

Illegal/Improper Interview Questions

Improper interview questions are those that do not pertain to the nature of the job, to the applicant's ability to perform that job, or those not asked of every candidate. Due to federal law, Title VII and the Americans with Disabilities Act, most recruiters now know what they can and cannot ask candidates. However, if you are confronted with a question you think is unreasonable, try to deal with the underlying issue (i.e., why it was asked) rather than becoming defensive or hostile. Illegal or improper interview questions include any asked regarding the following categories:

- Sex
- Age
- Race
- National origin
- Religion
- Disability status
- Marital status
- Number of children or dependents
- Spouse's occupation

If you encounter a question which seems to verge on illegality, do consider that the interviewer may be asking it innocently or may be unaware of the laws pertaining to the situation. Remaining polite and straightforward, while returning the emphasis to an examination of your skills and abilities, will keep you in contention for the job. If after obtaining the offer you are still uncomfortable with the company, you are under no obligation to accept the position.

Examples of Illegal or Improper Inquiries and Their Legal Counterparts

The following list contains a few examples of illegal or improper inquiries. Immediately following is a list containing requests for the same information, but in a legal manner.

Illegal/Improper

1. Do you have any children?
2. How old are you? What is your date of birth?
3. Do you have a car?
4. Are you a U.S. citizen?
5. Are you disabled? What physical limitations do you have?

Legal

1. What days, hours, or shifts are you available to work?
2. Are you over the age of 18?
3. Will transportation be a problem when overtime is required?
4. Are you authorized to work in the United States?
5. Are you able to perform all essential functions of the job with or without accommodation?

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