



---

# ILLEGAL INTERVIEW QUESTIONS

To prevent discrimination lawsuits, below is a list of unacceptable inquiries and questions which cannot be asked during the interview. This list is not exhaustive.

## **SALARY**

Asking a candidate their current or salary history is prohibited.

## **NATIONAL ORIGIN OR ANCESTRY**

Nationality; lineage; national origin; whether applicant is citizen of another country; Ethnic association of a surname; Birthplace of applicant or relatives; Nationality or spouses, parents or other relatives; date of arrival in U.S.; how long a resident; applicant's native language; Avoid all questions on Race/Ethnicity/National Origin

## **GENDER AND FAMILY ARRANGEMENT**

Marital status; spouse's, parents' or other family members' occupation' maiden name; number of dependents; childcare arrangements; plans for children; who do you live with; do you live with parents; sex of applicant; sexual orientation. Avoid all questions relating to gender and sexual orientation.

## **RELIGION**

Religious affiliation; religious holidays observed.

## **PHYSICAL CONDITION**

If applicant has a disability; nature or severity of a disability; past medical problems; genetic conditions; have you ever filed a worker's compensation claim.

## **RACE/COLOR**

Applicant's race; questions of applicant's color of skin, complexion, eyes, hair; etc.; Avoid all questions on Race/Ethnicity/National Origin

## **AGE**

Date of birth; Age; Date of high school, college graduation.

## **MILITARY EXPERIENCE**

Dates and condition of discharge; applicant's military experience in other than U.S. armed services.

---



---

## Examples of questions NOT to ask

- How old are you?  
When were you born?
- When did you graduate  
from \_\_\_\_\_?
- Where did you graduate from?
- What is your sexual  
orientation?
- Do you have/plan to  
have children?
- Who will take care of your  
children while you're at work?
- Is English your first language?
- Are you a U.S. citizen?
- What country are you from?
- Where were you/your  
parents born?
- What is your religion?
- Where do you go to church?
- What clubs or social organ-  
izations do you belong to?
- Do you have any disabilities?
- How is your health?
- Have you ever been arrested?  
Avoid any questions re
- If you were in the military.  
Were you honorably  
discharged?
- Do you own your home?

## CONVICTIONS AND ARRESTS

Prior arrests.

## PREGNANCY

If applicant is pregnant; plans to have children.

## GENDER IDENTITY

Whether applicant prefers to be addressed as Mr.; Mrs; Miss; Ms.;  
Avoid all questions relating to gender and sexual orientation

## GENETICS

Questions about genetic tests of applicants or his or her family  
members; questions about family medical history.

## ADDRESS

Do you own your own home, or do you rent? Who do you live with?  
How are you related to the people you live with?

## AVAILABILITY

Directly asking about weekend work could be seen as a proxy  
question for religious observance. Also, questions about evening  
work or childcare arrangements can impact females who have  
childcare responsibilities. Asking if they own a car could be seen  
as racially discriminatory unless it is a requirement of the job.

## EMERGENCY CONTACT

Who is your emergency contact? Do not ask this as part of any  
pre-employment interview questions as this could be seen as a  
question about national origin or sexual orientation.

## FINANCIAL STATUS

Do you own your home? Do you own a car? Due to the relationship  
between poverty and underserved communities, questions on this  
subject can be very sensitive.

---