

## Understanding Illegal vs. Legal Interview Questions

INQUIRY AREA	ILLEGAL QUESTIONS	LEGAL QUESTIONS
<b>National Origin/Citizenship</b>	<ul style="list-style-type: none"> <li>Are you a US citizen?</li> <li>Where were you/your parents born?</li> <li>What is your "native tongue"?</li> </ul>	<ul style="list-style-type: none"> <li>Are you authorized to work in the United States?</li> <li>What language do you read/speak/write fluently? (This question is okay only if this ability is relevant to the performance of the job)</li> </ul>
<b>Age</b>	<ul style="list-style-type: none"> <li>How old are you?</li> <li>When did you graduate?</li> <li>What's your birth date?</li> </ul>	<ul style="list-style-type: none"> <li>Are you over the age of 18?</li> </ul>
<b>Marital/Family Status</b>	<ul style="list-style-type: none"> <li>What's your marital status?</li> <li>With whom do you live?</li> <li>Do you plan to have a family? When?</li> <li>How many kids do you have?</li> <li>What are your child-care arrangements?</li> </ul>	<ul style="list-style-type: none"> <li>Would you be willing to relocate if necessary?</li> <li>Would you be able and willing to travel as needed for the job?</li> <li>Would you be able and willing to work overtime as necessary?</li> </ul> <p>(These questions are okay assuming they are asked of all applicants for the job.)</p>
<b>Affiliations</b>	<ul style="list-style-type: none"> <li>What clubs or social organizations do you belong to?</li> </ul>	<ul style="list-style-type: none"> <li>List any professional or trade groups or other organizations that you belong to that you consider relevant to your ability to perform this job.</li> </ul>
<b>Personal</b>	<ul style="list-style-type: none"> <li>How tall are you? How much do you weigh? (Questions about height and weight are not acceptable <i>unless</i> minimum standards are essential for safe performance of the job.)</li> </ul>	<ul style="list-style-type: none"> <li>Are you able to lift a 50-pound weight and carry it 100 yards, as this is part of the job?</li> </ul>
<b>Disabilities</b>	<ul style="list-style-type: none"> <li>Do you have any disabilities?</li> <li>Please complete the following medical history.</li> <li>Have you had any recent or past illnesses or operations? If yes, list them and give dates when these occurred.</li> <li>What was the date of your last physical exam?</li> <li>How's your family's health?</li> <li>When did you lose your eyesight? How?</li> </ul>	<ul style="list-style-type: none"> <li>Are you able to perform all the essential functions of the job? (This question is okay if the interviewer has thoroughly described the job.)</li> <li>Can you demonstrate how you would perform the following job-related functions?</li> <li>As part of the hiring process, after a job offer has been made, you will be required to undergo a medical exam. (Exam results must be kept strictly confidential, except medical/safety personnel may be informed if emergency medical treatment is required, and supervisors may be informed about necessary job accommodations, based on exam results.)</li> </ul>
<b>Arrest Record</b>	<ul style="list-style-type: none"> <li>Have you ever been arrested?</li> </ul>	<ul style="list-style-type: none"> <li>Have you ever been convicted of _____? (The crime named should be reasonably related to the performance of the job in question.)</li> </ul>
<b>Military</b>	<ul style="list-style-type: none"> <li>If you've been in the military, were you honorably discharged?</li> </ul>	<ul style="list-style-type: none"> <li>In what branch of the armed services did you serve?</li> <li>What type of training or education did you receive in the military?</li> </ul>