

Acceptable and Unacceptable Inquiries for Interviews and/or Applications

Acceptable	Unacceptable	Why	Acceptable	Unacceptable	Why
Attendance What hours and days can you work? Do you have responsibilities other than work that will interfere with specific job requirements such as traveling? Are there specific times that you cannot work? Do you have a reliable method of getting to work?	How many children do you have? What are your child care arrangements? What religion are you? Do you own a car?	Could be viewed as discriminatory toward females Could be viewed as religious discrimination Could be considered racial discrimination	Emergency Conct. What is the name and address of the person to be notified in case of an emergency? (Request only after the individual has been employed.)	What is the name and address of the relative to be notified in case of an emergency?	Could be considered national origin discrimination and possibly could violate state antidiscrimination laws relative to sexual orientation
Arrest & Conviction Have you ever been convicted of a felony? * * Please see note below for additional guidance	Have you ever been arrested?	Could be considered racial discrimination	Credit Record Credit references may be used if in compliance with the Fair Credit Reporting Act of 1970 and the Consumer Credit Reporting Reform Act of 1996	Do you own your own home? Have you ever declared bankruptcy? Have your wages ever been garnished?	Irrelevant and could be considered racial discrimination
Education Do you have a high school diploma or equivalent? Do you have a university or college degree? (if relevant to job performance)	What year did you graduate from high school or college?	Could be considered age discrimination	Military Record What type of education, training and work experience relevant to job did you receive while in the military?	What type of discharge did you receive?	Irrelevant and could be considered racial discrimination
Organization Inquiry into an applicant's membership in organizations that the applicant considers relevant to his or her ability to perform job	List all clubs, societies and lodges to which you belong.	Could be considered racial or national origin discrimination	Prev. & Current Add. Only if there is a bona fide occupational qualification	What was your previous address? How long did you reside there? How long have you lived at your current address? Do you own your own home?	Could be considered racial or national origin discrimination

***Note on arrest records:** Using arrest or conviction records as an absolute bar to employment disproportionately excludes certain racial groups. Therefore, such records should not be used in this manner unless there is a business need for their use. Thus, an exclusion based on an arrest record is only justified if it appears not only that the conduct is job-related and relatively recent but also that the applicant or employee actually engaged in the conduct for which he or she was arrested. According to the EEOC, whether there is a business need to exclude persons with conviction records from particular jobs depends on the nature of the job, the nature and seriousness of the offense, and the length of time since the conviction and/or incarceration. In addition, some states bar the use of arrest records in employment decisions.