



Interview Questions to Avoid

Interviews are an important component of the hiring process. Interview questions must avoid bias and be legal. An interview must avoid any questions of an individual that cover race, color, sex, sexual orientation, disability status, religion, veteran status, marital status, pregnancy, arrest record, national or ethnic origin, age, birth place, citizenship, economic status, or genetic information. This applies to both external and internal candidates.

SUBJECT	DO NOT ASK (ILLEGAL)	YOU MAY ASK (LEGAL)
Name	What was your maiden name?	Do we need any additional information about the possible use of another name to check your previous employment?
Gender	Are you male or female?	None
Residence	Do you own or rent?	What is your present address?
Race	What is your race? What color is your hair, eyes, or skin?	None
Age: Young and Old	What is your date of birth? How old are you? What year did you graduate school? Could you work well with young people? Are you open to new ideas? How would you feel about taking orders from someone younger than you? Are you planning to retire soon?	If hired, can you provide proof that you are at least 18 years of age? <i>(Could be age discriminatory if only asked of older candidates)</i>
National Origin	What is your ancestry, national origin, descent ancestry, parentage, or nationality? What is the nationality of your spouse? Where were you born? Where were your parents born? What is your cultural background? What nationality is your name? Where did your family come from? What is your native language? What languages are spoken in your home?	What languages do you speak or write fluently? <i>Do not ask unless strictly job related.</i> Are you able to speak/write in English? <i>Do not ask unless strictly job related.</i>
Religion	What is your religious affiliation or denomination? What church do you attend? What is the name of your pastor, minister, or rabbi? What religious holidays do you observe? Do you do any community work in connection with a church?	None <i>(If you wish to know if an applicant is available to work Saturday or Sunday shifts, ask: "Are you available to work on Saturdays or Sundays if needed?" Make sure you ask this question of all applicants.)</i>

<p>Economic Status</p>	<p>Have you filed personal bankruptcy? Do you own your house? How did you pay for your education? Do you have a good credit rating? Have your wages ever been garnished?</p>	<p>None <i>(Discrimination against lower socio-economic groups has a disparate impact on minorities)</i></p>
<p>Disability</p>	<p>Do you have any disabilities? Are you now receiving, or have you ever received workers' compensation benefits? Can you read small print? Are you in good physical condition? Do you have any health problems? Do you have any back problems? What prescription drugs are you taking? Have you ever been addicted to drugs? Have you ever been treated for mental health problems? Have you had any prior work injuries? How many days were you out sick last year? Do you have any physical impairment which would prevent you from performing the job duties for which you are applying? How much do you weigh? How tall are you?</p>	<p>Are you capable of performing the essential functions of this position, with or without reasonable accommodation? A mail clerk must receive incoming boxes of supplies up to 50 pounds in weight and place them on storage shelves up to six feet in height. Can you perform these tasks? How many days were you absent last year? Statement by employer that offer of employment may be made contingent upon passing a physical examination.</p>
<p>Marital or Family Status</p>	<p>What is your marital status? What is your spouse's name? What was your maiden name? Do you plan to have children? What day-care provisions have you made for your children? What is your spouse's occupation? Can you travel? What would you do if your spouse gets a job in another state? Do you have healthcare coverage through your spouse? What are the names and relationships of persons living with you?</p>	<p>None Our regular work schedule is Monday through Friday, 8 – 5. Would you be able to meet this requirement? <i>(An employer may ask if candidates have any commitments or responsibilities preventing them from meeting attendance requirements, or if they anticipate lengthy work absences. Make sure you ask the question of all applicants.)</i> This job requires overnight travel 1-2 times a month. Would you be able and willing to travel as needed for this job? <i>(If a requirement, should be asked of all applicants.)</i> Would you be able and willing to work overtime as necessary? <i>(If a requirement, should be asked of all applicants.)</i></p>

Sexual Orientation	What is your sexual orientation?	None
Sex Discrimination	<p>If you become pregnant, would you quit your job?</p> <p>What does your husband think of all this?</p> <p>How many children do you have? How old are they?</p> <p>Whom can we contact in case of an emergency?</p> <p>Are you pregnant?</p> <p>What does your husband do?</p> <p>Is your husband a union member?</p> <p>How likely is it that your husband will accept a job in another city?</p> <p>How does your husband feel about you making more money than he does?</p> <p>Would your husband move if you got this job?</p>	None
Arrests and Convictions	<p>Have you ever been arrested?</p> <p>Have you ever been charged with any crime?</p>	<p>Have you been convicted of any crime?</p> <p><i>(A conviction itself does not constitute an automatic bar from employment, and will be considered as it relates to fitness to perform the job in question.)</i></p>
Citizenship	<p>Of what country are you a citizen?</p> <p>Are you or other members of your family naturalized citizens? If so, when did you or they become a U.S. citizen?</p>	<p>Are you a citizen of the United States?</p> <p>If hired, are you able to prove eligibility to work in the United States?</p>
Military Background	<p>What is your discharge status?</p> <p>What branch did you serve in?</p>	<p>Are you a veteran?</p> <p>Do you have any job-related experience in the military?</p>
Other	What social organization or clubs are you a member of?	None