

# **JOB DESCRIPTION**

of

---

*Name of Incumbent*

---

*Date*

# **FOR THE POSITION OF**

---

*Title*

---

*Employer*

# TABLE OF CONTENTS

Scope of Job Description .....	i
Job Description .....	ii
<b>JOB DESCRIPTION QUESTIONNAIRE/CHECKLIST</b>	
<b>INTRODUCTION .....</b>	<b>1</b>
<b>SECTION 1</b>	
<b>PERSONAL INFORMATION .....</b>	<b>4</b>
a) Employer	
b) Direct Supervisor	
c) Employees Supervised	
d) Divisions Supervised	
e) Year of Inception	
f) Date of Hire	
g) Organization Founder	
h) Position Tenure	
i) Area of Business	
j) New Developments	
k) Company Vision	
l) Mission Statement	
m) Complete Background	
<b>SECTION 2</b>	
<b>JOB TITLES AND FUNCTIONS .....</b>	<b>7</b>
a) Specific Duties and Requirements	
b) Assumed Title(s)	
c) Assumed Duties	
d) Minimum Knowledge and Abilities	
<b>SECTION 3</b>	
<b>GENERAL MANAGEMENT EXPERIENCE .....</b>	<b>10</b>
a) Years of Management Experience	
b) Responsibility	
c) Organization Policy	
d) Guarantor	
e) Risk Management	
f) Negotiating	
g) Contracts	
h) Civic Membership	
<b>SECTION 4</b>	
<b>EDUCATION .....</b>	<b>12</b>
a) Level of Education	
b) Certificates and Charters	

- c) Licenses
- d) Foreign Languages
- e) Informal Education
- f) Necessary Attributes

**SECTION 5**

TRAVEL REQUIREMENTS ..... 14

- a) Required Destinations
- b) Frequency of Travel
- c) Voluntary Travel

**SECTION 6**

BIOGRAPHICAL INTERVIEW ..... 15

- a) Experience in Current Profession
- b) Personal Qualities or Qualifications
- c) Decision Making Ability
- d) Level of Authority
- e) Chain-of-Command
- f) Prior Year Achievements
- g) One Year Goals
- h) Personal Elaboration

## **Scope of Job Description and Involvement of Independent Consultant**

ATI CAPITAL GROUP OF COLORADO, LLC (ATICG) was engaged as Independent consultant to aid in the preparation of the accompanying Job Description. ATICG is an independent Valuation and Financial Consulting Firm engaged in, among other activities, the development and preparation of Job Descriptions for executives throughout the business community. ATICG is further involved in the independent determination of reasonable compensation for business executives, to include the development of Incentive Compensation Plans.

ATICG interviews the incumbent (and supervisors, if any) at length concerning the scope, responsibilities, duties and authority relative to the Subject Position. Following the extensive interview process, ATICG then developed the accompanying Job Description, which, in our opinion, accurately defines and describes all pertinent aspects of the Subject Position.

---

Date

---

ATI Capital Group of Colorado, LLC

# JOB DESCRIPTION

Incumbent:

For the position of:

Summary of Position:

## Summary of Duties to be Performed (see Job Description Questionnaire & Checklist)

- 
- 
- 
- 
- 

## Summary of Principal Responsibilities & Accountabilities (see Job Description Questionnaire & Checklist)

- 
- 
- 
- 
- 

## Reporting Relationships

This Position has authority over the following positions:

- 
- 
- 

This Position reports to the following position(s):

- 
- 
-

## Authority of Position

This Position has the following specific authority to act in the name of the Employer:

	<u>Yes</u>	<u>No</u>
Authority to Hire/Terminate Employment	_____	
Authority to bind the employer to contract	_____	
Authority to sign on bank accounts	_____	
Authority to sign as Entity representative on legal documents	_____	
Authority to buy and sell Entity assets	_____	
Authority to merge or acquire other businesses	_____	
Authority to bring an action in court on behalf of Entity	_____	
Authority to set Entity policy	_____	
Authority to expand or contract business activities	_____	

**Note:**

The term "**Entity**" as used herein refers to a 'C' corporation; an 'S' Corporation; an LLC; a Limited Partnership; a General Partnership; a Proprietorship or any other form of business enterprise.

