

Distribution	SUBJECT	Date
	EMPLOYMENT PROCEDURES INTERVIEWS – APPROPRIATE (LEGAL) and INAPPROPRIATE (DISCRIMINATORY) QUESTIONS	10/98

**PURPOSE:** Federal and state laws prohibit discrimination on the basis of race, sex, national origin, disability, marital status, religion and age when interviewing and selecting job applicants. Questions must be relevant to the position that is the subject of the interview.

**PERFORMED BY:** Appropriate Manager and/or Human Resources Administrator

**PROCEDURE:** 1. The following shows a list of interview questions that are appropriate (legal) and inappropriate (discriminatory):

2. FAMILY STATUS

a) Legal

Do you have any responsibilities that conflict with the job attendance or travel requirements?

b) Discriminatory

\*Are you married?

\*What is your spouse's name?

\*What is your maiden name?

\*Do you have any children?

\*Are you pregnant?

\*What are your child care arrangements?

3. RACE – NO LEGAL QUESTIONS

4. RELIGION – NO LEGAL QUESTIONS

5. SEX – NO LEGAL QUESTIONS

6. MARITAL STATUS– NO LEGAL QUESTIONS

7. BIRTHPLACE – NO LEGAL QUESTIONS

8. ARREST OR CONVICTION – Have you ever been convicted of a crime? (Legal). Any other is discriminatory.

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9. AGE – If hired, can you offer proof that you are at least 18 years of age? (Legal). How old are you? What is your date of birth? (Both discriminatory).
10. DISABILITY – Are you able to perform the essential functions of this job as I have just described to you (or after applicant has reviewed the job description) with or without reasonable accommodation? (Legal). Any other type question discriminatory.