



"Joining Forces to Align the Power Within"



Interview Question Guide

Train everyone in your workplace who does applicant interviewing to avoid asking questions that could prompt applicants to give information that might lead to legal problems.

Examples: Asking only female applicants questions about child care arrangements could lead to sex discrimination charges. Asking applicants questions about the non-work-related clubs and organizations they belong to could lead to various discrimination charges.

What to do: Print out this guide and use it to train everyone in your workplace who does applicant interviewing on the acceptable – and unacceptable – questions in job interviews.

Interview Inquiries

Guide to Pre-Job Offer Questioning

Subject	Acceptable Inquiries prompt answers that are job-related.	Unacceptable Inquiries prompt answers that are NOT job-related and that can cause you to make illegal discriminatory decisions.
Age	Verifying that applicant meets legal age requirements for employment.	"What is your age?" "What is your birth date?" (Note: Ask for birth date ONLY on a form authorizing an employment screening background and credentials check. State on the form that the birth date will not be used for any illegal purpose.)



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Ancestry (See "Birthplace")		
Arrest, criminal record	"Have you ever been convicted of a crime?" (If job-related.) [In most jurisdictions, this must be accompanied by a statement on the employment application that a conviction will not necessarily disqualify applicants from the job applied for.]	Asking about applicant's arrest record. "Have you ever been arrested?" Any inquiry about convictions that are not related to job requirements.
Available for work on weekends, evenings	Only if asked of all applicants and only if it's a business necessity for employee to work weekends and evenings.	Any inquiry about applicant's religious practices.
Birth date (See "Age")		
Birthplace, national origin, ancestry	"Are you legally eligible to work in the United States?" Asking about foreign languages the applicant can read, speak, or write, if job related.	"What is your mother or native tongue?" Questions about how an applicant acquired the ability to read, write or speak a foreign language.
Child care	Only if asked of all applicants.	Asking about child care arrangements of only female applicants.
Citizenship	"Do you have the legal right to work and stay in the United States?" "Are you authorized to work for all employers in this country, on a full-time basis, or only for your current employer?"	"Are you a U.S. citizen?" "What country are you a citizen of?" Questioning whether applicant or applicant's spouse or parents are naturalized or native-born U.S. citizens.
Convictions (See "Arrest")		
Credit records	None, unless this is job-related.	Asking about charge accounts, bank accounts and asking for similar information.
Creed (See "Religion")		
Criminal record (See "Arrest")		
Disability, handicap, physical condition	"Are you able to perform the duties of the position that you have applied for	"Do you have any disabilities or



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	<p>in a reasonable and safe manner?"</p> <p>[You CAN inquire about disabilities and health <i>after</i> making a job offer. After making a job offer you can require a medical examination and tests for drug and alcohol use.]</p>	<p>handicaps?"</p> <p>"Do you have or have you ever had a drug or alcohol problem?"</p> <p>Questions about general medical condition, state of health, or illness.</p> <p>Questions about having filed for or received workers compensation.</p>
Education	<p>Questions about applicant's academic, vocational, or professional education and the public and private schools attended.</p>	<p>Asking for dates of attendance at or completion of elementary or high school.</p>
Family responsibilities (See "Marital status")		
Friends (See "Relatives, friends")		
Handicap (See "Disability")		
Height and weight	<p>Only when they are job related.</p>	<p>Inquiries that are not related to job requirements.</p>
Language(s) spoken	<p>Only if ability to speak or write the language(s) is job related.</p>	<p>Inquiries about the applicant's mother tongue, how the applicant learned to read, write or speak a foreign language, and the language used in the applicant's home.</p>
Marital status, family responsibilities	<p>"Do you have any responsibilities or commitments which would prevent you from meeting our work schedule?"</p>	<p>"What is your marital status?"</p> <p>Asking for information or name of applicant's spouse.</p> <p>"Are you pregnant?" or "Are you expecting?"</p> <p>Asking applicant about future plans for children.</p> <p>"What are the names and ages of your children?"</p> <p>"What will your child care plans be?" (If</p>



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		asked of female applicants only.)
Military service	Questions about military service or training.	"Did you receive other than an honorable discharge from the military?" (Discharge questions are problems in many jurisdictions.)
Name	"What is your name?" "Have you worked under a different name, and if so, what was it?"	"What was your maiden name?" "What is the national origin of your name?"
National origin (See "Birthplace")		
Organization, membership in	Questions about membership in organizations that applicant feels are relevant to his or her ability to perform the job. Questions about membership in job-related professional organizations.	"List all clubs, societies, and organizations to which you belong."
Personal finances	If travel is required, asking whether applicant has use of reliable car.	Questions about wage garnishment, personal bankruptcy. Questions about home or car ownership.
Photographs (See "Race or color")	Not until after job offer.	Requesting photo with application, or after an interview but before a job offer.
Physical ability (See "Disability")		
Physical condition (See "Disability")		
Physical description (See "Race or color")		
Pregnancy	None	Any questions about pregnancy, family plans, or medical history of pregnancy.
Race or color	Statement that after hiring a photograph may be required.	Requiring a photograph be submitted anytime before hiring or requesting that applicant, at his or her option, submit a photograph. Asking the race, or color or complexion of applicant's skin.



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		Questions about applicant's weight or height. (Unless job-related.)
References	Asking for names of people who will be able to provide professional and/or character references for the applicant. "Who referred you for a position with us?"	Name of applicant's pastor or religious leader.
Relatives, friends	Statement of your policy about employees who are related working together. Asking for names of relatives or friends who are already employed by your firm or organization. (Do not use this to discriminate against members of protected classes.)	Asking for the name or address of any relative or friend of the applicant, excepting those already working for your firm or organization.
Religion	None, unless religion is a bona fide job qualification. Statement of regular days, hours, or shifts to be worked.	Questioning applicant's religion (e.g., "Does your religion prevent you from working weekends and holidays?") "What is your religion?" "Your church?" "Your parish?" "What religious holidays do you observe?"
Residence	Asking for address of residence. "How long have you lived there?"	"Do you own or rent your own home?"
Sex (gender)	None, except when sex (gender) is a bona fide occupational qualification.	Asking the sex (gender) of the applicant, unless it is a bona fide occupational qualification.
Transportation	None, unless job-related. "Our work hours are from 8 a.m. to 5 p.m.. Will you be able to consistently work these hours?"	"Do you have a car?" (Unless job-related.) "Do you have reliable transportation to get to work?"
Weight (See "Height")		

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