

Legal vs. Illegal Interview Questions

Source: *Planning Job Choices 2002* (National Assoc. of Colleges & Employers)

Inquiry Area	Illegal Questions	Legal Questions
National Origin/ Citizenship	<ul style="list-style-type: none"> • Are you a U.S. citizen? • Where were you/your parents born? • What is your “native tongue”? 	<ul style="list-style-type: none"> • Are you authorized to work in the United States? • What language do you read/speak/write fluently? (This question is okay only if this ability is relevant to the performance of the job.)
Age	<ul style="list-style-type: none"> • How old are you? • When did you graduate? • What’s your birth date? 	<ul style="list-style-type: none"> • Are you over the age of 18?
Marital/ Family Status	<ul style="list-style-type: none"> • What’s your marital status? • With whom do you live? • Do you plan to have a family? When? • How many kids do you have? • What are your child-care arrangements? 	<ul style="list-style-type: none"> • Would you be willing to relocate if necessary? • Would you be able and willing to travel as needed for the job? (This question is okay if it is asked of all applicants for the job.) • Would you be able and willing to work overtime as necessary? (Again, this question is okay assuming it is asked of all applicants for the job.)
Affiliations	<ul style="list-style-type: none"> • What clubs or social organizations do you belong to? 	<ul style="list-style-type: none"> • List any professional or trade groups or other organizations that you belong to that you consider relevant to your ability to perform this job.
Personal	<ul style="list-style-type: none"> • How tall are you? How much do you weigh? (Questions about height and weight are not acceptable unless minimum standards are essential for the safe performance of the job.) 	<ul style="list-style-type: none"> • Are you able to lift a 50-pound weight and carry it 100 yards, as that is part of the job?
Disabilities	<ul style="list-style-type: none"> • Do you have any disabilities? • Please complete the following medical history. • Have you had any recent or past illnesses or operations? If yes, list them and give dates when these occurred. • What was the date of your last physical exam? • How’s your family’s health? • When did you lose your eyesight? How? • Do you need an accommodation to perform the job? (This question can be asked only after a job offer has been made.) 	<ul style="list-style-type: none"> • Are you able to perform the essential functions of this job? (This question is okay if the interviewer has thoroughly described the job.) • Can you demonstrate how you would perform the following job-related functions? • As part of the hiring process, after a job offer has been made, you will be required to undergo a medical exam. (Exam results must be kept strictly confidential, except medical/safety personnel may be informed if emergency medical treatment is required, and supervisors may be informed about necessary job accommodations, based on exam results.)
Arrest Record	<ul style="list-style-type: none"> • Have you ever been arrested? 	<ul style="list-style-type: none"> • Have you ever been convicted of _____? (The crime named should be reasonably related to the performance of the job in question.)
Military	<ul style="list-style-type: none"> • If you’ve been in the military, were you honorably discharged? 	<ul style="list-style-type: none"> • In what branch of the Armed Forces did you serve? • What type of training or education did you receive in the military?