## Qualification of Position

The basic qualifications required for the Subject Position are as follows:

- 
- 
- 
- 
- 

## Region of Operations

- 
- 
- 
- 
- 

## Approval & Acceptance of Position Description

\_\_\_\_\_  
Incumbent

\_\_\_\_\_  
Supervisor (if other than incumbent)

**JOB DESCRIPTION  
Questionnaire & Checklist**

Completed by

---

*Name of Incumbent*

---

*Date*

*Prepared by Incumbent in Session with ATI Capital Group of Colorado, LLC*

# ***JOB DESCRIPTION QUESTIONNAIRE/CHECKLIST INTRODUCTION***

---



## **PURPOSE**

**A**TI Capital Group of Colorado, LLC (ATICG) has developed a comprehensive questionnaire and checklist in order to more accurately create a detailed job description designed specifically for the subject position. In using the detailed checklist of activities and services provided, ATICG will be able to accurately define all of the activities in which the subject employee takes part throughout a normal business cycle.

Furthermore, the use of a comprehensive questionnaire serves to clarify the complexity of the subject employee's position and illustrate the amplitude of knowledge and the scope of services provided to the organization. This questionnaire and checklist will allow us to compile the necessary information including titles, duties and a biographical data, to ensure the integrity of the job description process.

## **BENEFIT**

ATICG will provide a job description detailing all pertinent information to demonstrate that total compensation received is commensurate with the services rendered for purposes of qualifying compensation under certain Internal Revenue Code (IRC) requirements.

According to IRC Section 162(a), one should be reasonably compensated for actual services rendered. A comprehensive job description will help elucidate the subject employee's total commitment to the organization and aid in the justification of compensation received.

## **SYNOPSIS OF INTERNAL REVENUE CODE SECTION 162**

IRC Section 162 relates primarily to trade and business expenses. The following is a brief presentation, in summary form, to provide a basic acquaintance with the various topics covered in this code section.

Section 162(a) states three primary guidelines for making deductions of expenses. The code specifically states: "There shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including (1) a reasonable allowance for salaries or other compensation for personal services actually rendered; (2) traveling expenses (including amounts expended for meals and lodging other than amounts which are lavish or extravagant under the circumstances) while away from home in the pursuit of a trade or business; and (3) rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken, or is not taking title, or in which he has no equity."

IRC Sec. 162(b) explains deduction restrictions upon charitable contributions and gifts expected. This section refers one to IRC Sec. 170 for specific percentage and dollar limitations.

IRC Sec. 162(c) reiterates what is stated in other parts of the law, but directly addresses, with respect to business practices, such as illegal payments including bribes, kickbacks, and rebates to both government and civilian parties.

IRC Sec. 162(d) explains capital contributions to the Federal National Mortgage Association. Whenever the amount of capital contributions evidenced by a share of stock issued exceeds the fair market value of the stock, the initial holder of the stock shall treat the excess as ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade or business. References in this section include IRC Sec 303(c) of the Federal National Mortgage Association Act (12 U.S.C., sec. 1718).

IRC Sec. 162(e) discusses denial of deduction for certain lobbying and political expenditures. Paragraph (1) explains in general which deductions may not be incurred. Paragraph (2) details exceptions for local legislation. Paragraph (3) explains application to dues of tax-exempt organizations. Paragraph (4) defines the term “influencing legislation,” and gives specific reference to IRC Sec. 4911(e)(2). Paragraph (5) illustrates other special rules. Paragraph (6) defines the term “covered executive branch official.” Paragraph (7) explains a special rule for Indian tribal governments. And, Paragraph (8) gives a cross-reference for reporting requirements and alternative taxes relating to this section, which is 6033(e).

IRC Sec. 162(f) explains specifically that “No deduction shall be allowed under subsection (a) for any fine or similar penalty paid to a government for the violation of any law.

IRC Sec. 162(g) details allowances for the purpose of treble damage payments under the antitrust laws.

IRC Sec. 162(h) discusses state legislators' travel expenses away from home.

IRC Sec. 162(i) was repealed.

IRC Sec. 162(j) discusses certain foreign advertising expenses and includes a definition for the term “broadcast undertaking.”

