

EEO Guidelines for Interviewing Applicants

TOPIC	QUESTIONS ALLOWED	<u>NOT OK TO ASK</u>
Age	No acceptable pre-employment inquiries. (The exception, as always, is when you can prove that age is a bona fide occupational qualification - i.e., is necessary to perform the job, usually difficult or impossible to prove.)	Any question designed to discover someone's age.
Arrest Record	No acceptable pre-employment inquiries.	Any inquiry relating to <i>arrests</i> . Since, under our judicial system, you are presumed innocent Until proven guilty.
Availability for Saturday or Sunday Work <i>(pertaining to Religious discrimination)</i>	Okay to ask of all applicants. However, an applicant's availability for Saturday or Sunday work may be because of their religion. <u><i>This fact cannot be used in any hiring decision.</i></u> Title VII requires employers to make "reasonable accommodation" even for a "prospective employee's religious observance", unless it causes "undue hardship". If you decide to ask, let the applicant know that a reasonable effort will be made to accommodate any religious needs should he or she be hired.	Any question about religious observance.
Availability for Weekend or Evening Work <i>(pertaining to sex discrimination)</i>	Inquiries about an applicant's availability for evening and/or weekend work provided that the inquiry is made of both male and female applicants and provided that the person now doing the job works evenings and/or weekends, or that a <u>definite</u> change in schedule is being implemented, which will require everyone to be scheduled for weekend work.	Not okay to ask only one group, <i>women</i> for example.
Child Care	None, unless asked of all applicants.	Inquiry into child care arrangements of only female applicants.
Citizenship	Whether the applicant is prevented from lawfully becoming employed in this country because of visa or immigration status. Whether applicant can show proof of citizenship, visa or alien registration number after being hired.	Whether applicant is a citizen. Any requirement that the applicant present birth, naturalization, or baptismal certificate before being hired.
Convictions	It is all right to inquire about an applicant's conviction record.	Arrests only - although information about circumstance on an arrest <u>may</u> warrant discussion of the _____.
Credit Inquiries	No acceptable pre-employment inquiries unless job related.	Inquiries about charge accounts, bank accounts, etc.

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Disabilities	Are you able to perform the essential functions of the job with reasonable accommodation? <i>(Provide applicant with a job description.)</i>	General inquiries - e.g., "Do you have any disabilities?" - which might reveal disabilities not related to ability to perform a specific job.
Employment	Any question related to education, experience, strengths and weaknesses, promotions, accomplishments, current salary, salary requirements, reasons for leaving a position.	None.
Family Status	Whether applicant has any activities, commitments, or responsibilities that might prevent him or her from meeting work schedules or attendance requirements. NOTE: These questions must be asked of both men and women or of neither.	Whether the applicant is married or single, number and age of children. Asking only women about child-care arrangements.
Financial Status	No acceptable pre-employment inquiries.	Inquiries about an applicant's financial condition, home or car ownership (unless owning a car is required for the job) have been found to result in discrimination against minorities since more non-whites than whites are below the poverty level.
Education	If the individual has the specific education or training required for the specific job.	General questions about high school or college degrees unless you (<i>or your supervisors</i>) can prove the educational degree inquired about is necessary to perform the job.
Height and Weight	Inquiries about ability to perform the job (without mentioning the person's height or weight).	Any inquiry about height or weight not based on the actual job requirements, in which case you or your superiors must be able to prove that a specific minimum or maximum height or weight is required to perform the job.
Language	Language applicant speaks or writes fluently, if job-related.	Applicant's other tongue, language used by applicant at home, or how applicant acquired the ability to read, write or speak a foreign language.
Marital Status	No acceptable pre-employment inquiries.	Whether the applicant is married, single, divorced, separated, engaged, widowed.
Military Status	Inquiries about education, training or work experience gained in U.S. Armed Forces.	Type or condition of military discharge. Experience in other than U.S. Armed Forces. Request for discharge papers.
Name	Whether applicant has worked under a different name.	The original name of an applicant whose name has been legally changed, whether through work or through marriage, or the national origin of an applicant's name.

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<i>National Origin</i>	Inquiries into applicant's ability to read, write and speak English or foreign languages when required for a specific job.	Questions about applicant's lineage, ancestry, national origin, descent, place of birth or mother tongue, national origin of applicant's parents or spouse. How applicant acquired ability to read, write or speak a foreign language.
<i>Organizational Memberships</i>	Inquiries about membership in professional organizations related to the job - e.g., does the applicant for a chemical engineering job belong to a chemical engineering society?	Questions about organizations whose name or character indicates members' economic or social class, race, color, creed, sex, marital status, religion or national origin - e.g., country clubs, social clubs, religious clubs, fraternal orders.
<i>Personal References</i>	Whether the applicant has ever worked for your organization under the current name or another name. Names of character references.	No other acceptable inquiries.
<i>Photographs</i>	None except after hiring.	Photographs with application or after interview but before hiring.
<i>Pregnancy</i>	Inquiries about the applicants anticipated duration of stay on the job or anticipated absences - only if made to both male and female applicants.	Any question relating to pregnancy or medical history concerning pregnancy. NOTE: The EEOC has ruled that to refuse to hire a female solely because she is pregnant amounts to sex discrimination.
<i>Race or Color</i>	No acceptable pre-employment inquiries.	Any questions about race or color.
<i>References</i>	Names of character references.	Name of applicant's pastor or religious leader.
<i>Relatives</i>	Name of applicant's relatives already employed by our organization or competitor. (This inquiry becomes unlawful when hiring preference is given to relatives of employees at a time when minorities are under-represented in your organization's work force.)	Requests for the names and addresses of any relatives other than those working for your organization.
<i>Religion or Creed</i>	No acceptable pre-employment inquiries, unless a bona-fide "ministerial" position [<i>including Teachers</i>]. Okay to advise that we are the Church, and as such, expect an understanding & respect for our Catholic faith.	Questions about applicant's religious denomination, religious affiliation, church, pastor, or religious holidays observed.
<i>Residence</i>	Inquiries about the applicant's address needed for future contact with the applicant.	Whether the applicant owns or rents own home (denotes economic class). Names and relationship of persons with whom the applicant resides.
<i>Sex or Gender</i>	No acceptable pre-employment inquiries.	No acceptable inquiries.
<i>Worker's Compensation</i>	No acceptable pre-employment inquiries.	Past workers' compensation claims