<table>
<thead>
<tr>
<th>Category</th>
<th>May Ask (Do)</th>
<th>Discriminatory (Don't)</th>
</tr>
</thead>
</table>
| Gender and Family Issues | • If applicant has relatives already employed by the organization  
• Can you work overtime?  
• Is there any reason you can't start at 7:30 a.m.?  
• Can you meet specified work schedules or do you have activities or commitments that may prevent you from meeting attendance requirements?  
• Would you be willing to relocate if necessary?  
• Will you be able and willing to travel as needed for this job?  
• What are the names of relatives already employed by the University?  
• Do you foresee any long-term absences in the future?  
• Employers may ask for the name, address, and phone number of the employee’s emergency contact person. | • Health-care coverage through spouse  
• Do you have small children?  
• What are your child care arrangements?  
• Are you planning to have children soon?/Do you plan to have children?/Do you plan on having more children?/Do you plan to have a family? When?  
• How many kids do you have?  
• How old are your children?  
• What is your marital status?/Are you married, divorced, separated, engaged, widowed, etc.?/What is your maiden name?/Is this your maiden or married name?  
• Are you pregnant?  
• What is the name of your relative/spouse/children?  
• Questions concerning the candidate’s spouse, or the spouse’s employment, salary, or dependents are also improper.  
• How will your spouse feel about the amount of time you will be traveling if you get this job? |
| Race                | • No questions can be asked  
• May ask applicant to voluntarily offer race for affirmative action programs.  
• Photos may be requested after hiring for identification purposes. | • What is your skin color?  
• What is your race?  
• Are you a member of a minority group?  
• What color are your eyes and/or hair?  
• Requests to submit a photo at any time prior to hiring; do not affix photo to application form  
• Is your spouse Caucasian/Hispanic/African American/Asian, etc?  
• Questions asking specifically about the nationality, racial, or |
<table>
<thead>
<tr>
<th>Category</th>
<th>May Ask (Do)</th>
<th>Discriminatory (Don't)</th>
</tr>
</thead>
</table>
| National origin or ancestry | • Whether applicant has a legal right to be employed in the US; Are you eligible to work in the United States?  
• Ability to speak/write English fluently only if it is job related  
• Other languages spoken if it is job related  
• If you are not a U.S. citizen, do you have the legal right to remain permanently in the United States?  
• What is your visa status? (If no to the previous question.)  
• Are you able to provide proof of employment eligibility upon hire?  
• What languages do you speak, read, or write fluently? (Only if relevant to the job.) | • Ethnic association of surname  
• Birthplace of applicant or applicant's parents  
• Nationality, lineage, national origin  
• Nationality of applicant's spouse  
• Whether applicant is citizen of another country  
• You sound like you have an accent; where are you from?  
• What is your nationality?  
• What is your heritage?  
• Where were you born?  
• Are you an American citizen?/Are you a citizen of the United States?  
• Are you, your parents, or your spouse naturalized or native-born U.S. citizens?/Where are your parents from?  
• What is your native tongue?  
• How did you acquire the ability to speak, read, or write a foreign language?  
• How did you acquire familiarity with a foreign country?  
• What language is spoken in your home?  
• Any questions asking specifically about the nationality, racial, or religious affiliation of a school are also improper. |
| Religion                 | • Whether applicant is able to work on the days/times required by the job  
• Can you work on Saturdays/Sundays? (Only if relevant to the job.)                                                                                                                                                                                                                                                                                  | • Do you go to church?/Do you attend church regularly?  
• Are you religious?/What is your religious affiliation?  
• Do you take time off from work for religious purposes?/What religious holidays will you be taking off from work?  
• Any questions asking specifically about the nationality, racial, or religious affiliation of a school are also improper.                                                                                                                                                                             |
<table>
<thead>
<tr>
<th>Category</th>
<th>May Ask (Do)</th>
<th>Discriminatory (Don't)</th>
</tr>
</thead>
</table>
| Age           | • If applicant is over age 18  
• If applicant is over age 21 only if it is job related  
• After hiring, verifying age with a birth certificate or other ID and asking age on insurance forms are proper inquiries. | • Date of birth  
• Date of high-school graduation  
• Age  
• When were you born?/What year were you born?/What is your birth date?                                                                 |
| Disability    | • Can you perform the specific duties of the job?/Are you able to perform the essential functions of the job? (This question should come after the interviewer has thoroughly described the job.)  
• Can you demonstrate how you would perform the following job-related functions? (The applicant is given a common job-related task to perform.)  
• Questions about an applicant’s current use of illegal drugs are proper.  
• If an applicant voluntarily discloses that he or she has a disability, an employer may ask two follow-up questions: Whether he or she needs a reasonable accommodation, and if so, what type? The employer must keep any information an applicant discloses about his or her medical condition confidential.  
• After hiring, the employer may ask questions about medical history on insurance forms.  
• As part of the hiring process, after a job offer has been made, may require applicant to undergo a medical exam. (Exam results must be strictly confidential, except medical/safety personnel may be informed if emergency | • If applicant has a disability  
• Nature of severity of disability / How does your condition affect your abilities?  
• Whether applicant has ever filed workers’ compensation claim  
• Recent or past surgeries and dates  
• Past medical problems  
• Do you have any handicaps?/What caused your handicap?/What is the prognosis of your handicap?  
• What is your medical history?/Have you ever had a serious illness?  
