

ILLEGAL INTERVIEW QUESTIONS

Employers have enormous latitude in the types of questions they can ask in a job interview. But a series of laws dating back to the 1960's made certain kinds of personal information protected, such as an applicant's race, beliefs, marital status, age, et cetera. States and municipalities have established even more protections, making it illegal to ask questions that would reveal such things as the applicant's sexual orientation. Below is a list of illegal questions and their legal counterparts.

| AREA | ILLEGAL QUESTION | LEGAL QUESTION |
|------------------------------------|---|---|
| National Origin/Citizenship | Where were your parents born? Are you a U.S. citizen? What is your native tongue? | Are you authorized to work in the U.S.? What language do you read/write/speak fluently? (This is only okay if this ability is relevant to the job you are applying for.) |
| Age | What's your date of birth? How old are you? When did you graduate? | Are you over the age of 18? |
| Marital/Family Status | What's your marital status? Do you plan to have a family? When? Whom do you live with? How many kids do you have? | Would you be willing to relocate if necessary? Would you be willing to travel as needed by this job? Would you be able and willing to work overtime as necessary? |
| Personal | How tall are you? How much do you weigh? | Are you able to lift 50-pounds, as that is part of the job? |
| Disabilities | Do you have any disabilities? Have you had any recent or past illnesses or operations? Please complete the following medical history. | Are you able to perform the essential functions of this job? (Okay if the interviewer has thoroughly described the job.) As part of the hiring process, after a job offer has been made, you will be required to undergo a medical exam. |
| Arrest Record | Have you ever been arrested? | Have you ever been convicted of _____? (The crime named should be reasonably related to the performance of the job in question.) |
| Military | If you've been in the military, were you honorably discharged? | In what branch of the Armed Forces did you serve? What type of training or education did you receive in the military? |