IRC Sec. 162(k) explains stock redemption expenses and provides exceptions for interest and dividends.

IRC Sec. 162(l) provides special rules for health insurance costs of self-employed individuals. Paragraph (1) includes specific deduction percentages and makes reference to section 401(c)(1). Paragraph (2) establishes limitations. Paragraph (3) discusses coordination with medical deduction, and gives reference to IRC Sec. 213(a). Paragraph (4) explains deductions not allowed for self-employment tax purposes, and gives reference to IRC Sec. 1402(a). And, Paragraph (5) discusses treatment of certain S corporation shareholders, and gives reference to IRC Sec. 3121, 401(c)(1).

IRC Sec. 162(m) discusses certain excessive employee remuneration. Paragraph (1) sets limits with respect to remuneration. Paragraph (2) defines the term “publicly held corporation.” Paragraph (3) defines the term “covered employee.” Paragraph (4) discusses in detail applicable employee remuneration.

IRC Sec. 162(n) explains a rule for certain group health plans; however, “sub-sec. (n), following, is effective for services provided after 2/3/93, and on or before 12/31/95. Paragraph (1) discusses reimbursement. Paragraph (2) provides a state law exception. Paragraph (3) defines the term “group health plan.”

IRC Sec. 162(o) provides cross-references for special rules relating to subdividing real property for sale, treatment of payments by a transferee of a franchise, trademark, or trade name. Also, provided are special rules relating to funded welfare plans and deferred compensation and other deferred benefits.

# ***JOB DESCRIPTION INTERVIEW/CHECKLIST***

## ***SECTION 1 - PERSONAL INFORMATION***

---



a) List each company currently providing you with employment; include job title and approximate annual sales.

COMPANY (EMPLOYER)	JOB TITLE	ANNUAL SALES
1.		\$
2.		\$
3.		\$
4.		\$
5.		\$
6.		\$
7.		\$
8.		\$
9.		\$
10.		\$
11.		\$
12.		\$
13.		\$
14.		\$
15.		\$

b) Title of Direct Supervisor, if any for each company listed on question A:

- 1.
- 2.
- 3.
- 4.

- c) Number of individuals you supervise for each company listed on question A:
- 1.
  - 2.
  - 3.
  - 4.
- d) List the departments and functions supervised for each company listed on question A:
- 1.
  - 2.
  - 3.
  - 4.
- e) Please indicate the year the organization started.
- f) Please indicate the year you personally joined the organization.
- g) Did you found the organization?
- h) Please indicate how long have you been in your current position.
- i) Please indicate your primary area of business activity.
- International       National       Regional       Local
- j) Please list any new technology, substantive developments, or projects in which your position is, or will be involved.
- k) Please briefly explain how your position fits in to your company's vision for success including the overall goals and expectations for your position.
- l) Please summarize your organization's Mission Statement.

- m) Please indicate any pertinent or interesting information that would help describe the background of the organization and your position.

# **JOB DESCRIPTION INTERVIEW/CHECKLIST**

## **SECTION 2 - JOB TITLE(S) AND FUNCTIONS**



a) Please indicate any title(s) you assume within your organization. In determining the appropriate job title(s), take into consideration the totality of duties you perform. Check each title that describes duties, which you perform and for which you are responsible.

- Accountant
- Administrator
- Advertising Manager
- Analyst
- Attorney
- Auditor
- Board of Directors
- Chairman
- Chairman - Board of Directors
- Chief Executive Officer
- Chief Financial Officer
- Chief Operating Officer
- Consultant
- Controller
- Coordinator
- Corporate Secretary
- Director
- Executive Vice President
- General Manager
- General Partner
- Human Resource Director
- Limited Partner
- Manager
- Plan Manager
- Planner
- President
- Production Manager
- Purchasing Manager
- Senior Director
- Senior Manager
- Senior Vice President
- Supervisor
- Treasurer
- Trustee
- Vice President Finance
- Vice President Operations
- Vice President Sales & Marketing
- Other Title Not Listed

b) Please indicate specific functions and duties actually performed.

