



Interview Questions Dos and Don'ts: Questions You May Ask and Not Ask

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Interview Questions Dos and Don'ts: Questions You May Ask and Not Ask

By Cadence Group

This summary of questions and topics permitted and not permitted when interviewing applicants is provided as a guideline to be used in the interviewing process. The list was compiled from information provided by the Society for Human Resources Management (SHRM).

Subject	You may ask	You may not ask
Age	If state child protective and safety laws apply, you may ask if the applicant is over that minimum age. "Are you over age 18?"	No other questions or inquiries are permitted, such as: "How old are you?"
Birthplace		About birthplace; birthplace of spouse, parents or other relatives.
Citizenship	"Do you have the legal right to work in the United States and do you have documentation of that right?"	"Are you a U.S. citizen?" "In what country do you have citizenship?" "Are you a naturalized U.S. citizen?" "When did you become a citizen?"
Criminal history	"Were you ever convicted of a felony?" (<i>This question can be asked only if the inquiry is job-related and there is a significant business necessity.</i>)	"Were you ever arrested? If so, when, where, and what was the disposition?" "How many traffic tickets have you received?"
Disability/handicap	"Here are the job requirements of the position. Is there any reason that you cannot perform all the activities of the job?"	"Do you have a disability?" "Have you filed any workers' compensation claims?" "Have you been treated for any of the following diseases? " (for example, AIDS) "Have you had recent or past surgeries or past medical problems?"
Education	About academic, vocational or professional education or public or private schools attended.	"Did your parents pay for your education?" "When did you attend college?" (Dates may provide information about applicant's age.)



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Experience	About applicant's work history, experience, strengths and weaknesses.	
Language	<p>"What foreign languages do you read fluently? Write fluently? Speak fluently?"</p> <p>"Do you speak and write English fluently?" (Only if job-related.)</p>	<p>"How did you learn to speak (foreign language)?"</p> <p>"Do you speak (foreign language) at home?"</p> <p>"How did you acquire the ability to speak (foreign language)?"</p>
Marital status		<p>About marital status, living arrangements, spouse's occupation, children, child care arrangements.</p> <p>"Do you have children?"</p> <p>"What are your child care arrangements?"</p>
Military experience	<p>This area is not clear because some case law has found that using military service or type of discharge may have a disparate impact upon minority servicemen. (It is advisable to use military service as work experience.)</p>	<p>General questions about the applicant's military experience.</p>
Name		<p>"Have you changed your name?"</p> <p>"What is your maiden name?"</p> <p>"Have you ever worked under another name?"</p>
National origin		<p>About lineage, ancestry, national origin, descent, parentage, nationality or nationality of parents or spouse.</p>
Organizations	<p>"Are you a member of any professional organization that is relevant to the position for which you are applying?"</p>	<p>About the clubs, societies, and organizations of which the applicant is a member.</p>
Photograph		<p>An applicant may not be asked to affix a photograph to an application or a resume at any time before actual employment.</p>



Subject	You may ask	You may not ask
Race or color		About complexion or color of skin
Relatives	“Do you have any relatives employed by the company?”	Names, addresses, ages, number or other information concerning children or other relatives not employed by the company.
Religion or creed		About religious denomination, religious affiliation, church, synagogue, parish, pastor, rabbi or religious holidays observed.
Sex		No questions or inquiries are permitted.
Smoking	(Depending on State Law...) “Our smoking policy is _____. Can you adhere to it?”	“Do you smoke?”

Source: *HR Now!* December 2004 and www.SHRM.org

Conclusion

Plan your interviews well in advance and use a written set of questions so that you address only those topics permitted by law. If you are in doubt about an area, check with your Human Resources department before you ask the applicant.

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About Cadence Group

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