

Clover HR

# Job Duties

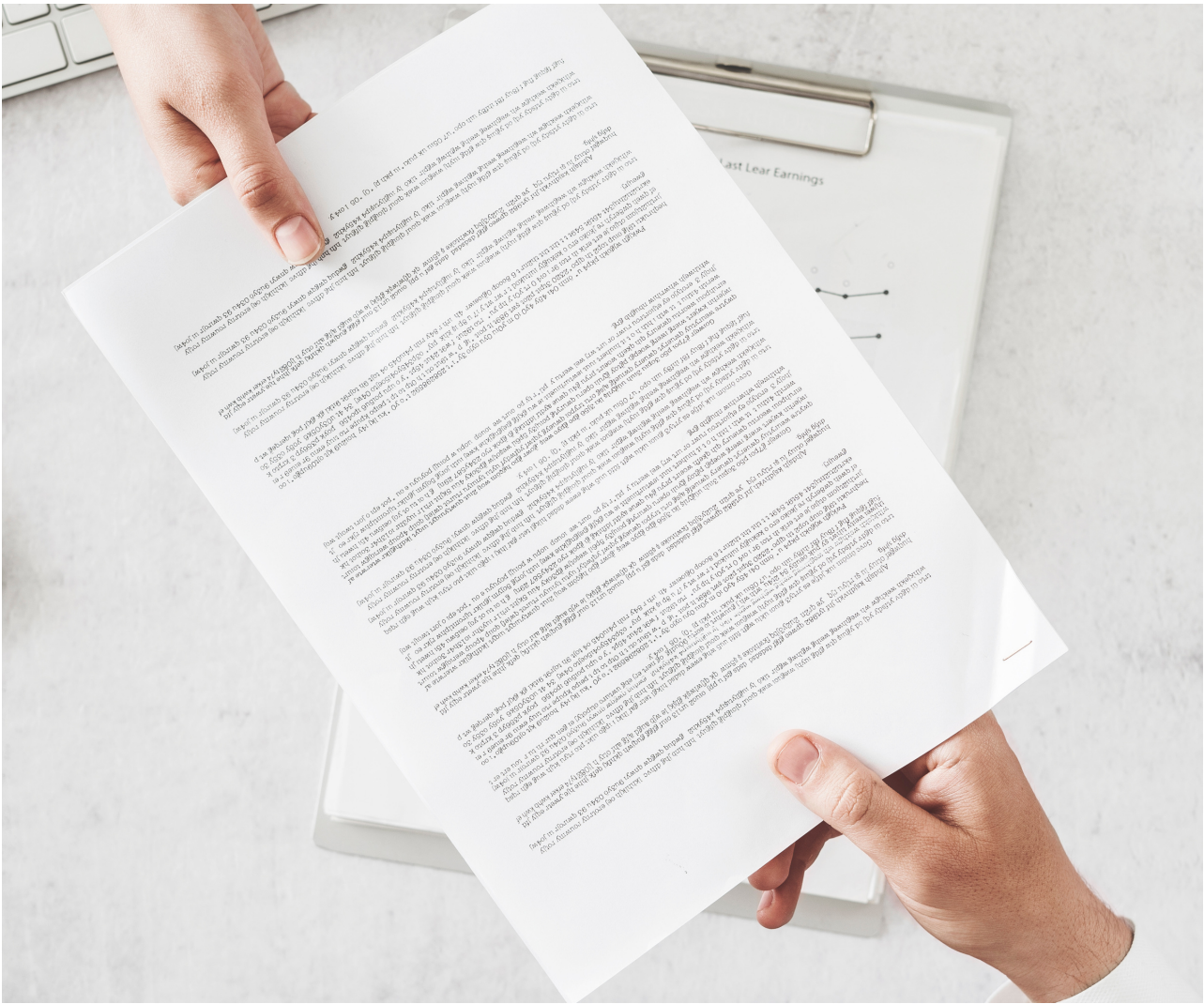
duties as set forth by

CLOVER HR

EMPLOYER GUIDE

JOB DESCRIPTION CHANGES

# JOB DESCRIPTION CHANGES



## WHAT IS A JOB DESCRIPTION?

A Job Description (JD) is a document that outlines the basic functions and responsibilities for that job title. It should be included in an employee’s written statement of employment when they start work. Employers have JD’s in place to show employees what is required of them in their role and can be used in job adverts to attract applicants to vacancies, as they list the required and desirable skills and experience for roles.

A job description will usually show where the role fits within the company by showing the reporting level.

# 01

## CAN AN EMPLOYER CHANGE A JOB DESCRIPTION?

Legally an employer can change an employee's Job Description or the activities of their daily job, as long as there is a good business reason to do this.

