



INTERVIEW GUIDELINES

ACCEPTABLE AND UNACCEPTABLE PRE-EMPLOYMENT/INTERVIEW INQUIRIES

Area	Acceptable Inquiries	Unacceptable Inquiries
Name	Whether work records are under another name (if necessary for access to records)	To ask if a woman uses Miss, Mrs., or Ms. or to ask for maiden name
Residence	Address and phone number or how applicant can be reached	Not applicable
Age	After hiring, proof of age by birth certificate	Age or age group or birth certificate or similar record
National Origin	None	Birthplace of applicant or family; other inquiry into national origin, ancestry
Race	Race for EEO statistics AFTER hiring (voluntary for employee)	Any inquiry that would indicate race or color
Sex	Sex for EEO statistics AFTER hiring (voluntary for employee)	Any inquiry that would indicate sex
Religion or Creed	None	Birthplace of applicant or family; references from church
Citizenship	Whether eligible to work in U.S.; will require proof after employment via I-9 form	If native born or naturalized; proof of citizenship; date of citizenship; whether family or native-born or naturalized.
Marital Status	Status AFTER hiring for tax/insurance purposes; same for dependents	Any question revealing marital status or number/ages of dependents; child care arrangements, etc.
Military Service	Job-related experience; may require military discharge certificate AFTER hiring	Military records, military service; type discharge
Education	Schools attended; foreign language skills if job related	Questions which would reveal race, national origin, religious affiliation
Criminal Record	Listing of convictions, other than misdemeanors	Questions on arrests
References	General and work references not relating to race, color, religion, sex, national origin, ancestry	Reference from clergy or other person who might reflect race, color, religion, sex, national origin, ancestry
Organizations	Professional memberships and offices, so long as not used to determine race, sex, etc.	Listing of ALL clubs/organizations to which applicant belongs
Photographs	AFTER hiring for identification purposes	May not request or take photos
Work Schedule	Willingness to work required work schedule	Willingness to work on any particular religious holiday
Physical Data/ Disabilities	Whether able to perform the essential functions of the job, with or without accommodation. Note: if an accommodation is needed, contact the HRM or LCES Civil Rights Office for assistance.	To ask height, weight, impairment, or other physical data. May not ask about past sick leave usage. Must make reasonable accommodations for persons with disabilities who are otherwise qualified to perform the essential functions of the job.

EEO ISSUES AFFECTING THE INTERVIEW AND SELECTION PROCESS

Various state and federal regulations regarding equal employment affect the interview and selection process. These regulations generally prohibit discrimination on the basis of race, color, sex, religion, national origin, age or handicap. The "Acceptable and Unacceptable Pre-Employment Inquiries" chart on the reverse side of this page outlines the specific kinds of information which you can and cannot ask. In addition to being familiar with this chart, you should pay special attention the following areas to avoid violating equal employment regulations.

DO consider the person's true ability to perform the duties of the position. Never assume that an applicant's age, sex, or disability will prevent the performance of tasks

DON'T express a preference for race, sex, a particular age group or indicate any other preference which might be construed as discriminatory.

DO keep in mind the applicant's perception of you. Don't refer to applicants in an "endearing manner." Never use racially or ethnically oriented terms. Don't flirt with or patronize the applicant.

DON'T indicate to a member of a "protected group" (e.g., minority, female, person with disability) that your interest in them stems from a desire to improve your EEO image.

DO avoid stereotypes. Keep an open mind. Don't imply (or assume) that the job requires a young person with energy or that an older person may find the job too demanding or that females should not travel alone.

DO use extra caution in dealing with physical requirements. Federal regulations, and most recently the Americans With Disabilities Act (ADA), require employers to make "reasonable accommodations" for persons with permanent disabilities. Often minor modifications to the physical requirements of a job can remove barriers to employment. Federal regulations also state that only the "essential duties" of a position can be taken into consideration when determining whether a person with a disability can adequately perform the job. Essential duties are the duties which are fundamental to the position, taking into consideration frequency and value of the duties. Contact the AgCenter HRM Office or the LCES Civil Rights Office for assistance in this area.

DON'T pursue areas which legally are "out of bounds," even if the applicant brings them up. Stick to the job duties. For instance, if an applicant raises concern over child care arrangements, explain the work hour requirements of the job and allow the applicant to make his/her own assessment.

DON'T indicate that you already have someone in mind for the position. The interview process should be an open process where all applicants receive equal consideration.

DO remember that most of the tips above also apply to what you say outside of the interview. In the event that a discrimination claim is filed, comments made outside of the interview can come back to haunt you when co-workers are asked to answer under oath regarding what was said "in private." Remember, keep an open mind and don't draw conclusions or make assumptions you can't defend.