Permissible Interview Questions

The following chart is based on guidelines and other directives issued by the EEOC and various other best practice guidance. It summarizes certain problematic questions often asked of applicants and offers acceptable alternatives.

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| **Category** | **Problematic Question(s)** | **Acceptable Alternative(s)** |
| **Age** | How old are you? What is your date of birth? What year did you graduate from school? | Do you meet the state minimum age requirement for work? Are you over 18? Over 16? |
| **Availability for work on particular days** | Can you work Friday evenings? Saturdays? Sundays? | The regular hours for this job are Wednesday through Sunday (or this job requires that you work every other weekend, etc.). Can you work such a schedule? |
| **Birthplace, citizenship** | Where were you born? | Are you legally authorized to work in the U.S.? |
| **Clubs and associations** | To what organizations do you belong? | Do you want to provide any additional information that relates to your ability to perform the job such as professional and other organizations that are directly job related? |
| **Gender/family status/family plans** | Are you pregnant? Do you have children? Do you plan to have children? Are you married? What sort of daycare arrangements do you have? | This job requires extensive travel/extensive overtime. Can you meet those requirements? |
| **Medical conditions/ disabilities** | Do you have a disability? Do you have any health problems? Have you ever filed for workers' compensation? How much sick leave did you use at your old job? Have you ever been hospitalized? Have you ever been injured on the job? | Can you perform the essential functions of the job for which you are applying either with or without reasonable accommodation? |

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| **Military record** | What sort of discharge did you receive after your military service? | If an applicant voluntarily discloses that they have served in the military, you may only ask questions regarding the relevant skills they acquired during their service. |
| **Name** | Have you ever had your name changed? What is your maiden name? | Have you worked for this company under a different name? Will this company need a different name when verifying your employment/education record? |
| **Physical attributes** | What is your height? Weight? Dress size? | None, except in those very limited circumstances in which height and weight constitute a bona fide occupational qualification (BFOQ), (e.g., weight for firefighters). |
| **Race** | All questions regarding race are impermissible | None |
| **Relatives** | Who is the relative to be notified in case of emergency? | After hire, provide an emergency contact form for the employee to complete. |
| **Religion** | Unless a BFOQ for the job requires membership in a particular religion (i.e., for a minister or a professor of theology at a religiously affiliated school) questions about religion are impermissible. |  |
| **Sexual orientation** | Following legal and compliance guidelines, employers may give applicants the option to voluntarily disclose their sexual orientation. However, interview questions regarding sexual orientation are impermissible. |  |
| **Gender Identity/Gender Expression** | Following legal and compliance guidelines, employers may give applicants the option to voluntarily disclose their sexual orientation. However, interview questions regarding gender identity are impermissible. |  |
| **Smoking** | Questions about smoking are prohibited under some state fair employment laws. |  |