

Appropriate Questions

SUBJECT	DO NOT ASK	QUESTIONS YOU MAY ASK
Sex	Are you male or female?	None.
Age	What is your date of birth? How old are you?	Application will indicate if applicant is at least 18 years of age.
Race/Color	What is your race? What color is your hair, eyes, or skin?	None
National Origin	What is your nationality? What is your native language? What is the nationality of your parents or spouse?	What languages do you speak or write fluently? (Do not ask unless strictly job related.)
Marital or Family Status	Are you married? What is your husband's name? What was your maiden name? How many children do you have? Are you pregnant? Do you plan to have children? What day care provisions have you made for your children?	None. You can ask if candidates have any commitments that might prevent them from meeting attendance requirements, or if they anticipate lengthy work absences. (Make sure you ask this question of all applicants.)
Religion	What is your religious affiliation or denomination? What church do you belong to? What religious holidays do you observe?	None. (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.)
Residence	Do you own or rent? Give the names and relationships of persons residing with you.	Get present address from resume.
Arrests and Convictions	Have you ever been arrested? Have you ever been charged with any crime?	Application will indicate conviction of a felony and notify applicant-that a conviction itself does not constitute an automatic bar to employment, and will be considered as it relates to fitness to perform the job in question.
Citizenship	What country are you a citizen of? Are you a naturalized citizen? When did you become a U.S. citizen? Attach a copy of your naturalization papers to your application form.	Application will indicate citizen of the United States or eligibility to work in the United States.
Disabilities	Are you disabled? How severe is your disability? What caused it? Any drinking problems? History of mental illness? How will you get to work?	Are you capable of performing the essential functions of this position, with or without reasonable accommodation?

Inappropriate Interview Topics

The following inappropriate topics are provided to inform campus recruiters and on-site employment interviewers of possible equal employment opportunity problem areas. When reviewing these inappropriate topics, it should be kept in mind that simply asking a question is not itself illegal. However, use of the information derived may have a discriminatory effect. In addition, an applicant may infer such a discriminatory effect from the mere asking of the inappropriate question. Therefore, interviewers should avoid these topics. If such topics are initiated by the candidate, the interviewer should redirect the discussion to job-related issues.

- In addition, certain states have laws which may extend the protected age span — for example, Michigan law protects persons of any age.

Marital Status,
Family Plans

- Any inquiry as to whether an applicant is married, single, divorced, or engaged, etc., may discriminate against women since marriage and family have traditionally affected women's careers more directly than men's careers.

Family Background

- Such discussion could disclose religious beliefs or racial or national origin. Federal law prohibits job discrimination based on these factors.

Number of

- Since a disproportionate number of minorities have arrest records,
- Arrest is not the legal equivalent of being judged guilty.
- An interviewer may ask about convictions, but only if they are related to a specific job opening (e.g., as embezzlement relates to the job classification of Auditor).

Involvement in Social
Organizations
Including Church!
Community Activities
and other After-
Hours Interests

- This type of discussion may divulge social, religious or political preferences, none of which are job related, and some of which could be viewed as discriminatory.
- An applicant's comments about his or her leadership role in one of these organizations may be discussed as it focuses on a job-related criterion.

Driving Time to
Work Location

- If the residential areas in close proximity are racially segregated, an applicant could easily infer racial discrimination from this question.

Specific Speech
Accent of Applicant

- An accent should not be probed because it relates to an applicant's national origin.
-

EEO/ADA/LEGAL ISSUES

Observance of Holidays

- Questioning regarding observance of holidays could divulge religious preferences or creed.
 - Applicants may not be told that any particular religious groups are required to work on their religious holidays.
 - Applicants should be told what normal work hours and overtime requirements are for the position they seek.
-

Naturalized vs. Native-born Citizenship

- Applicants cannot be rejected on the basis of their national origin as long as they have legal permission to work in the U.S.
 - A permanent resident alien is considered the same as a U.S. citizen for purposes of most employment with the Company.
-

How the Applicant Heard About the Job Opening

- Religious preference or ethnic background may be revealed by reference to a specific medium.
 - This is not the same as the general inquiry on an application which asks, "What led you to apply at Memorial Health
-

