

Understanding Illegal vs. Legal Interview Questions

Taken from www.bnl.gov

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? • Of what country are you a citizen? 	<ul style="list-style-type: none"> • Are you authorized to work in the United States?
Language	<ul style="list-style-type: none"> • What is your native language? 	<ul style="list-style-type: none"> • What languages do you read/speak/write fluently? (This question is ok only if this ability is relevant to the performance of the job; for example, if a position requires knowledge of Russian, you may ask this question.)
Race/ Color / Religion	<ul style="list-style-type: none"> • All questions are illegal. 	<ul style="list-style-type: none"> • There are no legal questions.
Age	<ul style="list-style-type: none"> • How are you? • When did you graduate high school/ college? • 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? • How many children 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? • Would you be able and willing to work overtime as necessary? (These questions are okay if asked of <u>all</u> applicants.)
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 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 safe performance 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 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 all the essential functions of the job? (This question is okay if the interviewer has thoroughly described the job.) For example: for a position that requires lifting over 30 lbs. – can ask “are you able to lift 30 lbs.?” • Can you demonstrate how you 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 a crime? (You must state that a conviction will be considered only as it relates to fitness to perform the job being sought; for example, if the position requires the ability to obtain a security clearance.)
Military	<ul style="list-style-type: none"> • In what branch of the armed services did you serve? 	<ul style="list-style-type: none"> • If you've been in the military, were you honorably discharged?