- Accounting Management
- Accounts Payable
- Accounts Receivable
- Administrative Duties
- Advertising - Creative Design
- Advertising - Management
- Analyze Information
- Banking Relations/Negotiations
- Building Management
- Calculate Figures
- Capital Markets
- Channel Conflict Issues
- Communications - Internal
- Make Oral Presentations
- Management Information Systems
- Management of Employees
- Management of Overall Entity
- Manufacturing: Involvement in
- Manufacturing: Management
- Mktg Entity Products/Services
- Meet Strict Deadlines
- Motivate Employees
- Negotiate Contracts/Agreements
- Negotiate for Financial

- Communications - Media
- Compensation Plans
- Competitor Intelligence Gathering
- Conduct Payroll
- Conduct Site Tours
- Conduct Surveys
- Construct Contract Agreements
- Consult with Clients
- Contract with Individuals/Businesses
- Corporate Planning
- Cost Accounting
- Cost Estimating
- Credit Analysis
- Credit & Collections
- Customer Service
- Data Management & Resources
- Demographic
- Design Activities
- Distribute Products
- Electronic Mail Use
- Employee Benefits Management
- Engage in Lending Agreements
- Engage in Mergers/Acquisitions
- Engineering
- Enhance Communication
- Entity Systems Analysis
- Entity Planning
- Evaluate Efficiency
- Evaluate Procedure
- Exhibit Diplomacy
- Financial Analysis
- Financial Budgeting
- Financial Modeling
- Financial Presentations
- Generate Billings
- Generate Spreadsheets
- Goals: Achievement
- Goals: Setting
- Hospitality-Clients & Associates
- Human Resources
- Implementation of Plans
- Incentive Plans
- Insurance: Bonding
- Insurance: Life & Health
- Insurance: Property & Casualty
- Insurance: Risk Analysis
- Interact with Customers
- Interact with Employees

## Services

- Networking
- Offer Financial Services
- Organize Operations
- Portfolio Accounting
- Portfolio Analysis
- Prepare Written Reports
- Pricing Goods & Services
- Property Management
- Prospects for Clients
- Provide Actuarial Services
- Provide Leadership
- Purchasing Goods & Services
- Quality Assurance
- Read Journals
- Regulatory Compliance
- Regulatory Issues
- Reporting Externally
- Reporting Internally
- Represent the Organization
- Research Company Issues
- Research & Development
- Review Company Income Taxes
- Review Compliance Procedures
- Review Internal Controls
- Sales
- Security of Entity Confidential Data
- Sell Products or Services
- Shareholder Services
- Software Acquisition & Maintenance
- Solve Problems
- Staffing Needs
- Study Extensively to Keep Current
- Supervise People
- Supervise Projects/Processes
- Systems Analysis
- Tax Accounting
- Tax Planning
- Technology: Analysis
- Technology: Recommendation for Purchase
- Technology: Tracking
- Train Employees
- Training Clients
- Transportation: Analysis

- Interact with Government Officials
- Internal Auditing
- Interpret Goals & Policies
- Inventory Purchase
- Invest Company Assets
- Investment Decisions
- Labor Relations
- Leadership of Employees
- Leadership of Entity
- Legal: Involvement in Issues
- Legal: Management of/for Entity
- Maintain Budgets
- Maintain Computer Systems
- Transportation: Management
- Travel
- Use Proficient Personal Computer Skills
- Vendor: Management
- Vendor: Selection
- Wholesaling
- Work in Dynamic Environment
- Other
- Other
- Other
- Other
- Other

d) Please summarize specific knowledge level, skills and abilities required to perform in your position. Indicating the years of experience necessary in a particular practice or field of business will be helpful.

**JOB DESCRIPTION INTERVIEW/CHECKLIST**  
**SECTION 3 - GENERAL MANAGEMENT EXPERIENCE**



a) Please indicate years of experience in the following general management practices.

- Managing people -
- Managing projects -
- Managing finances -
- Managing operations -
- Team management -
- Company management -
- Management of International Business Issues -

b) Please name the companies, partnerships or other organizations for which you are responsible through ownership or management.

Organization Name	Type (Corp., Partnership, Other)	% Ownership	Board of Directors Member (Yes/No)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

c) Are you responsible for setting overall organization policy?

d) Please list the organizations for which you personally guarantee any debt.

e) Are you responsible for risk management?

- f) Are you responsible for negotiating bank debt and terms?
  
