Chart of Legal Interview Questions

This following is a quick reference detailing legal and potentially discriminating interview questions.

<table>
<thead>
<tr>
<th>TOPIC</th>
<th>LEGAL QUESTIONS</th>
<th>DISCRIMINATORY QUESTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>• Applicant’s full name • Have you ever worked for this company under a different name? • Is there any additional information relevant to a different name to check work record? If yes, explain.</td>
<td>• Original name of an applicant whose name has been changed by court order or otherwise. • Applicant’s maiden name.</td>
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<tr>
<td>Address or duration of residence</td>
<td>• How long a residence of this state or city? • What is your address?</td>
<td>• Do you own or rent your home? • Who resides with you?</td>
</tr>
<tr>
<td>Birthplace</td>
<td>• None.</td>
<td>• Birthplace of applicant. • Birthplace of applicant’s parents, spouse or other close relatives. • Requirement that applicant submit birth certificate, naturalization or baptismal record.</td>
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<tr>
<td>Age</td>
<td>• If hired, can you offer proof that you are at least 18 years of age? <em>(this question may be asked only for the purpose of determining whether applicants are of legal age for employment)</em></td>
<td>• How old are you? • What is your birth date?</td>
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<tr>
<td>Religion</td>
<td>None.</td>
<td>• What is your religion? • Which church do you attend? • What are your religious holidays?</td>
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<tr>
<td>Race or Creed</td>
<td>None.</td>
<td>• What is your race?</td>
</tr>
<tr>
<td>Photograph</td>
<td>None.</td>
<td>• Any requirement for a photograph prior to hire.</td>
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<tr>
<td>Height</td>
<td></td>
<td>• Inquiry regarding applicant’s height.</td>
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<tr>
<td>Weight</td>
<td></td>
<td>• Inquiry regarding applicant’s weight.</td>
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<tr>
<td>Family Status</td>
<td>• Is your spouse employed by this employer?</td>
<td>• Are you married? • What is your spouse’s name? • Is your spouse employed? • What is your maiden name? • Do you have any children? • Are you pregnant? • What are your child care arrangements?</td>
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<tr>
<td>Question</td>
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<td>------------------------------------------------------------------------</td>
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<tr>
<td><strong>Sex</strong></td>
<td>None.</td>
<td></td>
</tr>
<tr>
<td>Are you male or female?</td>
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<tr>
<td><strong>Disability/Health</strong></td>
<td>• Are you able to perform the essential functions of the job with or without reasonable accommodations?</td>
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<tr>
<td>Inquiries regarding an individual’s physical or mental condition which are not directly related to the requirements of a specific job and which are used as a factor in making employment decisions in a way which is contrary to the provisions or purposes of the American With Disabilities Act.</td>
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<tr>
<td>• Are you disabled?</td>
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<tr>
<td>• What is the nature or severity of your disability?</td>
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<tr>
<td><strong>Citizenship</strong></td>
<td>• Are you currently authorized to accept employment with any employer in the United States on an indefinite basis, without employer sponsorship?</td>
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<td>(Questions below are unlawful unless asked as a part of the Federal I-9 process).</td>
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<tr>
<td>• Of what country are you a citizen?</td>
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<tr>
<td>• Whether an applicant is naturalized or a native-born citizen; the date when the applicant acquired citizenship. Requirement that an applicant produce naturalized papers or first papers.</td>
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<tr>
<td>• Whether applicant’s parents or spouse are naturalized or native-born citizens of the United States; the date when such parent or spouse acquired citizenship.</td>
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<tr>
<td><strong>National Origin</strong></td>
<td>• Are you fluent in any languages other than English? <em>(You may ask this question ONLY as it relates to the job being sought).</em></td>
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<tr>
<td>Inquiry into applicant’s lineage; ancestry; national origin; descent; parentage or nationality, unless pursuant to the Federal I-9 process.</td>
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<tr>
<td>Nationality of applicant’s parents or spouse.</td>
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<tr>
<td>Inquiry into how applicant acquired ability to read, write or speak a foreign language.</td>
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<td><strong>Education</strong></td>
<td>• Inquiry into the academic vocational or professional education of an applicant and the public and private schools attended.</td>
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<tr>
<td><strong>Experience</strong></td>
<td>• Inquiry into work experience.</td>
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<tr>
<td>• Inquiry into countries applicant has visited.</td>
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<tr>
<td><strong>Arrests or Convictions of</strong></td>
<td>• Have you ever been convicted of a crime?</td>
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<tr>
<td>• Inquiries regarding arrests which did not result in</td>
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<tr>
<td>Section</td>
<td>Questions/Information</td>
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</tbody>
</table>
| a Crime            | - Are there any felony charges pending against you?  
                       You must state that a conviction will be considered only as it relates to fitness to perform the job being sought.  
                       conviction. (except for law enforcement agencies). |
| Relatives          | - Name of applicant’s relatives, other than a spouse, already employed by this company.  
                       • Address of any relatives of applicants, other than address (within the United States) of applicant’s father and mother, husband or wife and minor dependent children. |
| Notice in Case of Emergency | - Name and address of person to be notified in case of accident or emergency.  
                       • Name and address of nearest relative to be notified in case of accident or emergency. |
| Military Experience | - Inquiry into an applicant’s military experience in the Armed Forces of the United States or in a State Militia.  
                       • Inquiry into an applicant’s general military experience. |
| Organizations      | - Inquiry into the organizations of which an applicant is a member, excluding organizations the name or character of which indicates the race, color, religion, national origin or ancestry of its members.  
                       • List all clubs, societies and lodges to which you belong. |
| References         | - Who suggested that you apply for a position here? |