Quick Tips

SCREEN 1

This module is designed to provide search committee members with some guidelines for pre-employment inquiries when conducting telephone, video or in-person interviews.

SCREEN 2

At this point, we will briefly talk about some do's and don'ts as they relate to the types of questions that are appropriate as well as inappropriate to ask candidates during the interview process. Specifically, questions as they relate to gender and family matters, age, national origin and citizenship, disabilities, and other characteristics.

SCREEN 3

Regarding gender and family matters, it is unlawful to ask someone if they are married, how many children they have, or make an inquiry about their child-care arrangements. It is equally unlawful to attempt to back-door a question such as if or when they plan on starting a family; or if there is a spouse that needs relocation assistance if they get the job.

However, it is okay to ask if they have ever used a different last name or if any responsibilities or commitments would prevent them from adhering to a specific work schedule.

SCREEN 4

Regarding age, it is unlawful to ask someone's date of birth, the year they graduated from high school, or the age in which they plan to retire. It is okay to ask them if they are offered the job, could they provide proof that they meet the minimum legal age requirement. It is also okay to ask someone how long they plan on staying in the position should they be the successful candidate.

SCREEN 5

Regarding national origin and/or citizenship, it is unlawful to ask an applicant where they were born, the origin of their last name, or if they are a U.S. citizen. However, you can ask questions about someone's legal authorization to work in the specific position as long as ALL the applicants are asked the same question such as – could you provide verification of your right to work in the U.S.

And while you cannot ask an applicant "what is your native language", you can ask if they speak languages other than English that might be helpful in performing the job.

SCREEN 6

The Americans with Disabilities Act Amendments Act, also known as the ADAAA prohibits any pre-employment questions about a person's disability. Before you make a job offer, you may ask questions about an applicant's ability to perform specific job functions. You may not, however, inquire about the nature or severity of a disability, ask about limitations placed on an applicant, ask if they ever been

injured on the job, or ask if they ever filed a worker's compensation claim. You cannot ask what medications they are currently taking, nor can you ask if they have ever been addicted to or treated for drugs and/or alcohol. And, you absolutely cannot ask an applicant if they have a disability or if they need an accommodation even if they show up in a wheelchair.

What you can ask is how they would go about performing the job, if they would be able to perform assignments in a safe manner, if they can meet the attendance requirements of the job, if they have the licenses and certifications required, or if they have ever used illegal drugs.

You can require a medical exam and/or ask health-related questions "post-offer, pre-hire" which is after you make a conditional job offer, but before an applicant starts work. But only if you require this for all candidates who receive conditional offers in the same job category.

SCREEN 7

When it comes to other characteristics regarding an applicant's personal history and business, it is appropriate to ask if any record of criminal convictions and/or offenses exist, to inquire about degrees or equivalent experience, or to ask about professional organizations related to the position. It is also appropriate for the interviewer to describe the work schedule so that the applicant can determine if it conflicts with their personal religious beliefs or traditions. Remember that all candidates should be subject to the same inquiries.

SCREEN 8

However, we caution you to tread wisely when inquiring about some characteristics related to an applicant's personal history and business. Specifically, it is inappropriate to make inquires about an applicant's credit report, home ownership or garnishments; to make inquiries about membership in a specific political party; to make inquiries about memberships in professional organizations suggesting race, sex, religion, genetic information, national origin, disability, or sexual orientation; or to make comments about an applicant's complexion, color of skin, height, weight, or sexual orientation. Also, it is not appropriate to inquire about a candidate's arrest record. It is inappropriate to ask about an applicant's religious preferences, affiliation or denomination.

As you proceed with this important work, please do not hesitate to contact our office should you ever have any questions. You can reach the Office of Equity and Diversity by calling (419) 372-8476. Or you can go to our website which is located at http://www.bgsu.edu/offices/oed/index.html.

The contents of this presentation can be found on the Office of Equity and Diversity's website.

Thank you for your time.