- g) Are you authorized to enter into contracts and/or bind the company, partnership or other organization?
  
- h) Please describe any civic organizations in which you are active.

# **JOB DESCRIPTION INTERVIEW/CHECKLIST**

## **SECTION 4 - EDUCATION**

---



a) Please indicate all levels of formal education obtained.

- |                                 |                                 |                                 |
|---------------------------------|---------------------------------|---------------------------------|
| <input type="checkbox"/> Ph.D   | <input type="checkbox"/> M.A    | <input type="checkbox"/> B.B.A. |
| <input type="checkbox"/> M.D.   | <input type="checkbox"/> M.S.   | <input type="checkbox"/> Other  |
| <input type="checkbox"/> JD     | <input type="checkbox"/> M.L.A. | <input type="checkbox"/> Other  |
| <input type="checkbox"/> LL.M.  | <input type="checkbox"/> B.A.   | <input type="checkbox"/> Other  |
| <input type="checkbox"/> M.B.A. | <input type="checkbox"/> B.S.   | <input type="checkbox"/> Other  |

b) Please indicate all certificates or charters awarded.

- |                              |                                |
|------------------------------|--------------------------------|
| <input type="checkbox"/> ASA | <input type="checkbox"/> Other |
| <input type="checkbox"/> CFA | <input type="checkbox"/> Other |
| <input type="checkbox"/> CFP | <input type="checkbox"/> Other |
| <input type="checkbox"/> CPA | <input type="checkbox"/> Other |

c) Please indicate any other licenses, specific to your industry, you or your company have acquired.

d) Please indicate any languages in which you are fluent.

- |                                   |                |     |    |               |     |    |
|-----------------------------------|----------------|-----|----|---------------|-----|----|
| <input type="checkbox"/> French   | <u>Written</u> | Yes | No | <u>Spoken</u> | Yes | No |
| <input type="checkbox"/> German   | <u>Written</u> | Yes | No | <u>Spoken</u> | Yes | No |
| <input type="checkbox"/> Italian  | <u>Written</u> | Yes | No | <u>Spoken</u> | Yes | No |
| <input type="checkbox"/> Japanese | <u>Written</u> | Yes | No | <u>Spoken</u> | Yes | No |
| <input type="checkbox"/> Russian  | <u>Written</u> | Yes | No | <u>Spoken</u> | Yes | No |
| <input type="checkbox"/> Other    |                |     |    |               |     |    |

e) Please indicate any additional formal or informal education or training that has improved the skills necessary to perform your current position.

f) Please indicate specific attributes necessary to succeed in your position.

- Analytical
- Certifications
- Communicator
- Degreed
- Diligent
- Energetic
- Experience in Current Industry
- Experience in Other Industries
- Experience in Management
- Experience in Technical Fields
- Flexible
- Foreign Language Fluency
- Honest
- Knowledge of local competition
- Licenses
- Motivated
- Organized
- PC Literate
- Persistent
- Proactive
- Team Leader
- Other Attributes

## ***JOB DESCRIPTION CHECKLIST/INTERVIEW SECTION 5 - TRAVEL REQUIREMENTS***

---



- a) Please indicate domestic and international destinations to which you must travel under your current title.
  
  
  
  
  
  
  
  
  
  
- b) How often must you travel in your current position.
  - Once per week or more
  - Once per month or more
  - Once per calendar quarter or more
  - Biannually
  - Annually
  
  
  
  
  
  
  
  
  
  
- c) Please list previous destinations that have broadened your business or industry breadth of knowledge.

## ***JOB DESCRIPTION CHECKLIST/INTERVIEW SECTION 6 - BIOGRAPHICAL INTERVIEW***

---



- a) Please indicate total years of experience pertaining to your current profession.
  
- b) In your own words, please discuss personal qualities or qualifications that set you apart from those in a similar position to your own.
  
  
  
  
  
  
  
  
  
  
- c) In your own words, please discuss any committees or boards on which you sit and have material decision-making ability and/or voting rights.
  
  
  
  
  
  
  
  
  
  
- d) In your own words, explain your level of authority, including specific accountabilities.
  
  
  
  
  
  
  
  
  
  
- e) In your own words, explain the chain-of-command that exists above your authority.

