

HOW TO CONDUCT A LAWFUL EMPLOYMENT INTERVIEW

This is not an exhaustive list. Please contact the Human Resources Office if you have any questions.

You **SHOULD NOT** ask any questions regarding national origin, lineage, ancestry or descent.

You **SHOULD NOT** make any comment regarding race, color, age or sex.

You **MAY** ask questions regarding prior job experience, educational level, skills, certification or licensing which are relevant to the position vacancy.

You **SHOULD NOT** ask questions regarding marital status, number of children, age of children, childcare provisions, plans to have children or contraceptive practices.

You **SHOULD NOT** ask specifically whether an applicant is handicapped or has a disability. You **MAY** ask whether the applicant can perform the essential job functions, with or without reasonable accommodations, which are part of the job description; i.e., lifting, climbing, running, driving a commercial vehicle, etc. This information should be reflected on the position description.

You **SHOULD NOT** inquire into religious background or beliefs, but you **MAY** ask whether an applicant knows of any regularly scheduled work days he/she will have to miss because of religious observances. If the applicant answers in the affirmative, you **MAY** ask questions relevant to establish "reasonable accommodations."

You **MAY** inquire as to circumstances surrounding a conviction of a crime but you **SHOULD NOT** ask questions concerning an arrest.

You **MAY** ask questions concerning relevant experience in the military, but you **SHOULD NOT** inquire about general military service or type of discharge.

You **SHOULD NOT** ask questions about garnishment records or credit history.

Please be advised that even indirect questions which elicit the aforementioned protected information may be construed as discriminatory and, therefore, illegal.