

SAMPLE GUIDELINES FOR INTERVIEWING JOB APPLICANTS

Unlawful Inquiries:

1. Do not ask the applicant's age.
2. If applicant appears to be underage, then merely state that proof of age will be required if hired. However, not to hire someone between the ages of 40 to 69 can be discriminatory. (State age discrimination laws vary.)
3. Do not ask for the name or address of any relative of an adult applicant.
4. Do not ask the applicant who resides with him/her.
5. Do not ask the applicant if he/she is divorced, separated, widowed, or single.
6. Do not ask a female applicant for her maiden name or for her father's surname.
7. Do not ask the applicant what the husband/wife does.
8. Do not ask if the applicant has children, the children's ages or if child care is a problem.
9. Do not ask if the applicant owns or rents his/her home.
10. Do not ask the applicant's height or weight if it is not relevant to the job.
11. Do not ask a female if she would be comfortable supervising men (or a man if he would feel comfortable supervising women).
12. Do not ask about the applicant's sexual orientation or gender.
13. Do not ask about the applicant's race, or questions directly or indirectly indicating race.
14. Do not ask about the applicant's citizenship or national origin.
15. Do not ask the applicant about his/her religion or which religious holidays he/she observes.
16. Do not ask the applicant about his/her financial status.
17. Do not ask the applicant if he/she has ever had wages garnished.
18. Do not ask the applicant about military status or future military commitment.
19. Do not ask the applicant whether he/she was ever arrested.
20. Do not ask the applicant about any legal off-duty activities, such as smoking.
21. Do not ask the applicant about any past Workers' Compensation claims.
22. Do not ask the applicant about any disabilities or illnesses. The Americans with Disabilities Act prohibits all pre-employment medical questions.

**If in doubt about a question, do not ask it until you consult with your attorney.*

Lawful Inquiries:

1. You can ask questions regarding academic, vocational, or professional education, and schools attended.
2. You can ask about specific skills such as reading, writing, speaking, computer, clinical experience or other job-related skills.
3. You can ask how many years of experience the applicant has.
4. You can ask about experience with prior employers, and why the applicant left a particular job.
5. You can ask what the applicant didn't like about previous jobs.
6. You can ask the applicant if he/she is comfortable supervising others.
7. You can ask about the applicant's goals.
8. You can ask an applicant what languages he/she speaks fluently. (Only if job-related, such as the need for a bilingual employee to interpret for your patients.)
9. You can ask the applicant if he/she can do extensive traveling.
10. You can ask the total number of absences the applicant has had in the previous year.
11. You can ask questions about actual convictions (not arrests), which will reasonably relate to the fitness of the applicant to perform a particular job.
12. You can ask the applicant who recommended you to us.
13. You may ask the applicant information for the post-offer paperwork such as Social Security number and date of birth, only after the offer is made and accepted.