General Military Experience, including Type of Discharge

- Type of discharge may be an illegal area because minorities have disproportionately received less than honorable discharges.
 - Specific job or career interests, and related military training and assignments may be discussed.
-

Attitudes of Co-workers

- Negative attitudes of co-workers toward minorities, women, or disabled persons on certain positions is not a justifiable reason for not hiring a minority, female, or a disabled person.
 - Interview discussion of such attitudes can be construed as an attempt to discourage minorities, women, and disabled individuals from seeking or accepting employment.
-

Athletic Activities

- Certain protected groups, especially women, traditionally have had less opportunity to participate in sports. Should athletic participation be used as a selection criterion, it would likely exclude more women applicants.
 - Although athletic participation may be evidence of a competitive spirit, it does not follow that lack of such participation means lack of initiative.
-

Photographs

- Photos can disclose national origin, race and sex.

If a resume or application includes a photograph, it is best to cut it off or block it out so as not to create a Company record which suggests that race, ethnic background, or sex of applicants are hiring criteria.

INAPPROPRIATE INTERVIEW TOPICS (continued)

- Parents' Occupations and/or Income
- These items are not related to the applicant's job performance.
 - They could be viewed as having a discriminatory impact on minorities or applicants from low income families.
-

In addition, the following topics would be especially inappropriate for discussion with women:

- Husband's Feelings About Relocation and Extensive Travel**
- Discussing a candidate's husband's feelings about travel is inherently discriminatory against women candidates. The impression may be left that this information would be used as a basis for differentiating between candidates.
 - For traveling positions, it is mandatory that the candidate's availability for travel (or relocation) be ascertained. Questions could be phrased, "Are you willing to relocate throughout the United States?" "Would traveling up to four nights a week be a problem for you?"
-

- Applicant's Perception of Her Role in the Family
- Questions of a woman candidate such as, "Who is responsible for taking care of the children?" are inherently discriminatory against women candidates. Such questioning may leave the candidate with the impression that this information would be used as basis for differentiating between candidates.
-

- Description of Positions as Having Been or Being Filled Primarily by Men
- Conveying to the applicant that certain positions traditionally have been filled by men would obstruct the purpose of the interview and lead the applicant to believe her sex was the basis for selection or rejection.
 - Additionally, for an interviewer to discourage the applicant's interest in a specific position for which she is qualified is also inappropriate.
-

- Mention of "Typical" Female Positions in Which the Woman Applicant May Be Interested**
- Directing a woman applicant into other position openings that are typically female and away from the "applied for" position is discriminatory.
-

- Inquiry of Female Applicants About Typing and Shorthand Skills If Applying for a Non-Clerical Position
- Inquiry concerning typing/shorthand skills if candidate is applying for a non-clerical position would lead female applicant to believe the interviewer is trying to fit them into the traditionally female, clerical role.
-

In general, topics that are not directly related to the job should not **be discussed in the interview.** To discuss such topics in the employment interview consumes valuable time needed for job-related discussion, and also provides the basis for the candidate to infer discriminatory treatment.

Interviewing Tips

1. Introduce each interviewer and describe his or her position
2. Use the script to tell the candidate about the peer interview process: "This type of interview may be different for you, but we have found..."
3. Establish rapport and put the candidate at ease
 - o Let them know you will be taking notes and explain why
4. Use behavior based questions
5. Ask, then LISTEN- Allow the candidate time to think. Don't rescue!
6. Ask for clarification if you don't understand response
7. Follow-up with questions that give you the event, action and result
 - o What was the situation?
 - o What was your part in the situation?
 - o What did you specifically do?
 - o What happened next?
 - o What was the outcome/result?
8. Next to last question: "why should we hire you?"
9. Ask question: "do you have any questions for us?"
10. Close graciously
 - o Thank him or her
 - o Don't imply any hiring action

Topics to Avoid During Interview

Age or any indicator	Family or children
Marital status or sexual preference	Workers' compensation history
Legal history	Citizenship
Maiden name	Geographic background
How long they have lived in an area	Verbal or written languages (unless job related)
Childcare arrangements	Disability
Religion	Politics