheet and data base applications;  
Skill in performing mathematical calculations such as addition and subtraction;  
Skill in providing customer service including assessing needs, applying service standards and evaluating customer satisfaction;  
Skill in establishing and maintaining routine working relationships with citizens, departmental staff, and employees in other city departments.

**Qualifications:**

High school education and two years general clerical experience, or high school education and two years course work in clerical studies.

**Application Instructions:**

Apply online or submit completed City of [REDACTED] application form to:

**IENT**

OFFICE HOURS: MONDAY, [REDACTED] 9:00 A.M. TO 5:00 P.M.

APPLICANTS WHO NEED ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST MAKE SUCH A REQUEST IN WRITING. THE CITY OF [REDACTED] WILL CONSIDER ANY REASONABLE ACCOMMODATION.

THE CITY OF [REDACTED] IS AN EEO/AA, V/H, M/F EMPLOYER.

**VERIFICATION OF A CERTIFIED CURRENT (WITHIN THE LAST SIX MONTHS) TYPING TEST SCORE OF AT LEAST 35 WPM WITH MINIMAL ERRORS AND CERTIFIED TEST DEMONSTRATING 10 KEY DATA ENTRY OF 9,000 KPH MUST ACCOMPANY APPLICATION.**

**APPLICATIONS MUST BE RECEIVED BEFORE 5:00 p.m.,  
MAY 1, 2012**



06/05/2014

To [REDACTED] City Human Resources.

[REDACTED] is currently under my medical care and may return to work Tuesday 6/10/2014 starting 4 hours a day 3 days a week every other day at this time.

Sincerely,

Lynn [REDACTED] NP

A handwritten signature in black ink, appearing to read "Lynn [REDACTED] NP". The signature is written in a cursive style and is partially obscured by a large, dark scribble.

Provider: [REDACTED] NP, Lynn 06/05/2014 02:55 PM

Document generated by: Lynn [REDACTED] 06/05/2014

CPG Parkside  
2831 Fort Missoula Rd., Ste 146, Missoula, MT 59804  
Phone: (406)327-3880

**CLASS TITLE:** SENIOR LEGAL ASSISTANT 04/13  
**DEPARTMENT:** City Attorney's Office  
**ACCOUNTABLE TO:** Legal Office Manager & City Attorney  
**STATUS:** Regular, full-time, non-union

**Primary Objective of Position:** Under limited supervision, coordinates and manages administrative support services for prosecution; orients legal interns to case management software.

**This position is the second of two levels in a progressive class of legal assistants. The distinguishing characteristics of the senior class are found under the "Qualifications" section below.**

**Essential Functions:** Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills, and other characteristics. This list of tasks is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by positions in this class.

Duties are generally performed in an office setting where hazards and discomforts are controlled and modifiable.

**Tasks:**

Provide support to prosecution services including managing prosecution administration procedures; administer case prosecution software; train legal assistant, support staff and legal interns on office procedures and case management software; coordinate duties of prosecution services support staff, and ensure all prosecution deadlines are met.

Assist prosecutors with locating and contacting victims of domestic violence; coordinate prosecution administrative procedures and/or changes with the Assistant City Attorney; assign trials as backup; communicate and coordinate with other criminal justice departments.

Compile case file folders for all cases going to trial; review each file, read all reports contained in the file to determine if any reports or documentation are missing; retrieve missing documents such as police reports, 911 recordings, driving records, orders of protection, evidence, affidavits of probable cause, and blood results; determine if a witness needs to be subpoenaed, and prepare and mail witness letters; attempt to locate witnesses if letters are returned; enter trials onto office calendar; request defendants' criminal records; request additional information as needed and send email notification to officers.

Type and format routine written material such as pleadings, motions, orders, documents, opinions, memoranda, and correspondence; perform routine clerical tasks such as making copies,



## Senior Legal Assistant

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### **Tasks (continued):**

filing, and answering the telephone; check attorney and police calendars to ensure accuracy and conformity with the municipal court calendar; assist in retrieving and copying police reports for defendants' attorneys; act as Legal Office Manager in his/her absence; perform other duties as assigned.

### **Knowledge, Skills, and Other Characteristics:**

Knowledge of criminal justice system;  
Knowledge of basic legal procedures and practices.  
Knowledge of court systems, rules and procedures;  
Knowledge of basic office procedures, practices, grammar, and legal formatting;  
Knowledge and ability to promote safe work practices and ensure compliance with City safety policies;  
Skill in using appropriate legal guides, reference manuals and resource tools;  
Skill in reading and inventorying legal files and documents;  
Skill in written and verbal communication;  
Skill in utilizing standard office equipment, including personal computers, copying machines, multi-line telephones, and fax machines;  
Skill in using criminal justice case management software;  
Skill in utilizing word processing, spreadsheet, database, presentation, web page design and Internet applications;  
Skill in prioritizing and managing own work schedule;  
Skill making independent judgments and effectively direct the work of others;  
Skill in establishing and maintaining routine working relationships with citizens, departmental staff, and employees in other city departments.

### **Qualifications:**

High school education and four years legal assistant experience OR high school education and two years legal support course work and two years legal assistant experience.

*Must have at least two years of legal assistance experience in the City Attorney's Office; must have received satisfactory performance evaluations in the past two years, earned at least ????? hours of CLE's pre-approved by the City Attorney and met all other qualifications as outlined in the Legal Assistant promotion policy. (██████ is working on promotion policy)*

## ADA –Physician Questionnaire

Your patient, ~~XXXXXXXXXX~~ is an employee of the City of ~~XXXXXX~~ and has requested an accommodation. In order to expedite the processing of your patient's request for an accommodation, please be as complete and specific as possible. We are requesting you to provide feedback to the following questions based on your medical expertise. **Once completed please return this document to your patient.** The patient will return the document to the HR Department at the City. PLEASE PRINT OR TYPE YOUR RESPONSES.

