

Interviewer Inquiry Guide

Any inquiry should be avoided that, although not specifically listed among the above, is designed to elicit information as to race, color, ancestry, age, gender, gender identity, sexual orientation, religion, disability, or arrest and court record unless based upon a bona fide occupational qualification.

This list is provided as a general guideline. The list of prohibited pre-hire inquiries, although not all inclusive, represents the major areas of applicant inquiry.

Under certain conditions, some information normally prohibited from preemployment inquiry may be collected for legal, security and/or government record keeping requirements, and may be obtained after the applicant has been hired.

*Tip One: Only ask questions that relate to the person's ability to do the job.

*Tip Two: Remember you are always interviewing; in between meetings, while escorting candidates on campus, and during meals.

	Permissible Inquiries	Impermissible Inquiries
NAME	"Have you worked for this company under a different name?" "Is any additional information relative to change of name, use of an assumed name or nickname necessary to enable a check on your work and educational record? If yes, explain."	Inquiries about the name that would indicate applicant's lineage, ancestry, national origin, or descent. Inquiry into previous name of applicant where it has been changed by court order or otherwise. "Indicate Miss, Mrs. Ms."
FAMILY STATUS	Whether applicant can meet specified work schedules and work attendance requirements.	Any inquiry indicating whether an applicant is married, single, divorced, engaged, etc. Number and age of children. Information on child-care arrangements. Any questions concerning pregnancy.
AGE	Ask applicant if less than 18 years of age. If a minor, require proof of age in the form of a work permit or a certificate of age. Require proof of age by birth certificate after being hired.	Requirement that applicant state age or date of birth. Requirement that applicant produce proof of age in the form of a birth certificate or baptismal record. (The Age Discrimination in Employment Act of 1967 forbids discrimination against persons over the age of 40).
DISABILITIES	For employers subject to the provisions of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, applicants will be 'invited' to self-identify. All applicants can be asked whether they are able to perform the essential duties of the job with or without accommodations.	The Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 forbids employers from asking job applicants general questions about whether they have a disability or asking them about the nature and severity of their disability. Except in cases where undue hardship can be proven, employers must make "reasonable accommodation" for the physical and mental limitations of an employee or applicant.

GENDER, GENDER IDENTITY, AND SEXUAL ORIENTATION	Inquiry as to gender or restriction of employment to one gender is permissible only where a Bona Fide Occupational Qualification exists. (This BFOQ exception is interpreted very narrowly.) The burden of proof rests on the employer to prove that a BFOQ is necessary.	Gender, gender identity or sexual orientation of applicant. Any other inquiry that would indicate gender, gender identity or sexual orientation. Without a BFOQ, the preceding cannot be used as a factor for determining whether an applicant is qualified. Avoid questions concerning applicant's height or weight unless you can prove they are necessary requirements for the job to be performed.
RACE OR COLOR	No pre-hire inquiry permitted.	Applicant's race. Color of applicant's skin, eyes, hair, or other questions directly or indirectly related.
ADDRESS	Applicant's address. Inquiry into place and length of current and previous address, e.g., "How long a resident of this state or city?"	Specific inquiry into foreign addresses that would indicate national origin. Names or relationships of persons with whom applicant resides. Whether applicant owns or rents home.
BIRTHPLACE	No pre-hire inquiry permitted.	Birthplace of applicant. Birthplace of applicant's parents, spouse, or other relatives. Requirement that applicant submit a birth certificate or naturalization or baptismal record before employment. Any other inquiry into national origin.
RELIGION	An applicant may be advised concerning normal hours and days of work required by the job. (Employers are required to make reasonable accommodations for religious purposes.)	Applicant's religious denomination or affiliation, church, parish, pastor, or religious holiday's observed. Applicants may not be told that any particular religious groups are required to work on their religious holidays. Any inquiry to indicate or identify religious denomination or customs.
MILITARY RECORD	Type of education and experience in service as it relates to a particular job.	Type of discharge.
PHOTOGRAPH	Indicate that this may be required after hiring for identification.	Requirement that applicant affix a photograph to their application. Request that applicant, at their option, submit photograph. Requirement of photograph after interview but before hiring.
CITIZENSHIP NOTE: If you ask this question of one candidate, you must ask it of all candidates.	"Are you legally authorized to work in the U.S. on a full time or permanent basis?"	"Of what country are you a citizen?" Whether applicant or his or her parents or spouse are naturalized or native-born U.S. citizens.
NATIONAL ORIGIN	Languages applicant reads, speaks, or writes fluently. (If another language is necessary to perform the job.)	Inquiries into national origin or birthplace of applicant, applicant's parents or spouse.

EDUCATION	Applicant's academic, vocational, or professional education school attended. Inquiry into language skills such as reading, speaking, and writing foreign languages.	Any inquiry asking specifically the nationality, racial affiliations, or religious affiliation of a school. Inquiry as to how foreign language ability was acquired.
EXPERIENCE	Applicant's work experience, including names and addresses of previous employers, dates of employment, reasons for leaving, salary history.	None.
CRIMINAL RECORD	Inquiry into actual convictions that relate reasonably to fitness to perform particular job.	Any inquiry relating to arrests only.
RELATIVES	Names of applicant's relatives already employed by this company. Name and addresses of parents or guardian of minor applicant.	Name or address of any relative of adult applicant, other than those employed by the company.
NOTICE IN CASE OF EMERGENCY	Name and address of persons to be notified in case of accident or emergency.	Name and address of relatives to be notified in case of accident or emergency.
ORGANIZATIONS NOTE: Even if a candidate discloses this information, do not ask any further questions about it. You are permitted to answer their questions.	Inquiry into the organizations of which an applicant is a member providing the name or character of the organization does not reveal the race, religion, color, or ancestry of the membership. "List all professional organizations to which you belong. What offices are held?"	"List all organizations, clubs, societies, and lodges to which you belong." The names of organizations to which the applicant belongs if such information would indicate through character or name the race, religion, color, or ancestry of the membership.
REFERENCES	By who were you referred for a position here? Names of persons willing to provide professional and/or character references for applicant.	Require the submission of a religious reference. Request reference from applicant's pastor.
MISC.	Notice to applicants that any misstatements or omissions of material facts in the application may be cause for disqualification or dismissal, if hired.	