

INTERVIEW GUIDE

This guide is not a complete definition of what can and cannot be asked of applicants. It is illustrative and attempts to answer the questions most frequently asked about equal opportunity law. It is hoped that in most cases the given rules, either directly or by analogy, will guide all personnel involved in the pre-employment processes of recruiting, interviewing, and selection. This guide pertains only to inquiries, advertisements, etc., directed to all applicants prior to employment. Information required for records such as race, sex, and number of dependents may be requested after the applicant is on the payroll provided such information is not used for any subsequent discrimination, as in upgrading or layoff.

These laws are not intended to prohibit employers from obtaining sufficient job-related information about applicants as long as the questions do not elicit information, which could be used for discriminatory purposes. Applicants should not be encouraged to volunteer potentially prejudicial information. The laws do not restrict the rights of employers to define qualifications necessary for satisfactory job performance, but require that the same standard of qualifications used for hiring be applied to all persons considered for employment. It is recognized that the mere routine adherence to these laws will not accomplish the results intended by the courts and Congress. Employment discrimination can be eliminated only if the laws and regulations are followed in the spirit in which they were conceived.

<u>SUBJECT</u>	<u>PERMISSIBLE INQUIRIES</u>	<u>INQUIRIES TO BE AVOIDED</u>
1. NAME	"Have you worked for this company under a different name?" "is any additional information relative to change of name, use of an assumed name or nickname necessary to enable a check on your work and educational record? If yes, explain."	Inquiries about name which would indicate applicant's lineage, ancestry, national origin, or descent. Inquiry into previous name of applicant where it has been changed by court order or otherwise. Inquiries about preferred courtesy title: Miss, Mrs., Ms.
2. MARITAL AND FAMILY STATUS	Whether applicant can meet specified work schedules or has activities, commitments or responsibilities that may hinder the meeting of work attendance requirements. Inquiries as to a duration of stay on job or anticipated absences which are made to males and females alike.	Any inquiry indicating whether an applicant is married, single, divorced, engaged, etc. Number and age of children. Information on child-care arrangements. Any questions concerning pregnancy. Any such questions which directly or indirectly result in limitation of job opportunities.
3. AGE	Requiring proof of age in the form of a work permit or a certificate of age - if a minor. Requiring proof of age by birth certificate after being hired. Inquiry as to whether or not the applicant meets the minimum age requirements as set by law and requirement that upon hire proof of age must be submitted in the form of a birth certificate or other forms of proof of age. If age is a legal requirement, "if hired, can you furnish proof of age," or statement that hire is subject to verification of age. Inquiry as to whether or not an applicant is younger than the employer's regular retirement age.	Requirement that applicant state age or date of birth. Requirement that applicant produce proof of age in the form of a birth certificate or baptismal record. The Age Discrimination in Employment Act of 1967 forbids discrimination against persons between the ages of 40 and 70.

4. HANDICAPS

For employers subject to the provision of the Rehabilitation Act of 1973, applicants may be "invited" to indicate how and to what extent they are handicapped. The employer must indicate to applicants that: 1) compliance with the invitation is voluntary; 2) the information is being sought only to remedy discrimination or provide opportunities for the handicapped; 3) the information will be kept confidential; and 4) refusing to provide the information will not result in adverse treatment. All applicants can be asked if they are able to carry out all necessary job assignments and perform them in a safe manner.

An employer must be prepared to prove that any physical and mental requirements for a job are due to "business necessity" and the safe performance of the job. These inquiries should be avoided as selection criteria unless it's provable that a bona fide occupational qualification (BFOQ) is involved. A BFOQ is a qualification that is absolutely necessary to perform a job. Except in cases where undue hardship can be proven. Employers must make reasonable accommodations for the physical and mental limitations of an employee or applicant. "Reasonable accommodation" includes alteration of duties, work schedules,

The physical setting, and provision of

aids.

Rehabilitation Act of 1973 forbids employers from asking job applicants general questions or asking about whether they are handicapped

them about the nature and severity of their handicaps.

