

## **11 Illegal and Legal Interview Questions:**

### **1. Age Questions**

Inappropriate to ask:

- How old are you?
- What year were you born?
- When did you graduate from high school?

Appropriate to ask:

- Are you over the minimum age for the hours or working conditions?
  - After hiring, verifying info with birth certificate or other ID. Insurance forms can inquire about age.
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### **2. Disability Questions**

Inappropriate to ask:

- Do you have any disabilities?
- What is your medical history?
- How does your condition affect your abilities?

Appropriate to ask:

- Can you perform the specific tasks/duties of the job?
  - After hiring, ask about medical history on insurance forms.
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### **3. Criminal Record Questions**

Inappropriate to ask:

- Have you ever been arrested?
- Have you ever spent a night in jail?

Appropriate to ask:

- Have you ever been convicted of a crime?

#### **4. Parental Status Questions**

Inappropriate to ask:

- How many children do you have?
- Do you plan to have children?
- How old are your children?
- Are you pregnant?
- What kind of child care arrangements have you made?

Appropriate to ask:

- Is there any reason you can't start at 7:30 am?
  - Can you work overtime?
  - Whether an applicant can meet specified work schedules or has activities or commitments that may prevent him or her from meeting attendance requirements.
  - After hiring, asking for dependent information on tax and insurance forms.
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#### **5. Marital Status Questions**

Inappropriate to ask:

- Are you married, divorced, separated, engaged, widowed, etc?
- Is this your maiden or married name?
- What is the name of your relative/spouse/children?
- Do you live with your parents?
- Questions concerning spouse, or spouse's employment, salary, arrangements, or dependents.
- How will your spouse feel about the amount of time you will be traveling if you get this job?

Appropriate to ask:

- After hiring, marital status on tax and insurance forms.
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## **6. Sexual Orientation and Gender Identity Questions**

Inappropriate to ask:

- How would you describe your gender identity?
- What is your sexual orientation?
- What sex were you assigned at birth?
- What your preferred pronoun?

Appropriate to ask:

- None
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## **7. Citizenship Questions**

Inappropriate to ask:

- Are you a US citizen?
- Are your parents / spouse US citizens?
- On what dates did you / parents / spouse acquire US Citizenship?
- Are you / parents / spouse naturalized or native-born US citizens?

Appropriate to ask:

- Do you have the legal right to remain permanently in the US?
  - What is your visa status (if no to the previous question).
  - Are you able to provide proof of employment eligibility upon hire?
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## **8. National Origin Questions**

Inappropriate to ask:

- What is your nationality?
- Where were you born?
- Where are your parents from?
- What's your heritage?
- How did you acquire the ability to speak, read or write a foreign language?
- What language is spoken in your home?

Appropriate to ask:

- Verifying legal U.S. residence or work visa status.
  - What languages do you speak, read or write fluently?
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## **9. Race or Skin Color Questions**

Inappropriate to ask:

- What race are you?
- Are you a member of a minority group?

Appropriate to ask:

- None
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## **10. Religion or Creed Questions**

Inappropriate to ask:

- What is your religious affiliation?
- Do you attend church regularly?
- Which religious holidays will you be taking off from work?

Appropriate to ask:

- Can you work on Saturdays?
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## **11. Residence Questions**

Inappropriate to ask:

- Do you own or rent your home?
- Do you live in town?
- With whom do you live?

Appropriate to ask:

- Inquiries about the address to facilitate contact with the applicant.
- Will you be able to start work at 8:00 am?