It is best practice for employers to include this in the employment contract that is issued to employees, this enables employers to make changes to an employee's role.

Included in the employment contract can be:

- A flexibility clause that allows for changes to be made to an employee's duties
- A mobility clause that allows for changes in the place of work
- Variation terms which allow changes to job descriptions without the need for consultation

It is always best practice for employers to consult with employees, on any changes that are to be made, this ensures there isn't a breach of contract and loss of trust and confidence; it also makes employees aware of the changes required and the reasons for the changes.

Any changes made to an employee's role or job description must not breach their employment contract and also must not discriminate against anyone.

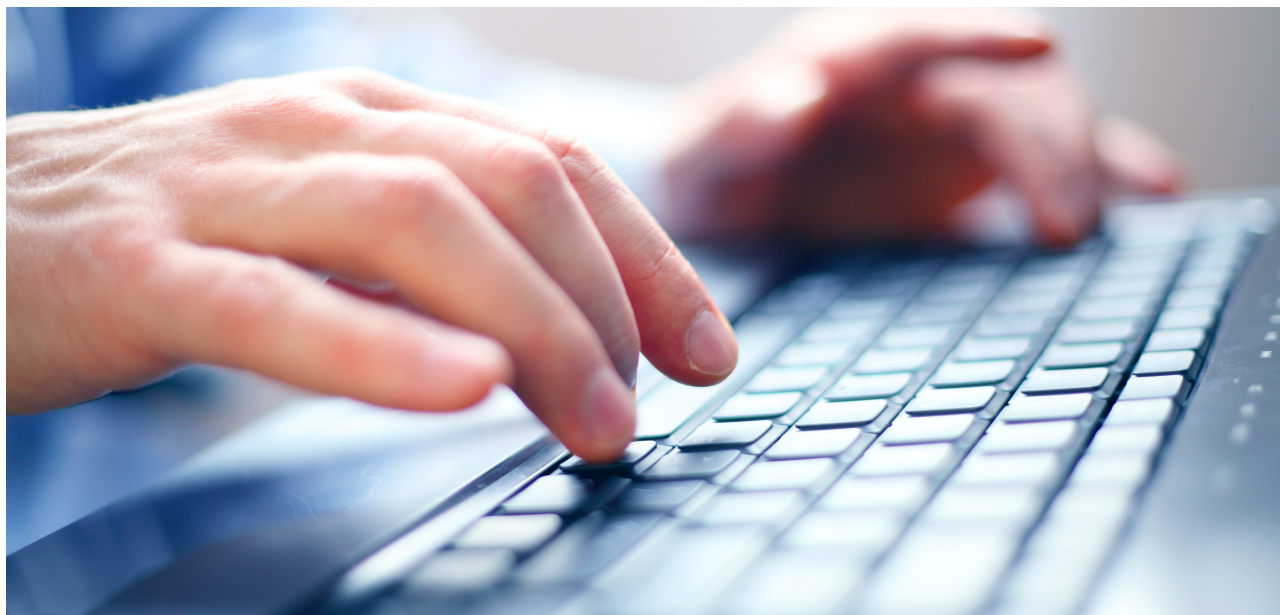
# 02

## WHY CHANGE A JOB DESCRIPTION?

There are several reasons a Job description may need to be changed, they can include:

- The JD has become outdated
- There is the need to clarify an employee's role and responsibilities
- To add in tasks that an employee is doing but aren't included in their JD
- Changes to a job role





## 03

### **CAN AN EMPLOYER MAKE CHANGES IF THERE IS NO CLAUSE IN THE CONTRACT?**

If there is no clause in an employee's contract of employment, then changes can still be made, but employees must be consulted with and agree to the changes. Changes cannot just be implemented.

If an employee does not agree with the changes that are being made, they must make their employer aware of this in writing providing reasons why they do not accept the changes.

If, after consultation with an employee about JD changes, no agreement can be reached, one option could be to dismiss the employee for 'some other substantial reason' and reemploy them with the new terms and conditions of employment.

However, this option should only be used as a last resort, and agreement and consultation on changes should always be tried to be achieved first.

It is important that employers do not find themselves having a claim filed against them for unfair constructive dismissal, if an employee feels that any changes have affected them dramatically and that they can no longer work.

# 04

## SIMPLE STEPS TO CHANGING AN EMPLOYEE'S JOB DESCRIPTION

To make changes to a JD it is advisable to use a copy of the existing JD and add in any changes that you require to be made, these changes can be added in a different colour or font so they are clearly visible to the employee or employee representatives.

Provide reasons behind each of the changes and what the benefits of the changes mean for the employee.

Consult with the employee on the changes to their JD and listen and answer any concerns that they may have, they may wish for other things to be included in their JD also.

Come to an agreement on the required changes and issue the employee with a copy of their new job description.