5. SEX	Inquiry or restriction of employment is permissible only where a bona fide occupational qualification exists. (This BFOQ exception is interpreted very narrowly by the courts and the EEOC.) The burden of proof rests on the employer to prove that the BFOQ does exist and that all members of the affected class are incapable of performing the job. Sex of applicant may be requested (preferably not on the employment <u>application</u>) for affirmative <u>action purposes</u> but may not be used as an employment criterion.	Sex of applicant. Any other inquiry <u>which</u> would indicate sex. Sex is not a BFOQ because a job involves physical labor (such as heavy lifting) beyond the capacity of some women nor can employment be restricted <u>just</u> because the job is traditionally labeled " <u>men's work</u> " or " <u>women's work</u> ." Applicant's sex cannot be used as a factor for determining <u>whether or not</u> an applicant will be satisfied in a particular job. Questions about an applicant's height or weight, unless demonstrably necessary as requirements for the job.
6. RACE OR COLOR	General distinguishing physical characteristics such as scars, etc., to be used for identification purposes. Race may be requested (preferably not on employment application) for affirmative action purposes but not used as employment criterion.	Applicant's race. Color of applicant's skin eyes, hair, etc., or other questions <u>directly</u> or <u>indirectly</u> indicating race or color.
7. ADDRESS OF DURATION OF RESIDENCE	Applicant's address. Inquiry into length of stay at current and previous addresses. "How long a resident of this state or city?"	Specific inquiry into foreign address <u>which</u> would indicate national origin. Names and relationships of persons with whom applicant resides. Whether applicant owns/rents home.
8. BIRTHPLACE	"Can you after employment submit a birth certificate or other proof of U.S. citizenship?"	Birthplace of applicant. Birthplace of applicant's parents, spouse, or other relatives. Requirement that applicant submit birth certificate before employment.
9. RELIGION	An applicant may be advised concerning normal hours and days of work required by the job to avoid possible conflict with religious or other personal convictions. However, except in cases where undue hardship can be proven, <u>employers</u> and unions must make "reasonable accommodation" for religious practices of an employee or prospective employee. "Reasonable accommodation" may include voluntary substitutes, flexible scheduling, lateral transfer, or change of job assignments.	Applicant's religious denomination or affiliation, church, pastor, parish, or <u>religious</u> holidays observed. Any inquiry to <u>indicate</u> or identify religious denomination or customs. Applicants may not be told <u>that</u> any particular religious groups are <u>required</u> to work on their religious <u>holiday</u>
10. MILITARY RECORD	Type of education and experience in service as it relates to a particular job.	Type of discharge.

11. PHOTOGRAPH	May be required for identification after hiring.	Requirement that applicant affix a <u>photograph</u> to his application. Request that applicant at his option, submit photograph.
12. CITIZENSHIP	"Are you a citizen of the United State?" "Do you intend to remain permanently in the U.S.?" "If not a citizen, are you prevented from becoming lawfully employed because of visa or immigration status?" Statement <u>that, if</u> hired, applicant may be required to submit proof of citizenship.	"Of what country are you a citizen?" Whether applicant or his parents or spouse <u>are</u> naturalized or native-born U.S. citizens. Date when applicant or parents or spouse <u>acquired</u> U.S. citizenship. Requirement that applicant produce his naturalization papers. Whether applicant's parents or spouse are citizens of the U.S.
13. ANCESTRY OR <u>NATIONALITY</u>	Languages applicant reads, speaks, or writes fluently. (If another language is necessary to perform the job.)	Inquiries into applicant's lineage, ancestry, national origin, descent, birthplace, or language. National origin of applicant's parents or spouse.
14. EDUCATION	Applicant's academic, vocational, or professional <u>education</u> ; school attended. Inquiry into language skills such as reading, speaking, and writing foreign languages.	Any inquiry asking specifically the nationality, racial or religious affiliation of a school. Inquiry as to how foreign language <u>ability</u> was acquired.
15. EXPERIENCE	Applicant's work experience, including names and addresses of previous employers, dates of employment, reasons for leaving, salary history. Other countries visited.	
16. CONVICTION	Inquiry into actual convictions which relate reasonably to fitness to perform a particular job. (A conviction is a court ruling where <u>the</u> party is found guilty as charged. An arrest is merely the apprehending or detaining of the person to answer the alleged crime.)	Any inquiry relating to arrests. Any inquiry into or request for a person's arrest, court, or conviction record if not substantially, related to functions and <u>responsibilities</u> of the <u>particular job</u> in question.
17. RELATIVES	Names of applicant's relative already employed by this company. Names and address of parents or guardian (if applicant is a minor).	Name or address of any relative of adult applicant.
18. NOTICE IN CASE OF EMERGENCY	Name and address of persons to be notified in case of accident or emergency.	Name and address of relative to be notified in case of accident or emergency.
19. ORGANIZ- ATIONS	Inquiry into any organizations which an applicant is a member of providing the name or character of the organizations does not	"List all organizations, clubs, societies, and lodges to which you belong." The <u>names</u> of organizations to which the applicant

