

# Legal vs. Illegal Interview Questions

Topic	Illegal	Legal
<b>Reliability, Attendance</b>	<ul style="list-style-type: none"> <li>• Number of children?</li> <li>• Who is going to baby-sit?</li> <li>• What religion are you?</li> <li>• Do you have pre-school age children at home?</li> <li>• What is your marital status?</li> <li>• Do you have a car?</li> </ul>	<ul style="list-style-type: none"> <li>• What hours and days can you work?</li> <li>• Are there specific times that you cannot work?</li> <li>• Do you have responsibilities other than work that will interfere with specific job requirements such as traveling?</li> </ul>
<b>Citizenship/National Origin</b>	<ul style="list-style-type: none"> <li>• What is your national origin?</li> <li>• Where are your parents from?</li> </ul>	<ul style="list-style-type: none"> <li>• Are you legally eligible for employment in the United States?</li> <li>• Same as above.</li> </ul>
<b>For Reference Checking</b>	<ul style="list-style-type: none"> <li>• What is your maiden name?</li> <li>• What is your father's surname?</li> <li>• What are the names of your relatives?</li> </ul>	<ul style="list-style-type: none"> <li>• Have you ever worked under a different name?</li> <li>• None.</li> <li>• None.</li> </ul>
<b>Arrest and Conviction</b>	<ul style="list-style-type: none"> <li>• Have you ever been arrested?</li> </ul>	<ul style="list-style-type: none"> <li>• Have you ever been convicted of a crime? If so, when, where and what was the disposition of the case?</li> </ul>
<b>Disabilities</b>	<ul style="list-style-type: none"> <li>• Do you have any disabilities?</li> </ul>	<ul style="list-style-type: none"> <li>• Can you perform the duties of the job you are applying for?</li> </ul>
<b>Birth Date</b>	<ul style="list-style-type: none"> <li>• What is your date of birth?</li> </ul>	<ul style="list-style-type: none"> <li>• If hired, can you furnish proof that you are over age 18?</li> </ul>
<b>Emergency</b>	<ul style="list-style-type: none"> <li>• What is the name and address of the relative to be notified in case of an emergency?</li> </ul>	<ul style="list-style-type: none"> <li>• What is the name and address of the person to be notified in case of an emergency? (Request only after the individual has been employed.)</li> </ul>

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<b>Credit Record</b>	<ul style="list-style-type: none"> <li>• Do you own your own home?</li> <li>• Have your wages ever been garnished?</li> <li>• Have you ever declared bankruptcy?</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> <li>• Credit references may be used if in compliance with the Fair Credit Reporting Act of 1970 and the Consumer Credit Reporting Reform Act of 1996.</li> <li>• None.</li> </ul>
<b>Military Record</b>	<ul style="list-style-type: none"> <li>• What type of discharge did you receive?</li> </ul>	<ul style="list-style-type: none"> <li>• What type of education, training, work experience, did you receive while in the military?</li> </ul>
<b>Language</b>	<ul style="list-style-type: none"> <li>• What is your native language? Inquiry into use of how applicant acquired ability to read, write or speak a foreign language.</li> </ul>	<ul style="list-style-type: none"> <li>• Inquiry into languages applicant speaks and writes fluently. (If the job requires additional languages.)</li> </ul>
<b>Organizations</b>	<ul style="list-style-type: none"> <li>• List all clubs, societies and lodges to which you belong.</li> <li>• Are you a union member?</li> </ul>	<ul style="list-style-type: none"> <li>• Inquiry into applicant's membership in organizations which the applicant considers relevant to his or her ability to perform job.</li> </ul>
<b>Race or Color</b>	<ul style="list-style-type: none"> <li>• Complexion or color of skin. Coloring.</li> </ul>	<ul style="list-style-type: none"> <li>• None.</li> </ul>
<b>Worker's Compensation</b>	<ul style="list-style-type: none"> <li>• Have you ever filed for worker's compensation?</li> <li>• Have you had any prior work injuries?</li> </ul>	<ul style="list-style-type: none"> <li>• None.</li> <li>• None.</li> </ul>
<b>Religion or Creed</b>	<ul style="list-style-type: none"> <li>• Inquiry into applicant's religious denomination, religious affiliations, church, parish, pastor or religious holidays observed.</li> </ul>	<ul style="list-style-type: none"> <li>• None.</li> </ul>
<b>Gender</b>	<ul style="list-style-type: none"> <li>• Do you wish to be addressed as Mr., Mrs., Miss, or Ms.?</li> </ul>	<ul style="list-style-type: none"> <li>• None.</li> </ul>

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<b>Addresses</b>	<ul style="list-style-type: none"><li>• What was your previous address?</li><li>• How long did you reside there?</li><li>• How long have you lived at your current address?</li><li>• Do you own your own home?</li></ul>	<ul style="list-style-type: none"><li>• None.</li><li>• None.</li><li>• None.</li><li>• None.</li></ul>
<b>Education</b>	<ul style="list-style-type: none"><li>• When did you graduate from high school or college?</li></ul>	<ul style="list-style-type: none"><li>• Do you have a high school diploma or equivalent?</li><li>• Do you have a university or college degree?</li></ul>
<b>Personal</b>	<ul style="list-style-type: none"><li>• What color are your eyes, hair?</li><li>• What is your weight?</li></ul>	<ul style="list-style-type: none"><li>• Only permissible if there is a bona fide occupational qualification.</li></ul>

Adapted from SHRM White Paper, "Guidelines on Interviews and Employment Application Questions."