

## **Illegal Interview Questions**

1. Name of nearest of kin for emergency contact? Could be discriminatory based on race or national origin by type of name. This can only be asked after an individual is hired.
2. How will you get to work? A court found that because a much higher percentage of minorities used public transportation than non-minorities, this type of question could be discriminatory and lead to adverse impact (i.e. affects one group of people more than another). The question should only be “Can you get to work as required?”
3. Are you a U.S. Citizen? The question should be “Are you legally authorized to work in the U.S.?”
4. What foreign languages do you speak? Unless a foreign language is listed as a job requirement in the job description, this could be discriminatory based on race or national origin.
5. Have you ever been arrested? This is asked on the application using acceptable language as dictated by federal and state regulations – information related to this subject should not be brought up in an interview.
6. What year did you graduate from high school? This could be discriminatory based on age.
7. What commitments do you have that might conflict with the required hours for this job? Worded this way, this type of question could lead a candidate to divulge his/her personal or family commitments, and may reflect a bias against a parent, especially mothers with children. This question should be “The required hours for this job are 8:30 AM to 5:00 PM – can you work these hours?”
8. Do you have any disabilities that may affect your ability to do this job? An employer may not ask about a candidate’s physical or mental condition. They can ask if a candidate can perform the essential functions of the job with or without reasonable accommodation
10. Are you from this area? This is not relevant to the job requirements and could be discriminatory based on national origin.
11. Are you married or single?
12. Do you have children? or How many children do you have?
13. What is your religious affiliation? or What religious holidays do you observe?