

**AN OVERVIEW OF EEO CONSIDERATIONS FOR INTERVIEWING**

Most Corporations support the letter and spirit of EEO regulations and laws. It is important that the entire company reflects this commitment, and that we give full and equal consideration to each applicant regardless of age, religion, sex, nationality, race or country of origin. Additionally, exposure to EEO-violation and/or sexual harassment charges is quite high in an interview situation.

Following is a very brief list of questions to avoid during an interview:

1. Any question used to reveal age, religion, sex, nationality, race, or country of origin.
2. Questions regarding marital status, spouse's employment and/or spouse's mobility or plans to have children.
3. Negative questions about location preference -- for example: "Where would you not work?" There is a concern on the part of some minority candidates that offers would be made for only the locations they cite as objectionable.
4. Avoid questions that require the candidate to comment on politics or controversial issues -- they can lead to a tense interview situation. Some states have laws regarding illegal questions that may differ from your own. Check with the Placement Office or your Employee Relations Advisor as to any local regulations you may need to be aware of before your campus visit.

In short, to be sure you are within the law, you must be able to prove that your questions is related to a necessary requirement of the position.

EEO considerations will be dealt with in greater detail during the interviewer training.

Pre-Employment Inquiries

Revised \_\_\_\_\_

Attachment

<u>SUBJECT</u>	<u>LAWFUL INQUIRIES</u>	<u>UNLAWFUL INQUIRIES</u>
1. Name	a. Have you worked for this company under a different name?  b. Maiden name, if necessary to check educational or employment records.  c. Is any additional information relative to change of name, use of an assumed name or nickname necessary to enable a check on your work and education record? If yes, explain.	a. Inquiries about the name that would indicate applicant's lineage, ancestry, national origin, or descent.  b. Inquiry into the previous name of applicant where it has been changed by court order.
2. Address	a. Applicant's address.  b. Inquiry into place and length of current and previous addresses.  c. How long a resident of this state or city?	a. Specific inquiry into foreign addresses that would indicate national origin.
3. Birthplace	a. Can you, after employment, submit a birth certificate?	a. Birthplace of applicant.  b. Birthplace of applicant's parents, spouse, or other relatives.  c. Requirement that applicant submit a birth certificate, naturalization or baptismal record.  d. Any other inquiry into national origin.

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4. Age	<ul style="list-style-type: none"><li>a. If a minor, require proof of age in the form of a work permit or a certificate of age.</li><li>b. Require proof of age by birth certificate after being hired.</li><li>c. Inquiry as to whether or not the applicant meets the minimum age requirement as set by law and requirement that, upon hire, proof of age must be submitted in the form of a birth certificate or other form of proof of age.</li><li>d. If age is a legal requirement: “if hired, can you furnish proof of age?” or statement that hire is subject to verification of age.</li></ul>	<ul style="list-style-type: none"><li>a. Requirement that applicant state age or date of birth.</li><li>b. Requirement that applicant produce proof of age in the form of a birth certificate or baptismal record.</li></ul>
5. Religion	<ul style="list-style-type: none"><li>a. An applicant may be advised concerning normal hours and days of work required by the job.</li></ul>	<ul style="list-style-type: none"><li>a. Applicant’s religious denomination or affiliation, church, parish, pastor or religious holidays observed.</li><li>b. Do you attend religious services or a house of worship?</li><li>c. Applicant may not be told: “This is a Catholic/Protestant/Jewish/Atheist/etc., organization.</li><li>d. Request pastor’s recommendation, reference, or any other religious reference.</li><li>e. Applicants may not be told that employees are required to work on religious holidays that are observed as days of complete prayer by members of their specific faith.</li></ul>

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6. Race or Color		<ul style="list-style-type: none"><li>f. Any inquiry to indicate or identify religious denomination or customs.</li><li>a. Applicant's race.</li><li>b. Color of applicant's skin, eyes, hair, etc., or other questions directly or indirectly indicating race or color.</li><li>c. Applicant's height or weight where it is not relevant to job.</li></ul> <hr/>
7. Photograph	<ul style="list-style-type: none"><li>a. May require after hiring for identification.</li></ul>	<ul style="list-style-type: none"><li>a. Request photograph before hiring.</li><li>b. Requirement that applicant affix a photograph to his application.</li><li>c. Request that applicant, at his option, submit a photograph.</li><li>d. Requirement of photograph after interview, but before hiring.</li></ul> <hr/>
8. Citizenship	<ul style="list-style-type: none"><li>a. Are you a citizen of the United States? *</li><li>b. If you are not a U. S. citizen, have you the legal right to remain permanently in the U. S.? Do you intend to remain permanently in the U. S.? *</li><li>c. Statement that if hired, applicant may be required to submit proof of citizenship. *</li><li>d. Are you in the country on a Visa</li></ul>	<ul style="list-style-type: none"><li>a. Of what country are you a citizen?</li><li>b. Whether applicant or spouse or parents are naturalized or native-born U. S. citizens.</li><li>c. Date when applicant, spouse or parents acquired U. S. citizenship.</li><li>d. Requirement that applicant produce his</li></ul>

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that would not permit you to work here?

naturalization papers or first papers.

