

Interview Questions You Can and Cannot Ask

CATEGORY	YOU CAN ASK	YOU CAN NOT ASK
Age	<ul style="list-style-type: none"> ✓ If hired can you provide proof of age and / or submit a work permit? ✓ Are you over or under 18? (If not, proof of age and work permit required) 	<ul style="list-style-type: none"> ✓ What is your date of birth? ✓ How old are you?
Arrests and Convictions	<ul style="list-style-type: none"> ✓ Have you been convicted of any crime? ✓ Are any felony charges pending? Give details. <p>(You must tell applicant if a conviction is not an automatic bar to employment but is only considered as it relates to fitness to perform the job.)</p>	<ul style="list-style-type: none"> ✓ Have you ever been arrested? ✓ Have you ever been charged with any crime?
Birthplace	<ul style="list-style-type: none"> ✓ (only relevant for background check) 	<ul style="list-style-type: none"> ✓ Where were you born? ✓ Where were your parents born?
Citizenship	<ul style="list-style-type: none"> ✓ Are you a US citizen? ✓ Do you intend to remain in the US? ✓ Can you submit proof of citizenship or immigration status? ✓ If you are not a citizen are you prevented from becoming lawfully employed because of visa or immigration status? 	<ul style="list-style-type: none"> ✓ What is your country of citizenship? ✓ Whether or when you or family members became naturalized citizens. ✓ To submit a copy of your naturalization papers.
Credit Rating	<ul style="list-style-type: none"> ✓ Can you be bonded? (If applicable) 	<ul style="list-style-type: none"> ✓ Questions about credit rating, charge accounts, ownership of car, etc.
Disabilities / Health	<ul style="list-style-type: none"> ✓ Are you capable of performing the essential tasks and duties of the position as they have been explained to you? 	<ul style="list-style-type: none"> ✓ Are you handicapped? ✓ Do you have a disability? ✓ Have you ever been treated for any of the following illnesses ... ? ✓ Have you ever had a Worker's Compensation

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Education	<ul style="list-style-type: none"> ✓ Describe your academic, vocational or professional education. ✓ Please list the schools you've attended. ✓ What is the highest grade you completed? 	<p>claim?</p> <ul style="list-style-type: none"> ✓ List the dates you attended or graduated from high school or college. (Some employment applications ask for attendance dates to account for employment gaps.)
Emergency Contact	<ul style="list-style-type: none"> ✓ Name and address of person to be notified in case of emergency 	<ul style="list-style-type: none"> ✓ Name and address of relative to be notified in case of emergency.
Handicaps	<ul style="list-style-type: none"> ✓ Describe or demonstrate the job function and ask whether the applicant can perform the function with or without reasonable accommodations. ✓ IF ASKED, MUST BE ASKED OF EVERY APPLICANT. 	<ul style="list-style-type: none"> ✓ General questions about whether they are handicapped or about the nature or severity of their handicaps.
Height and Weight		<ul style="list-style-type: none"> ✓ What are your height and weight?
Marital or Family Status	<ul style="list-style-type: none"> ✓ Name and address of parent or guardian if applicant is a minor. ✓ Are there any activities, commitments or responsibilities that may hinder the work attendance requirements? 	<ul style="list-style-type: none"> ✓ Marital status: spouse's name, employment, etc. ✓ Maiden name. ✓ Preference among Ms., Miss, or Mrs. ✓ Are you pregnant? ✓ Do you expect to be pregnant within the year? ✓ Do you live with your parents? ✓ With whom do you reside? ✓ Number & age of children, or intent to have children. ✓ About child care arrangements.
Military Record	<ul style="list-style-type: none"> ✓ Are you a veteran of the US Armed Forces 	<ul style="list-style-type: none"> ✓ Type, conditions or dates of military discharge or

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	<ul style="list-style-type: none"> or State Militia? ✓ If yes, describe any training or education received while in the military. 	<ul style="list-style-type: none"> about experience in other than US Armed Forces or State Militia.
Name	<ul style="list-style-type: none"> ✓ Have you worked for this company under a different name? ✓ Does this company need any additional information about a change of name, use of an assumed name or nickname to check your work record? 	<ul style="list-style-type: none"> ✓ Any inquiries that would indicate marital status, maiden name, ancestry, national origin. ✓ Has your original name been legally changed? ✓ Inquiries about preferred courtesy title: Miss, Mrs., Ms.
National Origin / Language	<ul style="list-style-type: none"> ✓ What languages do you read, speak or write fluently? (If job related.) 	<ul style="list-style-type: none"> ✓ Ancestry, lineage, national origin, descent, parentage or nationality. ✓ Nationality of parents or spouse. ✓ Native language and how acquired proficiency.
Organizations	<ul style="list-style-type: none"> ✓ List memberships in any professional or trade organizations or other organizations that you consider relevant to your ability to perform the job. ✓ What office, if any, do / did you hold? ✓ Inquiry into any organization that the applicant is a member as long as providing the name does not reveal race, religion or ancestry. 	<ul style="list-style-type: none"> ✓ List any or all social organizations, clubs, societies, and lodges to which you belong.
Photographs	<ul style="list-style-type: none"> ✓ May inform that a photograph may be required after hire if relevant for the position. 	<ul style="list-style-type: none"> ✓ Submit a photograph with application or before hire. ✓ Can only request after hiring.
Race / Color	<ul style="list-style-type: none"> ✓ 	<ul style="list-style-type: none"> ✓ Race, complexion, color of hair, eyes or skin.
Religion / Creed	<ul style="list-style-type: none"> ✓ Are you available to work Saturdays or 	<ul style="list-style-type: none"> ✓ Religious affiliation, denomination, church, parish,

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	Sundays if needed? (If required for job)	pastor, minister or rabbi, religious holidays observed.
Relatives	✓ Do you have any relatives already employed by this company? If yes, please list their names.	✓ List names and addresses of relative(s) to be contacted in case of emergency.
References	✓ Name of persons willing to provide professional or character references for you. ✓ Who referred you here?	✓ What is the name of your pastor, minister or rabbi?
Residence	✓ What is your current address? ✓ How long have you resided at that address? ✓ What was your former address and how long did you reside there? (Relevant only for background checks.)	✓ Do you own or rent? ✓ Can you give the names and relationships of the persons residing with you?
Sex	✓ ONLY permissible where a Bona Fide Occupational Qualification exists.	✓ Are you male or female? ✓ Any inquiry related to sex or ability to reproduce. ✓ Any inquiry related to sexual preference.

These guidelines will help you distinguish between lawful, acceptable interview questions and those that are unlawful. These guidelines are not complete and only provide major highlights. *Remember: any question that is not specifically job-related may be construed as unlawful.*

For more information regarding behavioral interviewing please contact us at
 Success Performance Solutions
www.super-solutions.com
 800-803-4303