

LEGAL PRE-EMPLOYMENT QUESTIONS

| Acceptable Questions | Subject | Unacceptable Questions |
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| <p>(Statement that age is to be verified for legal age requirements.) “Are you over 18 years of age?” If no, “Are you aware of the laws and regulations for employees ages 14 to 17?” (no employees under the age of 14)</p> | <p>Age</p> | <p>“How old are you?” “When were you born?” “When did you graduate from high school?” “When did you attend elementary or high school?”</p> |
| <p>“What languages do you read, speak or write?” (When job related ONLY)</p> | <p>Ancestry/ National Origin</p> | <p>“What is your (spouse or parent=s) nationality?” “How did you acquire the ability to read, speak, or write a foreign language?” “What is the origin of your name?” “What is your common language/mother tongue?”</p> |
| <p>“Can you submit verification of your legal right to work in the United States?”</p> | <p>Birthplace</p> | <p>“What is your (spouse, parent=s, or other relative=s) birthplace?” “What is your birthplace?”</p> |
| <p>“Have you ever been convicted of a felony or gross misdemeanor?” (Reasonably relates to the fitness to perform a specific job.)</p> | <p>Criminal Record</p> | <p>“Have you ever been arrested?”</p> |
| <p>“Here is a job description for this position. Are you able to perform the essential functions of this position with or without reasonable accommodations?”</p> | <p>Disability</p> | <p>“Do you have a disability?” “Have you ever had a disability?” “Did you need assistance or accommodation on your last job?” “Have you ever filed a worker=s compensation claim?”</p> |
| | <p>Gender</p> | <p>(Gender cannot be used as a factor for determining whether an applicant will be satisfied with or can do a particular job.)</p> |
| <p>“The work schedule for this position is _____, can you meet that schedule?” (Nepotism policy) “Do you have any relatives already employed?” If so, “What are their names and positions held?”</p> | <p>Marital Status/ Family/Religion</p> | <p>“Are you married? Do you intend on getting married soon?” “What type of child-care arrangements do you have? Are you a single parent?” “How many children do you have?” “Are you pregnant?” “When do you plan to start a family?” “What is your religion?” “What church do you belong to?” “Is there any day of the week you cannot work?” “What do you do on Sundays?”</p> |
| <p>“Is any additional information relative to change of name, use of an assumed name or nickname necessary to enable a check on work and educational record?”</p> | <p>Name</p> | <p>“What was your previous name?” “Why did you change it?” “Do you prefer to be called Miss, Mrs., Ms.?”</p> |
| <p>“List all the professional organizations to which you belong. What offices have you held?”</p> | <p>Organizations/ Activities</p> | <p>“What are all the organizations, clubs, societies and lodges to which you belong?”</p> |
| | <p>Personal Information</p> | <p>“What is your sexual orientation?” “What is your height/weight?”</p> |
| <p>“Have you ever been fired?”</p> | <p>Prior Employment</p> | <p>“Have you ever been fired because you filed a Title VII claim?”</p> |
| | <p>Race/Color</p> | <p>(Photograph may not be required until after hire.) “What is your race?”</p> |