

Guide for Pre-employment Inquiries

Category	It is discriminatory to inquire about:	Examples of acceptable inquiries:
1) Name	<ul style="list-style-type: none"> a. The fact of a change of name or the original name of an applicant whose name has been legally changed. b. Maiden name. 	<ul style="list-style-type: none"> a. Information relative to change of name, use of an assumed name or nickname necessary to enable a check on applicant's work records.
2) Birthplace and Residence	<ul style="list-style-type: none"> a. Birthplace of applicant or spouse. b. Birthplace of applicant's parents. c. Requirement that the applicant submit birth certificate, naturalization or baptismal record (see citizenship item). 	<ul style="list-style-type: none"> a. Applicant's place of residence. b. Length of applicant's residence in city where the employer is located
3) Creed and Religion	<ul style="list-style-type: none"> a. Applicant's religious affiliation. b. Church, parish or religious holidays observed by applicant, and whether religious beliefs prevent applicant from working on those days. 	<ul style="list-style-type: none"> a. None; however, an employer may state the regular work days, hours and shifts to be worked, as well as religious days on which operations are closed.
4) Race or Color	<ul style="list-style-type: none"> a. Applicant's race. b. Color of applicant's skin, eyes, hair, etc. 	<ul style="list-style-type: none"> a. None
5) Photographs and Fingerprints	<ul style="list-style-type: none"> a. Photographs with application. b. Photographs after interview, but before hiring. 	<ul style="list-style-type: none"> a. Statement that photograph and/or fingerprints may be required after employment.
6) Age	<ul style="list-style-type: none"> a. Date of birth or age of an applicant except when such information is needed for or to: <ul style="list-style-type: none"> 1. Maintain apprenticeship requirements based upon a reasonable minimum age. 2. Satisfy the provisions of either state or federal minimum age statutes. 3. Avoid interference with the operation of the terms and conditions and administration of any bona fide retirement pension employee benefit program. 4. Verify that applicant is above the minimum legal age but without asking for a birth certificate. b. Age specifications or limitations in newspaper advertisements which might bar workers under or over a certain age. c. Dates of attendance or completion of 	<ul style="list-style-type: none"> a. Statement that applicant's hire is subject to verification that he/she meets legal age requirements. b. If hired, can you furnish proof of age? c. Are you over 18 years of age? d. If under 18, can you submit a work permit after employment?

elementary or high school.

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| 7) Education | <ul style="list-style-type: none">a. Specific years of attendance or graduation.b. Who paid for educational expenses while in school.c. Whether applicant still owes on loans taken out while in school. | <ul style="list-style-type: none">a. Academic, vocational or professional education and the public and private schools attended. |
| 8) Citizenship | <ul style="list-style-type: none">a. Any inquiry into whether applicant is or intends to become a citizen of the United States.b. Any requirement that applicants produce naturalization or alien registration prior to employment.c. Requirement of production of naturalization or alien registration prior to employment. | <ul style="list-style-type: none">a. Can you, after employment, submit verification of your legal right to work in the United States? |
| 9) National Origin and Ancestry | <ul style="list-style-type: none">a. Applicant's lineage, ancestry, national origin, descent, parentage or nationality.b. Language commonly used by applicant.c. How applicant acquired the ability to read, write or speak a foreign language. | <ul style="list-style-type: none">a. What language the applicant speaks, writes, reads or understands (may be asked only if language other than English is relevant to the job being applied for). |
| 10) Language | <ul style="list-style-type: none">a. Applicant's mother tongue.b. Language commonly used by applicant at applicant's home.c. How the applicant acquired ability to read, write or speak a foreign language. | <ul style="list-style-type: none">a. Languages applicant speaks and/or writes fluently. |
| 11) Relatives | <ul style="list-style-type: none">a. Name and/or address of any relative of applicant. | <ul style="list-style-type: none">a. Names of relatives already employed by the company or by a competitor. |
| 12) Military Experience | <ul style="list-style-type: none">a. Applicant's military experience in other than U.S. Armed Forces.b. National Guard or Reserve Units of applicant.c. Draft classification or other eligibility for military service.d. Dates and conditions of discharge. | <ul style="list-style-type: none">a. Military experience of applicant in the U.S. Armed Forces, including any relevant skills acquired.b. Whether separation from military service was for any reason other than an honorable discharge.c. Whether applicant has received any notice to report for duty in the Armed Forces. |
| 13) Organization(s) | <ul style="list-style-type: none">a. Clubs, societies, lodges or organizations to which the applicant belongs, which might indicate race, religion, etc.b. Names of any service organizations of which applicant is a member. | <ul style="list-style-type: none">a. Applicant's membership in any professional or trade organization, unless they indicate applicant's race, religion, ancestry, sex or age. |

- 14) **References**
- a. The name of the applicant's pastor or religious leader.
 - b. Any questions of applicant's former employers or acquaintances that elicit information concerning applicant's race, sex, color, religion, national origin, physical handicap, marital status, age, sexual orientation or medical condition.
- 15) **Sex and Marital Status**
- a. Sex of applicant.
 - b. Marital status of applicant.
 - c. Dependents of applicant.
 - d. Whether applicant has made provisions for child care.
 - e. Whether applicant is pregnant, or uses birth control.
 - f. With whom applicant resides.
 - g. Whether applicant lives with his/her parents.
 - h. Applicant's maiden name.
 - i. Name of spouse or children.
 - j. Child support obligations.
- 16) **Arrest Record**
- a. The number and kinds of arrests of an applicant.
 - b. Misdemeanor convictions for possession of marijuana that are more than two years old.
- 17) **Height or Weight**
- a. Any inquiry into height or weight of applicant, except where it is a bona fide occupational requirement.
- 18) **Disability or Physical or Mental Condition**
- a. Inquiry into applicant's general medical condition, state of health or illness, physical or mental disabilities.
 - b. Questions regarding receipt of workers' compensation.
- 19) **Notice in Event of Emergency**
- a. Name and address of *relative* to be notified in case of accident or emergency.
- a. Names of persons willing to provide professional and/or character references for applicant.
 - b. Names of persons who suggested applicant apply for a position with the employer.
 - c. Request of applicant for written consent to a former employer's giving of a narrative job reference.
- a. The name and address of applicant's parent or guardian (for minors only, if applicable to the job).
 - b. Name and position of any relatives already employed by the company.
- a. Number and kinds of convictions for criminal offenses (must be accompanied by a statement that a conviction will not necessarily disqualify an applicant for employment).
- a. Whether applicant is able to perform the essential functions of this job (if applicant voluntarily discloses a disability, can inquire whether applicant can perform the job notwithstanding the disability or with reasonable accommodation).
 - b. Statement that employment offer may be made contingent to applicant passing a job-related physical exam.
- a. Name and address of *person* to be notified in case of accident or emergency.