ILLEGAL VS. LEGAL INTERVIEWING QUESTIONS

Nationality
- What you can't ask: *Are you a U.S. citizen, what is your birthplace or National Origin?*
  What to ask instead: *Are you authorized to work in the U.S.?

- What you can't ask: *What is your native tongue?*
  What to ask instead: *What languages do you read, speak or write fluently?*

- What you can't ask: *How long have you lived here?*
  What to ask instead: *What is your current address and phone number? Do you have any alternative locations where you can be reached?*

Religion
- What you can't ask: *What religion do you practice?*
  What to ask instead: *What days are you available to work?*

- What you can't ask: *Which religious holidays do you observe?*
  What to ask instead: *Are you able to work with our required schedule?*

- 6. What you can't ask: *Do you belong to a club or social organization?*
  What to ask instead: *Are you a member of a professional or trade group that is relevant to our industry?*

Age
- What you can't ask: *How old are you or what is your birthdate?*
  What to ask instead: *Are you over the age of 18?*

- What you can't ask: *How much longer do you plan to work before you retire?*
  What to ask instead: *What are your long-term career goals?*

Marital and Family Status
- What you can't ask: *Are you married, is this your maiden name or what is your spouse’s name?*
  What to ask instead: *Have you worked or earned a degree under another name?*

- What you can't ask: *Do you have or plan to have children or are you pregnant?*
  What to ask instead: *Are you available to work overtime on occasion? Can you travel?*

- What you can't ask: *Can you get a babysitter on short notice for overtime or travel?*
  What to ask instead: *You’ll be required to travel or work overtime on short notice. Is this a problem for you?*

- What you can't ask: *If you get pregnant, will you continue to work, and will you come back after maternity leave?*
  What to ask instead: *What are your long-term career goals?*
• What you can't ask: Do you have kids?
  What to ask instead: What is your experience with "x" age group?

• What you can't ask: Who is your closest relative to notify in case of an emergency?
  What to ask instead: In case of emergency, who should we notify?

• What you can't ask: What do your parents do for a living?
  What to ask instead: Tell me how you became interested in the "x" industry.

Gender
• What is your gender?
  There is not an alternative question. You may not make this inquiry.

• What you can't ask: We've always had a man/woman do this job. How do you think you will stack up?
  What to ask instead: What do you have to offer our company?

• What you can’t ask: How do you feel about supervising men/women?
  What to ask instead: Tell me about you previous experience managing teams.

• What you can't ask: What do you think of interoffice dating?
  What to ask instead: Have you ever been disciplined for your behavior at work?

Health and Physical Abilities
• What you can’t ask: Do you smoke or drink?
  What to ask instead: In the past, have you been disciplined for violating company policies forbidding the use of alcohol or tobacco products?

• What you can’t ask: Do you take drugs?
  What to ask instead: Do you use illegal drugs?

• What you can’t ask: How tall are you?
  What to ask instead: Are you able to reach items on a shelf that's five feet tall?

• What you can’t ask: How much do you weigh?
  What to ask instead: Are you able to lift boxes weighing up to 50 pounds?

• What you can’t ask: How many sick days did you take last year?
  What to ask instead: How many days of work did you miss last year?

• What you can’t ask: Do you have any disabilities, handicaps, or mental conditions? What is the nature or severity of your disability?
  What to ask instead: Are you able to perform the specific duties of this position?
• What you can't ask: *Have you had any recent or past illnesses or operations?*
  What to ask instead: *Are you able to perform the essential functions of this job with or without reasonable accommodations?*

**Miscellaneous**

• What you can't ask: *How far is your commute?*
  What to ask instead: *Are you able to start work at 8 a.m.?*

• What you can't ask: *Do you live nearby?*
  What to ask instead: *Are you willing to relocate?*

• What you can't ask: *Have you ever been arrested?*
  What to ask instead: *Have you ever been convicted of "x" (fraud, theft and so on)?*

• What you can't ask: *Were you honorably discharged from the military?*
  What to ask instead: *Tell me how your experience in the military can benefit the company.*

• What you can't ask: *Are you a member of the National Guard or Reserves?*
  What to ask instead: *Do you have any upcoming events that would require extensive time away from work?*

**IMPORTANT:**

• If a candidate reveals information you are not allowed to discuss Do Not Pursue the Topic Further.
• Only ask questions that are specifically related to the job and its daily functions.
• It is recommended that you familiarize yourself with the American with Disabilities Act (ADA).