

Inquiry: DISABILITY

Lawful:
Inquiries necessary to determine the applicant's ability to substantially perform a specific job without significant hazard.

Unlawful:
1. Any inquiry into past or current medical conditions,
2. Any inquiry into worker's compensation or similar claims.

Inquiry: WORK SCHEDULES

Lawful:
Inquiry into the applicant's willingness to work a required schedule.

Unlawful:
Any inquiry into the applicant's willingness to work any particular religious holidays.

Inquiry: REFERENCES

Lawful:
General, personal and work references which do not reveal the race, color, religion, sex, national origin, disability, ancestry or age of the applicant.

Unlawful:
Request references specifically from clergymen or any other persons that might reflect the race, color, religion, sex, national origin, disability, ancestry or age of the applicant.

Inquiry: ORGANIZATIONS

Lawful:
Inquiry into membership in organizations excluding those which reveal the race, color, religion, sex, national origin, disability, ancestry or age of its members.

Unlawful:
Inquiry into every club and organization where membership is held.

Inquiry: OTHER

Lawful:
Any questions required to reveal qualifications for the job to which the job applicant applied.

Unlawful:
Any non-job related inquiry which may elicit information concerning race, color, religion, sex, national origin, disability, age or ancestry of applicant for employment or membership.



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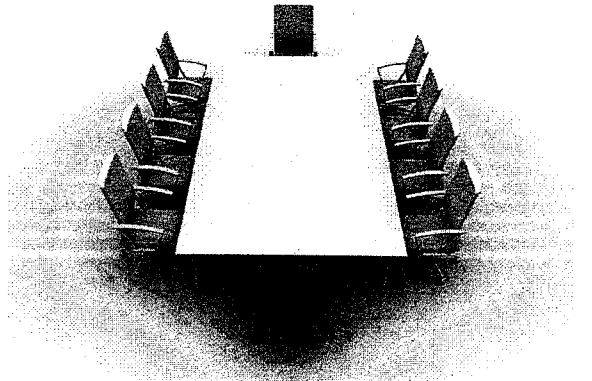
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Employment Guide: Questioning Applicants

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PURPOSE OF THE GUIDE

It is illegal for employers, labor unions or employment agencies to discriminate against persons because of their race, color, religion, sex, national origin, disability, age, military status or ancestry. Under the Law, employers are prohibited from eliciting information from applicants, prior to employment, which would indicate the applicant's race, color, religion, sex, national origin, ancestry, disability, age or military status unless the employer is required to elicit such information pursuant to a bona fide Affirmative Action program or under order from a state, federal or local Fair Employment Practice agency.

This brochure is not a complete definition of what can and cannot be asked of applicants. It attempts to answer the questions most frequently asked concerning the Law. The Law is not intended to prohibit employers from obtaining the information about applicants that is clearly job related and which cannot be used for discriminatory purposes.

The Law does not restrict employers from defining qualifications necessary for satisfactory job performance, but it does require that standards of qualifications for hiring be applied alike to all persons regardless of race, color, religion, sex, national origin, ancestry, disability, age or military status.

COMMON INTERVIEW INQUIRIES

Inquiry: NAME

Lawful:
Name

Unlawful:
Inquiry into any title which indicates race, color, religion, sex, national origin, disability, age or ancestry.

Inquiry: ADDRESS

Lawful:
Inquiry into place and length of time at current address.

Unlawful:
Inquiry into any foreign address which would indicate national origin.

Inquiry: AGE

Lawful:
Any inquiry limited to establishing that applicant meets any minimum age requirement that may be established by law.

Unlawful:

1. Requirements of birth certificate or baptismal record.
2. Any inquiry that reveals the date of high school graduation.
3. Any other inquiry that reveals whether the applicant is at least 40 years of age.

Inquiry: RACE, COLOR, RELIGION

Lawful:
NONE

Unlawful:
Any inquiry which would indicate the applicant's race, color, or religion.

Inquiry: SEX

Lawful:
NONE

Unlawful:
Any inquiry which would indicate the applicant's sex.

Inquiry: HEIGHT & WEIGHT

Lawful:
Inquiries as to the applicant's ability to perform actual job duties and Responsibilities.

Unlawful:
A requirement that a certain height or weight will not be considered to be a job requirement unless the employer can show that no employees with the ineligible height or weight can do the work.

Inquiry: BIRTHPLACE, NATIONAL ORIGIN, ANCESTRY

Lawful:
NONE

Unlawful:

1. Any inquiry into place of birth.
2. Any inquiry into place of birth of parents, grandparents or spouse.
3. Any other inquiry into national origin or ancestry.

Inquiry: CITIZENSHIP

Lawful:

1. If the applicant is permitted to work in the United States or is in the process of obtaining approval.
2. If U.S. residence is legal.
3. Require proof of citizenship after hire.
4. Any other requirements mandated by the Immigration Reform and Control Act of 1986, as amended.

Unlawful:

1. If the applicant is native-born or naturalized.
2. Proof of citizenship before hire.
3. Whether the applicant's parents or spouse are native-born or naturalized.