

PRE-EMPLOYMENT INTERVIEW / ANTI-DISCRIMINATION GUIDELINES

The following guideline table is only a guide and is not intended to be an exhaustive list of all acceptable and unacceptable questions. It is important that the interviewer ask only questions that are job related.

DISCRIMINATORY TOPICS	ACCEPTABLE QUESTIONS	UNACCEPTABLE QUESTIONS
Age/Birth Date	You can ask if the candidate is 18 years or older. If the answer is no, you can ask the age.	"How old are you?" or "What is your birth date?"
Arrest, Criminal Record	"Have you ever been convicted of a crime?" You can ask a candidate if he or she has had a recent conviction <i>IF</i> it relates to the job requirement. <i>(Note: In most jurisdictions, this question must be accompanied by a statement on the employment application that a conviction will not necessarily disqualify applicants from the job applied for.)</i>	"Have you ever been arrested?" Any inquiry about convictions that are not related to job requirements.
Birthplace	"Are you legally eligible to work in the United States?"	Birthplace of the applicant, applicants spouse, parents, or other close relatives.
Citizenship	"Can you after employment, submit verification of your legal right to work in the United States?" – OR – Statement that such proof may be required after a decision is made to hire the candidate.	"Of what country are you a citizen?" "Are you a United States citizen?" Whether an applicant is a naturalized or native-born citizen, date when applicant acquired citizenship. Whether applicants spouse or parents are naturalized or native-born citizens of the U.S. The date when such spouse or parents acquired citizenship.
Disability	"Are you able to perform the duties listed in the job description you have applied for in a reasonable manner?" <i>(You can ask about disabilities and health after making a job offer. Then you can require a medical examination and tests for drug and alcohol use.)</i>	"Do you have any disabilities or handicaps?" "Have you ever been treated for a drug or alcohol problem?" Questions about general medical condition, state of health, or illness. "Have you had any medical problems?" Questions about having filed for or received workers compensation.

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Marital Status	"Do you have any responsibilities or commitments which would prevent you from meeting our work schedule?"	"What is your marital status?" "Where does you spouse work?" "What are the ages of your children?" "Are you pregnant?" or "Are you expecting?" "Are you married or planning to get married?"
Military Service	Questions about military service or training.	"When you left the military, what type of discharge did you get?" "Did you receive other than an honorable discharge from the military?"
Name	"What is your name?" "Have you ever worked for this company under a different name and if so, what was it?"	Of a married woman, "What was your maiden name?" "What is the national origin of your name?"
Organizations	"Are you a member of any job-related club, organization, etc?" Questions about membership in organizations that employer feels are relevant to his or her ability to perform the job.	List all clubs, societies, and lodges to which you belong.
Race of Color	A photograph may be required for ID purposes after a hiring decision has been made.	Questions regarding complexion, color of skin, hair color, or eye color. Requiring a photograph be submitted anytime prior to hiring.
Religion	Statement of regular days, hours, or shifts to be worked.	"Does your religion prevent you from working weekends and holidays?" "What is your religion?" "What is your church or parish?" "What religious holidays do you observe?" Applicant may not be told, "This is a Catholic, Protestant or Jewish organization."
Residence	Applicants place of residence. "How long have you been at your present address?" "Any foreign residence?"	"Do you rent or own your home?" "How long have you lived at your present address?"
Sex (gender)	None, except when gender is a bona fide occupational qualification.	A pre-employment inquiry as to sex on an application form.

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