Illegal Interview Questions and EEO Guidelines:

Subject	Permitted	Not Permitted	Notes
Address	How long have you been at your current address? What is your current address? What was your previous address and how long did you live there?	Do you own your own home or rent? Who do you live with? How are you related to the people you live with?	
Age	For some roles age is a legal requirement (working in a bar) so it is acceptable to ask a candidate their age directly and ask for proof.	What year were you born? When did you graduate high school?	
Arrest Record	Usually only law enforcement agencies can ask and exclude based on their arrest record. For other businesses it is OK to ask if the arrest is directly related to the role they applied for and relatively recent, but	Avoid any questions relating to arrests if it is not directly related to the job or in states where it is illegal to ask. (i.e., they have not been convicted yet so could be innocent).	See convictions below for arrests that have lead to convictions. Also, rejecting applicants based on arrest record has been shown to impact some racial groups.

	you are walking a very thin line.		
Availability	What days and shifts can you work? Are there shifts you cannot work? Are there any responsibilities you have that could make it difficult for you to travel for work? Do you have a reliable way of getting to work?	Directly asking about weekend work could be seen as a proxy question for religious observance. Also, questions about evening work or childcare arrangements can impact females who have childcare responsibilities. Asking if they own a car could be seen as racially discriminatory unless it is a requirement of the job.	Ask all candidates the same questions on this subject. Asking only women about evening work can be discriminatory as it ties into questions about family status.
Citizenship or National Origin	Are you legally eligible to work in the United States? Can you show proof of citizenship/visa/alien registration if we decide to hire you? Are you known by any other names? Can you speak, read, and write English?	Are you a US citizen? Can you provide a birth certificate? What country are your parents from? What is your background? Where were you born? How did you learn Portuguese?	Asking about other languages is fine if it is a job requirement such as a translator or Spanish speaking phone operator.

Convictions	If the role the candidate applied for is security sensitive then it should be fine to ask questions about convictions. Candidates dealing with large sums of money (cashier, treasurer, money transfer agent) or aligned roles where the candidate is working unsupervised such as janitor, custodian, or truck driver could all be considered security sensitive.	Don't ask questions about convictions for roles that are not security sensitive or ask about convictions that have no connection to the role. For example asking a receptionist about speeding convictions.	Rejecting candidates purely on conviction record has been shown to disproportionately impact some racial groups. If this question is important then best to ask it later in the interview process so candidates can be excluded for legal reasons first.
Credit Inquiries	In general do not ask questions about this unless you are sure it is permitted under the Fair Credit Reporting Act of 1970 and the Consumer Credit Reporting Reform Act of 1996.	Do you have a bank account? Do you own a home or rent? Have your wages ever been garnished? Were you ever declared bankrupt?	
Disabilities	Accurately describe the job then ask the candidate if they can	Do you have a disability? Have you ever filed a workers	

	perform all of the functions.	compensation claim? Have you ever suffered a workplace injury?	
Education	Do you have a high school diploma or equivalent? What university or college degrees do you have?	What year did you graduate high school?	
Emergency Contact Name	Only after employment is confirmed.	Do not ask this as part of any pre-employment interview questions as this could be seen as a question about national original or sexual orientation.	
Employment	How long did you stay at your last role? What was start and finish titles? What is your current and expected salary?	When did you first start working? (age discrimination)	Some states prohibit questions about current salary.
Family Status	Do you have any commitments that might prevent you from working the assigned shifts?	Are you married? Are you single? Do you have any children?	Ask all candidates about outside commitments, not just women, or it will be

			seen as discriminatory.
Financial Status	Do you own a car? (only if a requirement of the job)	Do you own your own home? Do you own a car?	Due to the relationship between poverty and some minorities, questions on this subject can be very sensitive.
Height or Weight	Accurately describe the job then ask the candidate if they can perform all of the functions.	What is your height? How much do you weigh?	If you can definitively prove a specific height and/or weight is required for the job, then it is fine to ask, but this is usually unlikely.
Marital Status	None	Are you married? Are you single? Do you have any children?	
Military Service	What experience and training did you receive while serving that would be beneficial to this job?	Direct questions about discharge or non-U.S. military service.	
Organizations	Are you a member of a professional organization?	Are you a member of the local country club? What sorority did you join?	Avoid all questions about non-professional organizations that could be seen as a

			proxy question about race, age, sex, etc.
Personal Information	Have you ever worked for us before under any other name? What are the names of your personal references?	Did you ever change your name through marriage or court application? What is your maiden name?	
Pregnancy	How long do you plan on staying with us? Do you have any leave planned?	Are you pregnant? Are you trying to have a family?	Even if a candidate is obviously pregnant, it is not acceptable to ask any questions about this subject. You can still describe the job and then ask if they can perform all functions.
Race or Color	Almost always not acceptable unless it is a bona fide occupational qualification.	All questions about color and race.	This is a hot topic question and best to get legal advice on if you are unsure.
Relatives	Do any of your relatives currently work for us or our competitors? Can you provide the names of your relatives who work for us?	What is the name of your relatives who work for our competitors?	This does become discriminatory if your company has issues hiring minorities as it could look like you have a preference against hiring them.

Religion or Creed	None	What denomination are you? Who is your pastor?
Sex, Orientation, or Gender Identity		