• Do you take any prescription drugs?  
• Do you take any drugs? (Because it does not distinguish between illegal and legal drug use, this question may cause applicants to disclose their lawful use of prescription drugs.)  
• Have you ever been in rehab?/Have you ever been addicted to drugs or been treated for drug addiction?  
• Have you ever been an alcoholic?/How much alcohol do you drink?/Do you have a drinking problem?  
• How many sick days did you take last year?  
• Do you have AIDS? |
<table>
<thead>
<tr>
<th>Category</th>
<th>May Ask (Do)</th>
<th>Discriminatory (Don't)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical treatment</td>
<td>medical treatment is required and supervisors may be informed about necessary job accommodations, based on exam results.</td>
<td>• Have you been diagnosed with any mental illnesses?                                                                                                  • Are you receiving any psychiatric treatment?                                                                                                       • Have you ever received worker’s compensation or been on disability leave?                                                                 • Have you had any recent or past illnesses or operations? If yes, list them and give dates when these occurred.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• What was the date of your last physical exam?                                                                                                       • How is your family’s health?                                                                                                                       • When did you lose your eyesight (or hearing, leg, etc.)? How?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Do you need an accommodation to perform the job? (This question can only be asked after a job offer has been made.)                                                                                                      • Questions asking about an applicant’s legitimate use of sick leave are also improper. (This question is likely to elicit information about a disability.)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Have you ever taken a test that revealed hearing loss?                                                                                               • Do you use any assistive devices for a hearing impairment (such as a hearing aid) or have you in the past?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Do you have any hearing loss due to an on-the-job accident or injury?                                                                                 • Do you have any recent or past illnesses?                                                                                                          • What was the date of your last physical exam?</td>
</tr>
<tr>
<td>Military</td>
<td>• Describe the relevant work experience that you acquired from U.S. armed forces as it relates to this position.</td>
<td>• Do you plan to take leave to serve in the military?</td>
</tr>
<tr>
<td>Labor Organization</td>
<td>• Do not ask questions about labor union associations or relationships with unions.</td>
<td>• Are you a union member?                                                                                                                          • What do you think of unions?</td>
</tr>
<tr>
<td>Sexual Orientation</td>
<td>• No questions are appropriate</td>
<td>Are you straight or gay?</td>
</tr>
<tr>
<td>Category</td>
<td>May Ask (Do)</td>
<td>Discriminatory (Don’t)</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Arrest Record</strong></td>
<td>• Have you ever been convicted of a crime? If so, when, where, and what was the disposition of the case? (The information secured on an individual’s conviction record should only be used in employment decisions if the conviction is substantially work-related.)&lt;br&gt;• Have you ever been convicted of _______? (The crime named should be reasonably related to the performance of the job in question.)&lt;br&gt;• Convictions - disclosure of a criminal record</td>
<td>• Have you ever been arrested?&lt;br&gt;• Have you ever spent a night in jail?&lt;br&gt;• Number and kinds of arrests</td>
</tr>
<tr>
<td><strong>Residence or affiliations</strong></td>
<td>• Inquiries about the candidate’s address to facilitate contact with the applicant are proper questions.&lt;br&gt;• Will you be able to start work at 8:00 a.m.?&lt;br&gt;• Will you have problems getting to work at 9:00 a.m.?&lt;br&gt;• List any professional or trade groups or other organizations that you belong to that you consider relevant to your ability to perform this job. (Exclude those organizations whose names or character indicates the race, religious creed, color, national origin, or ancestry of its members.)</td>
<td>• Do you live in town?&lt;br&gt;• With whom do you live?&lt;br&gt;• What clubs, social organizations, societies, or lodges do you belong to?&lt;br&gt;• What off-the-job activities do you participate in?</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>• Academic, vocational or professional schooling&lt;br&gt;• Training received in the US military&lt;br&gt;• Membership in trade or professional association related to the position&lt;br&gt;• Job references</td>
<td>• Height or weight except if a bona fide occupational qualification&lt;br&gt;• Veteran status, discharge status, branch of service&lt;br&gt;• Contact in case of an emergency (Can ask if the person is hired and accepts the position)</td>
</tr>
</tbody>
</table>

**Interviewers**<br>**Behavior Do's**<br>**Behavior Don'ts**
<table>
<thead>
<tr>
<th>Category</th>
<th>May Ask (Do)</th>
</tr>
</thead>
</table>
| **Individuals or search committees** | • Introduce interviewers  
• Make the interviewee comfortable  
• Have water, coffee, or tea available  
• Have a comfortable room temperature  
• Be courteous and respectful  
• Be attentive, listen to the answers  
• Be objective in the interview  
• Set the stage for the interview  
• Dress appropriately  
• Turn off cell phones  
• Wrap up the interview  
• Thank the interviewee for their interest in the job and the University  
• Always be professional |
|                                  | **Discriminatory (Don't)**                                                 |
|                                  | • Don't answer cell or office phone  
• Do not bring a laptop to the interview  
• Don't engage in side conversations  
• Don't look out of the window or stare away from the candidate  
• Don't permit disruptions of the interview by drawing you out of the process “for just a minute”  
• Don't attack or gang up on the interviewee  
• Don't laugh or snicker  
• Don't chew gum  
• Don't demonstrate your biases (for geography, clothes, schools, politics, etc.)  
• Don't leave the interview unless it is a critical emergency  
• Don't be negative |