

# GUIDE TO LEGAL AND ILLEGAL PRE-EMPLOYMENT INQUIRIES

## Introduction

### Preparing to interview :

Any interviewer represents the College, and job candidates will perceive any interview encounter as "acceptable college practice". Therefore, as you prepare your interview questions, ask yourself:

Is the question legal?

If it is legal, is it appropriate?

When in doubt, don't ask. Focus on the job -related information.

Please note: Every interaction with the candidate constitutes part of the interview: phone conversations, transport to and from a hotel, meals, walking across campus, etc. Everyone who will have contact with candidates should therefore be made aware of areas of inquiry that are not appropriate or illegal questions that should not be asked.

If a person volunteers information that is not job related, direct the conversation back to job -related topics. Information volunteered by an applicant that is not job -related – especially information about a job applicant's protected status (see below) – should not affect your decision about the applicant's ability to do the job. Refer difficult questions and issues to Human Resources.

### Pre -employment Inquiries:

Throughout the interviewing process, it is important for the person(s) conducting the interview to be aware of the anti -discrimination laws with regard to pre -employment inquiries. These laws apply not only to recruitment 222

Subject	Lawful Inquiries	Unlawful Inquires
Name	<p>Whether the applicant has worked under another name.</p> <p>Have you ever worked for this college under a different name? Is any additional information relative to change of name?</p> <p>x w</p>	<p>naqyb6411(h)9(ed )JTJ 10.004 Tc 40.001 Tw 0 -1.213 ue-25(ro)1(bf0(der )18derss t(</p>

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Subject	Lawful Inquiries	Unlawful Inquires
Religion or Creed	No acceptable inquiry.	Any question requesting the applicant's religious denomination, religious affiliations, church, parish, pastor or religious holidays