

# Best Practices For Equitable Interview and Hiring Process

Hiring managers play a crucial role in shaping the workforce of an organization, and it is essential to conduct interviews that are both legally compliant and equitable. This document provides a table outlining examples of illegal and acceptable interview questions across various categories.

**Please note: This guide is not all-inclusive or overly specific. The absence of a question in this document does not imply that it is legally permissible. The best approach is to avoid asking questions that fall into any of the categories presented here unless they are directly relevant to the job and framed in a legal manner.**

## Key Considerations

### Focus on Skills and Experience

Ensure that all questions are directly related to the candidate's ability to perform the job duties. Questions should assess skills, experience, and qualifications relevant to the position.

### Avoid Bias

Refrain from questions that may reveal personal information not pertinent to job performance, such as race, gender, religion, marital status, national origin, sexual orientation, disabilities, etc. Use an \* anonymous interview process where possible initial biases in the resume can be minimized.

### Consistency

Apply the same set of questions to all candidates to maintain a fair and equitable hiring process. Consistency helps eliminate bias and ensures that all candidates are evaluated based on the same criteria.

### Equity-Centered Approach

Center equity in the hiring process by recognizing and addressing \*systemic barriers that may affect candidates from underrepresented groups. Foster an inclusive interview environment where all candidates feel respected and valued. Use inclusive language and be mindful of cultural sensitivities.

\* Additional resources: *Anonymous Interview Process* and *Examples of Systemic Barriers Affecting Candidates from Underrepresented Groups During the Interview and Hiring Process*



# What NOT to Ask



# OK to Ask

## Reliability and Attendance

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|---|--|
| <ul style="list-style-type: none"> <li>• How many children do you have?</li> <li>• What are your childcare arrangements?</li> <li>• What is your marital status?</li> <li>• Do you have a car?</li> </ul> | <ul style="list-style-type: none"> <li>• What hours and days can you work?</li> <li>• Are there specific times that you cannot work?</li> <li>• Do you have any commitments that might affect your ability to meet the job requirements, such as traveling?</li> </ul> |
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## Citizenship/National Origin

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| <ul style="list-style-type: none"> <li>• What is your national origin?</li> <li>• Where are your parents from?</li> <li>• Are you a U.S. citizen?</li> </ul> | <ul style="list-style-type: none"> <li>• Are you legally eligible for employment in the United States?</li> </ul> |
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## Birth Date / Age

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|---|---|
| <ul style="list-style-type: none"> <li>• What is your date of birth?</li> <li>• How old are you?</li> </ul> | <ul style="list-style-type: none"> <li>• If hired, can you provide proof that you are over age 18?</li> </ul> |
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## Gender

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|---|--|
| <ul style="list-style-type: none"> <li>• How do you wish to be addressed (Mr., Mrs., Miss, Ms.)?</li> <li>• How does your gender affect your work?</li> </ul> | <ul style="list-style-type: none"> <li>• None</li> </ul> |
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## Gender Identity and Sexual Orientation

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|---|--|
| <ul style="list-style-type: none"> <li>• What is your gender identity?</li> <li>• Are you transgender?</li> <li>• What is your sexual orientation?</li> </ul> | <ul style="list-style-type: none"> <li>• None</li> </ul> |
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## Pronouns

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|---|--|
| <ul style="list-style-type: none"> <li>• Why do you share your pronouns?</li> </ul> | <ul style="list-style-type: none"> <li>• Are there any preferred pronouns you would like us to use? <i>(Only if the context of the conversation makes it appropriate and the candidate has not already volunteered this information)</i> It's a good practice to share yours first.</li> </ul> |
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# What NOT to Ask



# OK to Ask

## Religion or Creed

- Inquiry into applicant's religious denomination, religious affiliations, church, parish, pastor, or religious holidays observed (i.e. What religion are you?)

- Can you work on the days required for this job? (Only if relevant to job requirements)

## Race, Ethnicity or Color

- Any question that directly or indirectly refers to race, color, or ethnicity.

- None

## Disabilities or Medical

- Do you have a disability?
- What caused your handicap?
- What is your medical history?
- Have you ever had any serious illnesses?
- Do you have AIDS or are you HIV-positive?

- Can you perform the duties of the job you are applying for? (Be sure to tell the applicant what the essential functions are.)
- Do you need any special accommodations to perform the job you've applied for?
- There is no acceptable way to inquire about specific medical condition.

## Military Record

- What type of discharge did you receive from the military?

- What relevant experience to this job did you gain during your military service?

## Education

- When did you graduate from high school or college?

- Do you have a high school diploma or equivalent? (Only if a requisite of the job)
- Do you have a college or university degree? (Unless required to perform job, e.g. law degree)

## Addresses

- What was your previous address?
- How long have you lived at your current address?
- Do you own your home?

- None.



# What NOT to Ask



# OK to Ask

## Worker's Compensation

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|---|--|
| <ul style="list-style-type: none"> <li>• Have you ever filed for worker's compensation?</li> <li>• Have you had any prior work injuries?</li> </ul> | <ul style="list-style-type: none"> <li>• None</li> </ul> |
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## Arrest and Conviction

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|--|--|
| <ul style="list-style-type: none"> <li>• Have you ever been arrested?</li> </ul> | <ul style="list-style-type: none"> <li>• None related to arrest.</li> <li>• Have you ever been convicted of a crime? If so, please provide details. (Ensure this is relevant to the job and complies with state and local laws)</li> </ul> |
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## Salary

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|--|---|
| <ul style="list-style-type: none"> <li>• How much do you currently make?</li> <li>• What was your highest salary?</li> </ul> | <ul style="list-style-type: none"> <li>• What are your salary expectations?</li> <li>• Our salary range for this position is \$XX to \$YY. Does this meet your expectations?</li> </ul> |
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## Pregnancy

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|--|--|
| <ul style="list-style-type: none"> <li>• Do you plan on having children?</li> <li>• Are you currently pregnant?</li> </ul> | <ul style="list-style-type: none"> <li>• None</li> </ul> |
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## Personal

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• What color are your eyes, hair?</li> <li>• What is your height and weight?</li> <li>• Have you ever changed your name?</li> <li>• What was your maiden name?</li> <li>• Do you smoke?</li> </ul> | <ul style="list-style-type: none"> <li>• Only permissible if there is a bona fide occupational qualification.</li> <li>• Our smoking policy is such—can you adhere to it? (Be aware of any state laws that relate to smoking.)</li> </ul> |
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## Photographs

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|--|---|
| <ul style="list-style-type: none"> <li>• Requests that an applicant submit a photo at any time prior to hiring.</li> </ul> | <ul style="list-style-type: none"> <li>• Photographs may only be requested after hiring for identification purposes.</li> </ul> |
|--|---|

## Name

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• If your name has been legally changed, what was your former name?</li> </ul> | <ul style="list-style-type: none"> <li>• Have you worked for the company or a competitor under any other name and if so, what name? or Name under which applicant is known to references if different from present name.</li> </ul> |
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