

OFFICE OF HUMAN RESOURCES MANAGEMENT

UNIVERSITY AT ALBANY State University of New York

OHRM ORGANIZATIONAL UNITS

BENEFITS
EMPLOYEE RELATIONS
HR INFORMATION SYSTEMS
IMMIGRATION & VISA SERVICES
PAYROLL
PERSONNEL OPERATIONS
SPONSORED FUNDS PERSONNEL
TIME AND ATTENDANCE
TRAINING

IMPORTANT HR INFORMATION

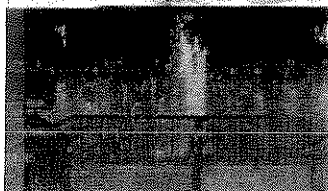
EMPLOYMENT OPPORTUNITIES
FORMS
POLICIES/PROCEDURES
RECRUITMENT HELP
STAFF LISTING
STATE SALARY SCHEDULES

JOB DESCRIPTIONS

CLASSIFIED
PROFESSIONAL

SITE INFORMATION

GO BACK
LINKS TO OTHER SITES
PRIVACY POLICY
SITE MAP



Center Fountain and Reflecting Pool

Personnel Operations

www.hrworld.com/features/30-interview-questions-111507/

Legal/Illegal Interview Questions

AREA OF INQUIRY	LEGAL	ILLEGAL	LEGISLATION
Name	For access purposes inquiry into whether the applicant's work records are under another name.	<ul style="list-style-type: none"> To ask if a woman is Miss, Mrs. or Ms. To request applicant to give maiden name or any previous name s/he has used. 	<ul style="list-style-type: none"> Title VII of Civil Rights Act of 1964 as amended by the Equal Opportunity Act of 1972. Title VII and IX of the Education Amendments of 1972. ORC 4112.
Address/Housing	<ul style="list-style-type: none"> To request place and length of current and previous address To ask for applicant's phone number or how s/he can be reached. 		<ul style="list-style-type: none"> Title VII. ORC 4112.
Age	Require proof of age by birth certificate, AFTER HIRING.	<ul style="list-style-type: none"> To ask age or age group of applicant. To request birth certificate or baptismal record before hiring. 	<ul style="list-style-type: none"> Age Discrimination Act of 1967. ORC 4112.
Birthplace/ National Origin		<ul style="list-style-type: none"> To ask birthplace of applicant or that of his/her parents, grandparents and/or spouse. Any other inquiry into national origin. 	<ul style="list-style-type: none"> Title VII. ORC 4112.
Race/Color	<ul style="list-style-type: none"> To indicate that the institution is an equal opportunity employer. To ask race for affirmative action plan statistics 	Any inquiry that would indicate race and/or color.	<ul style="list-style-type: none"> Title VII. ORC 4112.

	AFTER HIRING.		
Gender	<ul style="list-style-type: none"> To indicate that the institution is an equal opportunity employer. To ask gender for affirmative action plan statistics AFTER HIRING. 	To ask applicant any inquiry which would indicate gender unless job related. (Only such jobs in education would be a full time locker room or restroom attendant.)	<ul style="list-style-type: none"> Title VII. Title IX. ORC 4112.
Religion/Creed		<ul style="list-style-type: none"> To ask applicant's religion or religious customs and/or holidays. To request recommendations from church officials. 	<ul style="list-style-type: none"> Title VII. ORC 4112.
Citizenship	<ul style="list-style-type: none"> Whether a U.S. citizen. If no, whether intends to become one. If U.S. residence is legal. If spouse is a citizen. Require proof of citizenship AFTER HIRING. 	<ul style="list-style-type: none"> If native born or naturalized. Proof of citizenship before hiring. Whether parents and/or spouse is native born or naturalized. Date of citizenship. 	<ul style="list-style-type: none"> Title VII. ORC 4112.
Marital/Parental Status	<ul style="list-style-type: none"> Married or single status only AFTER HIRING for insurance and tax purposes. Number and ages of dependents and age of spouse AFTER HIRING for insurance and tax purposes. 	<ul style="list-style-type: none"> To ask marital status before hiring. To ask the number and age of children, who cares for them and if applicant plans to have more children. 	<ul style="list-style-type: none"> Title VII. Title IX. ORC 4112.
Relatives	To ask name, relationship and address of person to be notified in case of emergency AFTER HIRING.	Names of relatives working for the institution or district. (Nepotism policies which impact disparately on one gender are illegal under Title IX.)	<ul style="list-style-type: none"> Title VII. Title IX. ORC 4112.
Military Service	<ul style="list-style-type: none"> Inquiry into service in U.S. armed forces. Branch of service and rank attained. Any job related experience. Require military discharge certificate after hiring. 	<ul style="list-style-type: none"> To request military records. To ask about military service of any country other than the U.S. Type of discharge. 	<ul style="list-style-type: none"> Title VII. Title IX. ORC 4112. EEOC interpretation on <u>Title VI.*</u>
Education	<ul style="list-style-type: none"> To ask what academic, professional or vocational schools 	<ul style="list-style-type: none"> Specifically ask the nationality, racial or religious affiliation of schools attended. 	<ul style="list-style-type: none"> Title VII. ORC 4112.

	<ul style="list-style-type: none"> attended. To ask about language skills such as reading and writing foreign languages. 	<ul style="list-style-type: none"> To ask how foreign language ability was acquired. 	
Criminal Record	To request listing of convictions other than misdemeanors.	To inquire about arrests.	<ul style="list-style-type: none"> Title VII. ORC 4112.
References	To request general and work references not relating to race, color, religion, sex, national origin or ancestry.	To request references specifically from clergy or any other persons who might reflect race, color, religion, sex, national origin or ancestry.	<ul style="list-style-type: none"> Title VII. Title IX. ORC 4112.
Organizations	<ul style="list-style-type: none"> To ask organizational membership (professional, social, etc.) so long as affiliation is not used to discriminate on the basis of race, sex, national origin or ancestry. Offices held, if any. 	To request listing of all clubs applicant belongs to or has belonged to.	<ul style="list-style-type: none"> Title VII. TITLE IX. ORC 4112.
Photographs	May be required AFTER HIRING for identification purposes.	<ul style="list-style-type: none"> Request photographs before hiring. To take pictures of applicants during interviews. 	<ul style="list-style-type: none"> Title VII. Title IX. ORC 4112.
Work Schedules	<ul style="list-style-type: none"> To ask willingness to work required work schedule. To ask if applicant has military reservist obligations. 	To ask willingness to work any particular religious holiday.	<ul style="list-style-type: none"> Title VII. ORC 4112.
Physical Data	<ul style="list-style-type: none"> To require applicant to prove ability to do manual labor, lifting and other physical requirements. Require a physical examination. 	To ask height and weight, impairment or other non specified job-related physical data.	
Handicap	To inquire for the purpose of determining applicant's capability to perform the job. (Burden of proof for non-discrimination lies with the employer.)	To exclude handicapped applicants as a class on the basis of their type of handicap. (Each case must be determined on an individual basis by law.)	<ul style="list-style-type: none"> Title IX. Handicap Discrimination Guidelines. ORC 4112.
Other Qualifications	To inquire about any area that has a direct reflection on the job applied for.	Any non job related inquiry that may present information permitting unlawful discrimination.	

*The designated legislation is the primary statutory authority. However, the interpretive regulation of the legislation is the basis for determining the finer points and these regulations should be reviewed to determine a question's legality.