

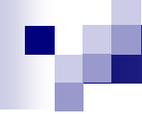
Illegal or Inappropriate Interview Questions

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Ask only job-related questions

- It is illegal not to hire candidates because of their race, color, sex, religion, national origin, birthplace, age, disability or marital/family status
- Do not ask questions that could elicit such information, and discourage candidates from volunteering personal details



Illegal/inappropriate questions

- Questions related to birthplace, ancestry or national origin:
 - “How long has your family been in the U.S.?”
 - “That’s an unusual name—what does it mean?”
 - “How did you learn to speak Chinese?”
- Acceptable question:
 - “Are you eligible to work in the U.S.?”

Illegal/inappropriate questions

- Questions related to marital status, children or pregnancy:

- “Are you planning to have children?”
- “What does your husband/wife do?”
- “What are your child care arrangements?”

- Acceptable question:

- “Would you be able to work a 9:00 a.m. to 6:00 p.m. schedule?”
 - If asked of all applicants, and a specific work schedule is a business necessity

Illegal/inappropriate questions

- Questions related to physical disability, health or medical history:

- “Are you able to use your legs at all?”
- “Do you have any pre-existing health conditions?”
- “Are you on any medication?”

- Acceptable question:

- “Can you perform the essential functions of the job, with or without reasonable accommodation?”
 - If asked of all applicants

Illegal/inappropriate questions

■ Questions related to religion or religious days observed:

- “What is your religious affiliation?”
- “What religious holidays do you celebrate?”
- “Do you attend church every week?”

■ Acceptable question:

- “Can you work on weekends?”
 - If asked of all applicants, and weekend work is a business necessity

Illegal/inappropriate questions

■ Questions related to age:

- “How old are you?”
- “What year were you born?”
- “I went to high school in Oakland, too—what year did you graduate?”

■ Acceptable question:

- “Are you over the age of 18?”

Illegal/inappropriate questions

■ Questions related to criminal records:

- “Have you ever been arrested?”
- “Have you ever spent a night in jail?”
- “Have you ever been caught driving drunk?”

■ Acceptable question:

- “Have you ever been convicted of a crime?”

Illegal/inappropriate questions

■ Other illegal questions:

- “Was your military discharge honorable or dishonorable?”
- “Have you ever brought a lawsuit against an employer?”
- “Have you ever filed for Workers’ Compensation?”
- “Have you ever been sexually harassed?”
- “How much do you weigh?”
- “Do you use drugs or alcohol?”

Illegal/inappropriate questions

- If asked an illegal question, you have four options:
 - Briefly answer the question anyway, if you are comfortable doing so.
 - Respond to the intent of the question.
 - Ignore the question and change the subject.
 - Refuse to answer the question.
 - Tell the interviewer that the question doesn't seem to be legal or relevant to the specific requirements of the job.