

STATEMENTS TO AVOID DURING THE EMPLOYMENT SELECTION PROCESS

<i>Subject</i>	<i>Acceptable</i>	<i>Avoid</i>
NAME	<p>“State your name.”</p> <p>“Have you ever worked for this organization under another name?”</p> <p>“Is any additional information relative to change of name, use of an assumed name, or nickname necessary to enable a check on your work records?”</p> <p>“Do you prefer to be addressed as Mr., Mrs., Miss, or Ms.?”</p>	<p>“State your maiden name.”</p> <p>“Have you ever used another name?”</p> <p>Inquiries about the name that would indicate applicant’s lineage, ancestry, national origin, or descent.</p>
RESIDENCE	<p>Asking for applicant’s place of residence.</p>	<p>Specific inquiries into foreign residence.</p> <p>Inquiries regarding whether the applicant owns or rents his or her residence.</p> <p>Inquiries regarding who lives with the applicant at his or her residence.</p>
AGE	<p>Statement that employment is subject to verification that applicant meets legal age requirements.</p>	<p>“State your age.”</p> <p>“State your date of birth.”</p> <p>“Would you have problems reporting to someone who is younger than you?”</p> <p>Requesting dates of attendance at or completion of school or college. (May be needed for verification of academic credentials after employment is offered to the applicant)</p> <p>Questions regarding plans for or timing of retirement.</p>
MARITAL AND FAMILY STATUS	<p>“Can you meet the attendance requirements of this job?”</p> <p>“Can you work overtime and/or travel extensively? (only if applicable)”</p>	<p>“Are you married, single, divorced, or separated?”</p> <p>“What are the names and ages of your children?”</p> <p>“What provisions will you make for child care?”</p>

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		<p>Asking about future plans for marriage or children.</p> <p>Asking whether the applicant is the caregiver for a parent or other family member.</p> <p>Asking for name or other information about applicant's spouse. (After hire, this question is permissible to obtain a contact in case of emergency.)</p>
RELATIVES	<p>Statement of organization policy about work assignment of employees who are related.</p> <p>Asking names of applicant's relatives already employed by the organization.</p>	<p>Asking for name or address of any relative of applicant.</p> <p>Questions eliciting the health history of family members.</p>
SEX	<p>Inquiries regarding the persons sex must be based only on a bona fide occupational qualification.</p>	<p>"Are you expecting?" or "Are you pregnant?"</p> <p>Asking applicant about future childbearing plans.</p> <p>"How do you feel about working in a male-dominated industry?"</p> <p>"We typically don't hire male secretaries. Will it make you uncomfortable to be the only male secretary?"</p> <p>Asking applicant out on a date or otherwise propositioning applicant.</p>
RACE OR COLOR	<p>Statement that photograph may be required after hire.</p>	<p>Requiring applicant to submit a photograph at any time prior to hire, or requesting that applicant, at his or her option, submit a photograph.</p> <p>Asking the race or color of applicant.</p> <p>Inquiries about applicant's complexion or color of skin.</p>

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BIRTHPLACE, NATIONAL ORIGIN, ANCESTRY	<p>“Are you authorized to work and remain in the United States?”</p> <p>Asking applicant about foreign languages applicant reads, speaks, or writes, if job related.</p>	<p>Asking for birthplace of applicant.</p> <p>Asking for birthplace of applicant’s parents, spouse or other close relatives.</p> <p>“What is your mother (or native) tongue?”</p> <p>Inquiries into how applicant acquired ability to read, write, or speak a foreign language.</p>
ORGANIZATIONS	Inquiries into membership in organizations that applicant considers relevant to his or her ability to perform the job for which applied.	“List all clubs, societies, and organizations to which you belong.”
PERSONAL FINANCES	Asking whether applicant has use of a reliable car, if car travel is required by the job.	<p>Questions about personal bankruptcy.</p> <p>Questions about home or car ownership.</p>
PHYSICAL CONDITION, HANDICAP, DISABILITY ¹	<p>“Are you able to perform the duties of the position that you have applied for with or without reasonable accommodations?”</p> <p>“Do you use illegal drugs?”</p> <p>“Can you meet the attendance requirements of this job?”</p> <p>“How well do you handle stress?”</p> <p>“Do you work better or worse under pressure?”</p>	<p>“Do you have any physical disabilities or handicaps?”</p> <p>“Do you have now, or have you ever had, a drug or alcohol problem?”</p> <p>“Have you ever sought treatment for your inability to handle stress?”</p> <p>“Have you ever been treated for mental health problems?”</p> <p>Questions regarding the applicant’s general medical condition, state of health, or illness.</p>

¹ Avoid inquiries that are likely to elicit information about whether an applicant has a disability.

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WORKERS' COMPENSATION	<p>"How many days were you absent last year?"</p> <p>"Can you perform the essential functions of the job with or without reasonable accommodations?"</p>	<p>Questions regarding receipt of workers' compensation.</p> <p>"Have you ever filed for workers' compensation?"</p> <p>Have you ever been injured on the job?"</p>
CITIZENSHIP	<p>"Do you have the legal right to work and remain in the United States?"</p> <p>"Are you currently authorized to work for all employers in the United States on a full-time basis or only for your current employer?"</p> <p>Statement that applicant will be required to submit proof regarding his or her identity and employment eligibility upon hire, in accordance with applicable immigration requirements.</p>	<p>"Of what country are you a citizen?"</p> <p>Asking whether applicant or applicant's spouse or parents are naturalized or native-born U.S. citizens.</p> <p>Asking for date when applicant, parents, or spouse acquired U.S. citizenship.</p>
ARREST, CRIMINAL RECORD	<p>"Have you ever been convicted of a crime?" (In most jurisdictions, this question must be accompanied by a statement on the employment application that a conviction will not necessarily disqualify applicant from the job applied for.)</p>	<p>Asking about applicant's arrest record.</p> <p>"Have you ever been arrested?"</p>