

Interview Guidelines



Guidelines for Conducting Legal Interviews

Federal and state law prohibits discrimination on the basis of race, color, religion, sex, age, national origin, disability and citizenship status (some states have additional protected classes). Therefore, an applicant should only be asked questions that are job related and do not discriminate on the basis of the candidate's protected characteristic(s). The following guidelines give examples of what an employer should and should not ask during an interview. Anyone involved in the interview process should familiarize themselves with these guidelines before conducting an interview with an applicant in order to protect their company from discrimination claims.

Examples of Appropriate Interview Questions

You can ask an applicant:

- If they are eligible to work in the United States
- Where they live
- If they are over 18
- If they have ever been convicted of a crime (Interviewers should always tell the applicant that a criminal conviction does not bar employment but can be considered in relation to job requirements.)
- What projects they worked on during their last job
- What tools they have used
- What computer software they have used
- How many workers they supervised in their last job
- What they enjoyed most about their last job
- What they enjoyed least about their last job
- What were the circumstances surrounding them leaving their last job
- To describe their major strengths
- To describe their career goals
- If they prefer working alone or as part of a team

Examples of Prohibited Interview Questions

You should never ask an applicant about:

- Maiden name or the history of their name
- Birthplace
- Height
- Age
- Weight
- Marital status
- Child care arrangements
- Religion
- Health (including history of alcohol or drug addiction)
- Medical conditions
- Workers' compensation claims
- Military discharge (You may, however, ask questions related to their time in service, rank, type of training, and work experience obtained while in the service.)
- Religious holidays they observe
- Disabilities (directly or indirectly)
- Arrest record