

EEOC Interview Guide

Many of the questions commonly asked of job applicants or on job applications may be unlawful because they require applicants to provide information that potentially can result in illegal discrimination. Any inquiry that is not job-related may be unlawful if it has an adverse impact on a protected group. Following is a chart that can help employers distinguish permissible from impermissible inquiries when seeking information from applicants. Keep in mind that employers may need and be entitled to obtain information in some of the subject areas below, but only after the employee has been hired. For example, requesting information concerning an applicant's age may lead to claims of age bias if the applicant is not hired, while requesting such information for insurance purposes after an applicant is hired may be perfectly acceptable.

SUBJECT	YOU MAY NOT ASK	YOU MAY ASK
Age	What is your date of birth? What is your age? What year did you graduate from high school?	If hired, can you provide proof that you are of legal age? Are you at least 18 years of age?(verify on app.) For purpose of using slicers, selling cigarettes, & alcohol.
Arrest and Convictions	Have you ever been arrested? Have you ever been charged with any crime?	Have you been convicted of any crime? (if the application form asks for information on convictions, the employer should indicate that a conviction itself does not constitute an automatic bar to employment, and that the seriousness of the crime and date of conviction will be considered)
Birthplaces	Where were you born? Where were your parents born?	Will you be able to provide a birth certificate, resident alien card, or other proof of employment eligibility upon being hired?
Citizenship	Of what country are you a citizen? Are you or other members of your family naturalized citizens? If so, when did you or they become a US citizen? Attach a copy of your naturalization papers to your application form.	May you legally work in the United States?

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Disabilities	Are you disabled? Have you had a major illness in the last five years?	Are you capable of performing the essential functions of this position with or without reasonable accomodations?
Education	Are you a high school graduate? (Unless having a dipolma is a bona fide occupational qualification, asking whether an applicant has one may violate the law)	List your academic, vocational, or professional education, and the public and private schools you attend.
Height and Weight	What is you height and weight?	None, unless employer proves that a bona fide occupational qualification is involved.
Marital or Family Status	What is you marital status? What is your spouse's name? What was you maiden name? How many children do you have? Are you pregnant? Do you plan to have children? What daycare provisions have you made for your children?	None, (An employer may ask all applicants, male and female alike, if they have any commitments or responsibilites that might prevent them from meeting attendance requirements or if they anticipate lengthy absences from work)
Military Record	What type of military discharge did you receive? Were you ever disciplined while in service?	Are you a veteran of the Armed Forces? If yes, what type of training or education did you receive while in the military?
National Orgin & Ancestry	What is you lineage, ancestry, national orgin, descent, parentage, or nationality? What is you native language? What is the nationality of your parents and spouse?	What language do you read, speak or write fluently? (Only if another language is necessary to perform the job)
Organizations	List all social organizations, clubs, societies and lodges to which you belong.	List any professional, trade or service organizations in which you are a member.

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Photographs	Submit a photograph with you application from or after the interview	A photograph may be required after hire for identification or other ID purposes
Race/Color	What is your race? What color are you hair, eyes, or skin?	NONE
References	What is the name of your pastor, minister or rabbi?	Who referred you for a position here? List the name of the persons willing to provide professional or character references for you.
Religion	What is your religious affiliation or denomination? What church do you belong to? What is the name of your pastor, minister or rabbi? What religious holidays do you observe?	None (If you wish to know if an applicant is available to work Saturday or Sunday shifts, ask. "Are you available to work Saturdays or Sundays, if needed? Make sure you ask this question of all applicants
Residence	Do you own or rent your residence? How long have you resided at that address? What was your former address and how long have you lived there?	Where may we contact you?