

Question is Acceptable	Question should be avoided	
X		1. Would you mind if I call you by your first name? ○ <i>May be preferable to stumbling over whether to address a female applicant as Miss, Ms., or Mrs.</i>
X		2. Are you a citizen of the United States? ○ <i>However, people who are not US citizens can be covered eligible to work. May be better to ask if they are eligible to work in the US</i>
	X	3. Are you married or do you live with someone? ○ <i>Although not specifically covered by Title VII, this type of question is considered discriminatory because it most often works against women.</i>
	X	4. Have you ever been arrested? ○ <i>Arrest records are most likely for lower SES groups, creating disparate impact. Also, in our society, one is presumed innocent until proven guilty.</i>
X		5. What professional societies do you belong to? ○ <i>May be relevant to determining interest and preparation for job.</i>
X		6. What kinds of people do you enjoy working with most? ○ <i>Acceptable as long as you do not specify certain groups.</i>
	X	7. Are you planning to start a family soon? ○ <i>Usually works against women. Human rights commissions advise against this question.</i>
	X	8. How long do you suspect you and your husband will remain here before changing jobs? ○ <i>Same as #7 rationale.</i>
	X	9. I can't help but notice the great shape you've kept yourself in. How do you do it? ○ <i>The tone and implied message may suggest sexual discrimination, sexual harassment, or possible violation of ADA.</i>
	X	10. We're looking for someone who can effectively relate to college students; You're 52? ○ <i>Age discrimination may be indicated.</i>
X		11. Have you ever been convicted of a crime (beyond traffic violations)? ○ <i>Questions regarding convictions could cause problems but must be asked for job related</i>

		<i>offenses because of negligent hiring lawsuits. If restitution has been made, the applicant should not automatically be disqualified from employment.</i>
X		12. Will your family or personal obligations interfere with your ability to keep the hours of this job? ○ <i>This is the proper way to ask the question of both men and women versus #7 or #8.</i>
X		13. How does your military experience relate to this job? ○ <i>Asking about discharge status is inappropriate; however.</i>
	X	14. What are your religious beliefs? ○ <i>Possible violation of Title VII.</i>
	X	15. How do you feel about getting personally involved with someone at work? ○ <i>Similar to #9. Implies that getting “personally involved” may be part of the employment contract.</i>
	X	16. Would you be willing to work on Yom Kippur? ○ <i>Specifies a particular religion’s (Jewish) holiday. Rather, one should ask if the applicant can work on the days scheduled. If not, reasonable accommodation is expected for religious observances.</i>
X		17. How long have you lived around here? ○ <i>Though not job relevant in most cases, discrimination based on geographical preferences or where one resides is not illegal.</i>
X		18. Are you a smoker or a non-smoker? ○ <i>Same logic as #17. Discrimination against smokers is not illegal in most states, although there is considerable legal action on this topic.</i>
X		19. Are you a homosexual? ○ <i>Discrimination based on sexual preference is not illegal at the federal level. However, several states and cities have banned such decision criteria.</i>
	X	20. What plans do you have for taking care of your children if you get this job? ○ <i>Question #12 is the appropriate way to approach this issue.</i>
	X	21. Do you consider yourself handicapped in any way? ○ <i>Questions regarding disabilities cannot be asked until after a job has been offered, and</i>

		<i>then only in the context of the “essential functions” of the job.</i>
	X	22. Is there any history of chronic illness in your family? ○ <i>Questions regarding family health problems are illegal under the ADA.</i>
	X	23. One of your references mentioned that you have a history of depression. Is this still a problem? ○ <i>Questions regarding mental health are illegal under ADA.</i>
X		24. Given that you’re in a wheelchair, how do you think you’ll be able to do this work? ○ <i>Should be asked in the context of reasonable accommodations suggestions.</i>

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