



February 18, 2020

TO: Texas A&M AgriLife HR Contacts

SUBJECT: Requirement for Driver's License on Position Restrictions & Job Requisitions

A friendly reminder:

"Valid Driver's License" should **NOT** be listed as a requirement on position restrictions & job requisitions unless driving is an *essential function* of the job. Otherwise, qualified individuals with disabilities may fail to apply for a job or be inappropriately screened out. **In most cases, driving is not an essential function of the position.**

Essential functions are the basic job duties that an employee must be able to perform, with or without reasonable accommodation. Carefully examine each job to determine which functions or tasks are essential to performance. Factors to consider in determining if a function is essential include:

- whether the reason the position exists is to perform that function,
- the number of other employees available to perform the function or among whom the performance of the function can be distributed, and
- the degree of expertise or skill required to perform the function.

Positions/Requisitions may contain language regarding **what** tasks need to be performed but now **how** those tasks must be performed. For example, "must be able to travel at night and on weekends," or "must be able to deliver supplies in the local area."

#### Resources

[http://www.eeoc.gov/eeoc/foia/letters/2006/ada\\_license\\_function\\_accommodation.html](http://www.eeoc.gov/eeoc/foia/letters/2006/ada_license_function_accommodation.html)

**For questions, please contact:** Human Resources at 979-845-2423

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