	reveal the race, religion, color, or ancestry of the membership. "List all professional organizations to which you belong. What offices do you hold?"	belongs if such information would <u>indicate</u> through character or name the race, religion, color, or ancestry of the membership.
20. REFERENCES	"By whom were you referred for a position here?" Names of <u>persons</u> willing to provide professional and/or character references for applicant.	Requiring the submission of a religious reference. requesting reference from applicant's pastor.
21. CREDIT RATING	None.	Any questions concerning credit <u>rating</u> , charge accounts, etc. Ownership of a car.
22. MISC.	Notice to applicants that any <u>misstatements</u> or omissions of material facts in the application may be cause for dismissal.	

<u>SUBJECT</u>	<u>PERMISSIBLE INQUIRIES</u>	
1. NAME	"Have you worked for this company under	Inquiries about name which would indicated

Any inquiry should be avoided which, although not specifically listed among the above, is designed to elicit information concerning race, color, ancestry, age, sex, religion, handicap, or arrest and court record, unless based upon a bona fide occupational qualification.

SAMPLE INTERVIEW QUESTIONS AND REASONS FOR ASKING

1. Tell me about yourself?

Allows applicant to respond freely, answering some questions you could not ask.

2. What formal training have you had in this area?

Allows applicant to respond in more depth than you might be able to ask.

3. What practical experience have you had in this area?

Allows applicant to respond in more depth than you might be able to ask.

4. What are your strengths regarding the position you are applying for?

Gains insight into applicant's perceived strengths.

5. What are your limitations regarding the position you are applying for?

Gains insight into applicant's perceived weaknesses.

6. Why do you want to work for us?

A reality check against what the company has to offer.

7. Why do you want to leave your present job?

Explores problem areas without asking.

8. What do you like best about your present job?

Explores applicant's areas of job satisfaction.

9. What do you like least about your present job?

Explores applicant's areas of dissatisfaction.

10. Are there any job conditions or situations that make you feel uneasy?

Explores potential problem areas.

11. Where would you like to be in one year?

Explores applicant's level of motivation for achievement.

12. Where would you like to be in five years?

Explores applicant's level of motivation for achievement.

13. What kind of people do you get along with best?

Explores potential personality conflicts.

14. What kind of people do you find most difficult to get along with?

Explores potential personality conflicts.

15. What have you done in your present job that you are proudest of?

Explores applicant's concepts of achievement.

16. What do you expect to do in the position you are applying for?

Discovers if applicant's expectations are in line with what position offers.

17. Are there any things you do not expect to do in the position you are applying for?

Discovers if applicant is not agreeable to doing some things job may require (i.e., working overtime).

18. What salary range are you looking for?

Discover if applicant's expectations are in line with what ministry intends to offer.

19. Do you have any questions about this job?

Check if you have left anything out that applicant might want to know.

- * Ask open-ended questions that require explanations rather than those that require a yes or no.
 - Ask: "Which word processing software do you prefer and why?"
 - Not: "Have you ever used an Apple personal computer?"

- * Set a relaxed conversational tone. Put the applicant at ease. Allow the applicant time to respond. Make comments that encourage the applicant to continue talking.

- * Don't force the applicant to become defensive by asking judgmental questions. Keep the questions as open-ended and positive as possible.
 - Ask: "Tell me why you would like to work for our company?"
 - Not: "So, you want to quit your present job? How do I know you won't do that to us?"

- * Allow the applicant to respond at his or her own pace. Don't overload the person with several questions at one time. Give the applicant the opportunity to clarify statements.
 - Ask: "You have heard good things about our ministry, why do you think you would enjoy working here?"
 - Not: "What have you heard about our ministry? Who told you? Do you believe it? Why do you want to work here?"

- * Avoid asking questions concerning the following topics:
 - Age
 - Race or color
 - Sexual preference or marital status
 - Specific travel or overtime limitations
 - Credit status
 - Child care responsibilities
 - Medical information or physical abilities or limitations
 - Arrest or conviction records
 - Worker's Compensation claims
 - Status of Armed Forces service or discharge
 - Information on children, parents or responsibilities to the parents.
 - National origin (Can ask if person's visa or immigration status will prohibit legal employment in the United States.)