

## Appropriate and Inappropriate Questions During Interactions with Candidates

Below is a guide of areas that can often trip folks up during interviews and even casual interactions during the interview process. Some of these areas should not come up during the interview process, however if you feel there is a job responsibility related reason to ask a question in one of these areas (especially in those protected group areas), talk with the search chair or Teri Engelke (Assistant Dean for HR, School of Education) before the interview.

Subject/Area	Appropriate	Inappropriate
<b>Address</b>	How long have you lived “in this area?”	List of previous addresses. How long have you lived at specific address? Do you own or rent your home?
<b>Age</b>	No question is acceptable. (if applicable, can you show proof of age upon hire?)	Questions about age or questions that would reveal age. Requests for birth certificate.
<b>Arrest Record</b>	No question is acceptable. (Wisconsin Law permits questions on pending charges <u>only</u> . If the circumstances of the charge substantially related to the specific job or licensed activity. Consult with SoE HR/Office of Administrative Legal Service before engaging in this line of questions.)	Questions about pending charges or arrest records that do not relate substantially to the job.
<b>Birthplace</b>	No question is acceptable.	Birthplace of candidate or candidate’s parents, spouse/partner, or other close relatives.
<b>Citizenship</b>	May ask questions about legal authorization to work in the specific position if all candidates are asked.	May not ask if person is a U.S. citizen, where they were born or parents/relatives were born, etc.
<b>Convictions</b>	May ask if any record of criminal convictions and/or offenses exists, if all candidates are asked. If the conviction substantially relates to job responsibilities or licensed activity.	Questions about convictions that are unrelated to job responsibilities. Questions that would reveal arrests without convictions.
<b>Credit Ratings (or Garnishments)</b>	Questions <i>may</i> be appropriate if the job requires significant financial responsibility. In most cases, no question is acceptable.	Questions that have no relation to job performance. Refusing to hire someone based on a poor credit rating is a civil rights violation.
<b>Disability</b>	May ask about candidate’s ability to do essential job-related functions.	Questions (or series of questions) that is likely to solicit or seeks information about a disability.
<b>Education</b>	Inquiries about degree or equivalent experience and training related to job responsibilities.	Questions about education that are not related to job performance.
<b>Family</b>	No question is acceptable.	Number and ages of children. Child bearing /rearing queries.
<b>Gender</b>	No question is acceptable. (Applicant’s gender – but only if gender is a bona fide occupational qualification – MUST be demonstrated to job responsibilities.)	Questions related to one’s biological or perceived gender.

<b>Subject Area</b>	<b>Appropriate</b>	<b>Inappropriate</b>
<b>Health</b>	No question is acceptable.	Any questions about a candidate's health, height, and/or weight.
<b>Marital or Family Status</b>	Whether candidate can meet work schedule or job requirements. Should be asked regardless of gender of candidate.	Any inquiry about marital status, children, pregnancy, or child-care plans. Questions inquiring whether an applicant's spouse/partner/family will allow travel.
<b>Military Service</b>	Questions regarding relevant experience gained during military experience.	Questions regarding military experience (dates of service, type of discharge, armed forces of any country except the US).
<b>Name</b>	Question regarding legal name and if any other name/nickname used in order to check references.	Whether a person has worked under a different name. Questions which may divulge marital status or ancestry.
<b>National Origin</b>	May ask questions about legal authorization to work in the specific position, if all candidates are asked.	May not ask if person is a U.S. citizen, ancestry, birth place, national origin of applicant, parent or spouse/partner.
<b>Organizations</b>	Inquiries about professional organizations related to the position	Inquiries about professional organizations suggesting race, sex, religion, veteran status, national origin, disability, or sexual orientation. Questions related to political affiliated organizations or union memberships.
<b>Personal Finances</b>	No question is acceptable. (Unless directly related to job responsibilities.)	Inquiries regarding credit record or rating, owning a home, or garnishment record; this usually has little or no relation to job performance or duties. (It is a civil rights violation to refuse to hire an individual if it's even partially based on a poor credit rating).
<b>Political Affiliations</b>	No question is acceptable.	Inquiries about membership with a political party.
<b>Race, Ethnicity, etc.</b>	No question is acceptable.	Comments about complexion, color of skin, race, ethnicity, etc.
<b>Religion</b>	Describe the work schedule and ask whether candidate can work that schedule. Also, suggest that accommodations to schedule are possible.	Inquiries about religious preferences, affiliation, or denominations or religious holidays observed, etc.
<b>Sexual Orientation</b>	No question is acceptable.	Questions or comments about sexual orientation.
<b>Work Experience</b>	Candidate's previous employment experience.	Inquiries posed to members of protected underrepresented groups based on generalizations or stereotypes of protected groups.