

## *Do's* and *Don'ts* for Interview Questions (with added "ban the box" risks)

### Topics to Avoid

- Race/Color
- Sex/Gender
- National Origin
- Religion
- Citizenship
- Maiden Name
- Military Discharge
- Arrest Record
- Age
- Marital Status
- Sexual Orientation
- Disability
- Workers' Compensation History
- Salary History (until after contingent offer is made)
- Criminal Convictions (until after contingent offer is made)

### **Keep in Mind...**

- **Do not** ask for a picture to be included with the application or resume
- **Do not** take a picture of the interviewee
- **Do not** say "off the record", then ask a question  
**Do not** try to get the interviewee to say negative things about current company or boss
- **Do not** ask trick questions
- **Do not** discuss previous pay  
**Do not** ask about criminal history, instead use a Criminal Conviction Disclosure, when necessary

### Questions to Avoid

<p><b><i>Questions dealing with age:</i></b></p> <ul style="list-style-type: none"> <li>▪ When were you born?</li> <li>▪ When did you graduate from high school?</li> </ul>	<p><b><i>Questions dealing with marital status:</i></b></p> <ul style="list-style-type: none"> <li>▪ Are you married? Spouse's occupation?</li> <li>▪ Do you have children?</li> <li>▪ Are you a single parent?</li> </ul>
<p><b><i>Questions dealing with ethnic origin:</i></b></p> <ul style="list-style-type: none"> <li>▪ What's your nationality?</li> <li>▪ Where do your parents come from?</li> <li>▪ What languages do you speak?</li> <li>▪ Are you bilingual?</li> </ul>	<p><b><i>Questions dealing with religious preference:</i></b></p> <ul style="list-style-type: none"> <li>▪ What do you do on Sundays?</li> <li>▪ Is that a Jewish sounding name?</li> <li>▪ Can you work on Sunday morning?</li> <li>▪ Are you a member of any religious group?</li> </ul>
<p><b><i>Questions dealing with sexual preference:</i></b></p> <ul style="list-style-type: none"> <li>▪ What is your sexual orientation?</li> <li>▪ Are you a member of any gay or lesbian group?</li> <li>▪ What do you think about gays in the workplace?</li> <li>▪ Would you work with a gay person?</li> </ul>	<p><b><i>Questions dealing with disabilities:</i></b></p> <ul style="list-style-type: none"> <li>▪ What health problems do you have?</li> <li>▪ Are you physically fit and strong?</li> <li>▪ Is your hearing and sight good?</li> <li>▪ Do you have any back problems?</li> </ul>
<p><b><i>Questions dealing with pay history:</i></b></p> <ul style="list-style-type: none"> <li>• What was your pay at your last job?</li> <li>• What were your benefits at your last position?</li> </ul>	<p><b><i>Questions about criminal history:</i></b></p> <ul style="list-style-type: none"> <li>• Have you ever been convicted of a crime?</li> <li>• Have you ever been charged?</li> </ul>

# Ways to Phrase Questions

*Interview questions should always be job-related*

## Acceptable vs. Unacceptable

- **"To what professional or trade groups do you belong that you consider relevant to your ability to perform this job?"**
  - *vs. "To what clubs and organizations do you belong?"*
- **"Are you able to work the hours required for this Position?"**
  - *vs. "What are your child care arrangements?"*
- **"Tell me about your professional background?"**
  - *vs. "What does your spouse do?"*
- **"Have you ever been known by another name?"**
  - *vs. "What is your maiden name?"*
- **"This position may require working on the weekends between the hours of 8am & 5pm. Are you able to work this schedule?"**
  - *vs. "Do you need Sundays off to attend church?"*
- **"Are you over the age of eighteen?"**
  - *vs. "How old are you?"*
- **"What schools have you attended?"**
  - *vs. "When did you graduate from high school?"*
- **"Are you lawfully employable in the U.S. either by virtue of citizenship or by having authorization from the U.S. government?"**
  - *vs. "Are you a U.S. Citizen?"*
- **"Our smoking policy is such – Can you adhere to it?" (Note: Some states prohibit an employer from excluding applicants for off the job smoking)**
  - *vs. "Do you smoke?"*
- **"Are you able to perform the essential functions of the job for which you are applying?" (Give the applicant a copy of the job description)**
  - *vs. "Are you physically fit and strong?"*
- **"This position requires lifting up to 50 lbs. Are you able to perform the essential functions of the job?" (Give the applicant a copy of the job description that includes the physical demands and work environment)**
  - *vs. "I see you left your previous position due to a back injury. Do you have any current back problems that would prevent you from performing this job?"*
- **"This position requires Spanish speaking skills. Can you describe your Spanish speaking and comprehension skills?"**
  - *vs. "What languages do you speak?"*
- **"This offer is contingent on the successful completion of a background check..."**
  - *vs. "Have you ever been charged or convicted of a crime? If so, what?"*
- **"This is the range for this position, is that acceptable to you?"**
  - *vs. "What is your pay in your current position?"*