PLEASE DO NOT PUT MEDICAL RECORDS WITH THIS RESPONSE. WE ALSO DO NOT NEED THE ACTUAL DIAGNOSIS. <sup>1</sup> FOR PURPOSES OF THE ACCOMMODATION REQUEST WE ONLY NEED TO KNOW HOW THE DISABILITY IMPAIRS THE PATIENT RELATED TO THE ESSENTIAL FUNCTIONS OF THE JOB.

PLEASE BE ADVISED THAT THIS INFORMATION WILL BE USED TO ASSIST THE CITY AND EMPLOYEE IN THE INTERACTIVE PROCESS. THIS INFORMATION IS JUST A PART OF WHAT IS CONSIDERED.

### **Background**

An employee has a disability if he or she has an impairment that substantially limits one or more major life activities or has a record of such an impairment, even if the impairment does not have an actual or expected duration of less than six months. The ADA provides examples of major life activities including caring for oneself, performing manual tasks, seeing hearing breathing reading and the operation of major bodily function such as functions of the immune system, digestive, bowel, bladder, neurological, brain etc.

**Please answer the questions below to assist in the interactive process**

1. Is the patient substantially limited in any major life activities as a result of his/her health condition. If so please identify the major life activities. The following list can be used but is not exhaustive.

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<sup>1</sup> The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. 'Genetic information,' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services

- Caring for oneself
- Walking
- Seeing
- Hearing
- Eating
- Performing manual tasks
- Working (only if entire types of jobs cannot be done)
- Driving
- Toileting
- Sleeping
- Concentrating
- Lifting
- Reaching
- Reading
- Speaking
- Standing
- Interacting with others
- Breathing
- Sitting
- Thinking
- Learning
- Bending
- Other

Please explain if other;

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2. Please review the essential functions of the patient's job requirements that are attached hereto. A Job description is also attached. Is the employee able to perform the essential functions of this position with or without reasonable accommodation?  Yes  No

If yes please go to question No. 3.

If no:

- a. please identify the functions of your patient's job he or she is unable to perform.

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b. how long will the employee be unable to perform these job duties?

a month  3 months  6 months  1 year

unknown  permanently

3. Des the employee have a physical or mental impairment:

If yes what is the impairment?

inability to concentrate, focus, large muscle group working properly; without pain

4. What limitation(s) is interfering with job performance and how does it interfere with the employee's ability to perform the essential job functions:

mood stability, muscle pain → during a pain have problems <sup>may</sup> not be able to focus, concentrate, do physical labor

5. If your patient's impairment is episodic in nature please indicate what period of time do symptoms occur?

they are episodic by nature → tough to determine the "period of time" as the condition by nature is intermittent; unpredictable.

6. How long will your patient be limited in performing the life activity or activities as described above?

until the condition is adequately controlled. Most likely only episodic.

If unknown, will the patient need to take any leave? If yes what is the likely duration?

a month  3 months  6 months  1 year

7. What adjustments to the work environment or position responsibilities or would enable to the employee to performed the essential functions of that position?

none

8. The employee's current work schedule is \_\_\_\_\_, would adjustments to the work schedule enable the employee to perform the essential functions of the job? If so what adjustments would be necessary?

the above is not filled out ~ no specific adjustment should be needed

9. How long would the employee need the accommodations you identified in your responses to questions #6 and #7?

a month  3 months  6 months  1 year  
 unknown  permanently

If you cannot provide a date, when will the employee be medically reevaluated? 3 months from now

10. Does the patient at this time require a leave of absence?  Yes  No  
if scheduled to work

If yes, is the leave required

Continuous

Intermittent

If Continuous, would your patient's leave be:

Indefinite  Yes  No.

If not indefinite please specify the time period and return to work date.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If intermittent please specify the number of days per month or week that your patient would require a leave, as well as the period of time the intermittent leave is needed for.

11. In performing the essential functions of this job, in your opinion would the employee pose a significant risk of substantial harm to the health or safety of the employee or others, that cannot be eliminated by an accommodation. \_\_\_\_\_ Yes  No

If so, please state why

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The individual named above is my patient. The information provided here is based upon my knowledge of the patient and the patient's physical or mental impairment.

Raymond [Signature]  
Signature of Caregiver

6-27-14  
Date

Raymond [Signature] APRN  
Printed Name

Family Practice - Urgent Care  
Type of Practice

[Signature] [Address] Wassaic, NY 10988  
Contact address and phone

PLEASE RETURN TO: (employee please fill out name and address below before providing this to your care provider)

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## Patrol—Essential functions to supplement job description City of Missoula

1. Attendance
2. ability to drive and understand directions and locations
3. ability to perform shift work
4. Ability to run and jump
5. Ability to kick
6. ability to use all equipment necessary for job such as guns, tazor, computer, radar, DUI testing, pepper spray, etc.
7. ability to understand, remember and process data and then put into reports
- 8 Ability to follow all SOP's
9. ability to know and follow complex legal requirements
10. read
11. write in cohesive manner
12. Ability to tackle a person and climb
13. ability to use radio and understand communications
14. Engage in professional interpersonal skills and work relationships
15. Ability to exercise good, sound, reasonable judgment
16. ability to process and prioritize data and information and tasks