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8. Citizenship (cont'd)	(* These inquiries should be avoided if possible.)	e. Whether applicant's spouse or parents are citizens of the U. S.
9. Ancestry or National Origin	a. Languages applicant reads, speak or writes fluently.	a. Applicant's nationality, lineage, ancestry, national origin, descent, or parentage. b. Date of arrival in the U. S. or port of entry; how long a resident. c. Nationality of applicant's parents or spouse; maiden name of applicant's wife or mother. d. Language commonly used by applicant: "what is your mother tongue?" e. How applicant acquired ability to read, write or speak a foreign language. f. Inquiry into any title that indicates national origin or ancestry.
10. Education	a. Applicant's academic, vocational, or professional education; school attended. b. Inquiry into language skills such as reading, speaking and writing foreign languages.	a. Any inquiry asking specifically the nationality, racial or religious affiliation of a school. b. Inquiry as to what is mother tongue or how foreign language ability was acquired.
11. Experience	a. Applicant's work experience b. Other countries visited.	

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12.	Arrest, Conviction and Court Record	a. Have you ever been convicted of any crime? If so, when, where and disposition of case? (If job-related, e.g., needed for security clearance.)	a. The number and kinds of arrests of an applicant.
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13.	Relatives	a. Names of applicant's relatives, other than a spouse, already employed by this Company.  b. Do you live with your parents?  c. Names and addresses of parents or guardian of minor applicant.	a. Do you have children home? How old? Who cares for them? Do you plan more?  b. Names, addresses, ages, number or other information concerning applicant's spouse, children or other relatives not employed by the Company.
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14.	Notify in Case of Emergency		a. Name and address of person to be notified in case of accident or emergency.
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15.	Organiza-tion	a. Inquiry into applicant's membership organizations which applicant considers relevant to his or her ability to perform the job.	a. List all organizations, societies and lodges to which you belong.
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16.	References	a. Who referred you for a position here?  b. Names of persons willing to provide professional and/or character references for applicant.  c. Who suggested that applicant apply for a position here?	a. Require the submission of religious reference  b. Request reference from applicant's pastor.
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17.	Sex	a. Only if nature of the work or working conditions provide valid job-related reasons.	a. Sex of the applicant.

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- b. Where a bona fide occupational qualification is essential to the operation of the job involved.
- c. Notice appearance of applicant.
- b. Any other inquiry that would indicate sex.
- c. Are you expecting or pregnant?

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17. Sex (cont'd)		<ul style="list-style-type: none"> <li>d. Marital status.</li> <li>e. Make comments or notes unless sex is BFOQ. (Note: the Government has narrowly construed the BFOQ exception.)</li> </ul>
18. Work Schedule	<ul style="list-style-type: none"> <li>a. Inquiry into willingness to work required work schedule.</li> </ul>	<ul style="list-style-type: none"> <li>a. Any inquiry into willingness to work any particular religious holiday.</li> </ul>
19. Military Experience	<ul style="list-style-type: none"> <li>a. Applicant's military experience in armed forces of the United States, in a state militia (U.S.) or in a particular branch of the U.S. Armed Forces.</li> <li>b. Whether applicant has received any notice to report for duty in the Armed Forces.</li> <li>c. Date and condition of discharge, if the type of discharge will not necessarily automatically disqualify the applicant for the job.</li> </ul>	<ul style="list-style-type: none"> <li>a. Applicant's military experience (general).</li> <li>b. Inquiry into military service in armed service of any country.</li> <li>c. Draft classification or other eligibility for military service.</li> <li>d. Applicant's whereabouts in 1914-18, 1941-45, or 1950-53.</li> <li>e. Condition of discharge if not necessarily related to the job involved or if the type of discharge would automatically disqualify the applicant for the job involved.</li> <li>f. Requirement that applicant presents a copy of his or her discharge papers from the Armed Forces.</li> </ul>

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20. Physical Conditions	<p>a. Whether applicant has certain specified sensory, mental, or physical handicaps that relate reasonably to fitness to perform the particular job.</p> <p>b. Whether applicant has any handicaps or health problems which may affect work performance or which the employer should take into account in determining job placement. (Note: an applicant may be informed of the Company's affirmative action program for handicapped persons and for disabled veterans and veterans of the Vietnam era. The applicant may be asked whether he or she wants to be included in any of these programs.)</p>	<p>a. Over-general inquiries (e.g., "Do you have a handicap or disability?") which would tend to divulge handicaps or health conditions which do not relate reasonably to fitness to perform the job.</p>
21. Housing	<p>a. If you have no telephone, how can we reach you?</p>	<p>a. Do you own your home?</p> <p>b. Do you rent?</p> <p>c. Do you live in an apartment or a house?</p>
22. Marital Status		<p>a. Inquiry into marital status, e.g. (1) Are you married? Single? Divorced? Separated?</p> <p>b. Name or other information about spouse.</p> <p>c. Where does your spouse work?</p> <p>d. What are the ages of your children?</p>
23. Height and Weight		<p>a. Any inquiry into height or weight of applicant unless based upon valid job-related reasons.</p>

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