

Impermissible Interview Questions and Their Permissible Counterparts

Subject	Not Allowed to Ask	Permitted to Ask
Age	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Age or Birthdate • Attendance or graduation dates from high school or college 	<p>Permitted to Ask:</p> <ul style="list-style-type: none"> • Can you show proof of age upon hire? • Are you at least 18 years of age? If you are not, can you produce a work permit upon hire?
Arrest or Criminal Record	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Have you ever been arrested? • Have you ever been convicted of a crime? 	<p>Permitted to Ask:</p> <p>None, there are no job-related considerations that would justify asking a candidate a question based on arrest or criminal record.</p> <p><i>Note: Background checks are conducted post-offer according to the Background Check policy.</i></p>
Birthplace or Citizenship	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Are you a U.S. citizen? • Can you provide a birth certificate? • What country are your parents from? • Where are you from? 	<p>Permitted to Ask:</p> <p>Although employers are allowed to ask "If hired, will you be able to provide evidence that you are legally permitted to work in the United States", search committees at UNI do not need to ask this question because candidates are asked this question on their application. For positions that UNI does not provide work authorization sponsorship (i.e. temporary positions and positions not requiring at least a Bachelor's degree), if the candidate has answered 'no' to this question on their application, they cannot be considered further for the position. For non-temporary positions requiring at least a Bachelor's degree, since UNI offers work authorization sponsorship assistance, it is not necessary to ask this question.</p>

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Credit History or Bankruptcy	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Questions regarding a candidate’s credit history or any prior bankruptcy. 	<p>Permitted to Ask:</p> <p>None, there are no job-related considerations that would justify asking an candidate a question based on credit history or prior bankruptcy.</p>
Disabilities	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Do you have a disability? • Have you ever filed a workers compensation claim? • Have you suffered a workplace injury? 	<p>Permitted to Ask:</p> <ul style="list-style-type: none"> • Can you perform the essential functions of this position with or without a reasonable accommodation?
Diversity, Equity & Inclusion	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Questions regarding participation in DEI initiatives 	<p>Permitted to Ask:</p> <p>DEI questions can only be asked if the position is required for DEI-related compliance or accreditation.</p>
Education	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Questions regarding dates of attendance at elementary or high school, graduation dates. • Questions regarding ethnic, social, or religious affiliation of schools attended, sororities/fraternities, etc. 	<p>Permitted to Ask:</p> <ul style="list-style-type: none"> • Do you have a high school diploma or equivalent? (only if required for the position) • What university or college degrees do you have? (only if required for the position)
Ethnicity/National Origin/Race	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Questions requiring candidate to identify race, ethnicity, first/native language, national origin, 	<p>Permitted to Ask:</p> <ul style="list-style-type: none"> • What other languages, other than English, do you read, write or speak? (only if it is relevant to the job)

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	ancestors, or nationality. <ul style="list-style-type: none"> • Questions requiring candidates to identify attitudes about working with, supervising, or being supervised by a person of another race. 	
Family	Not Allowed to Ask: <ul style="list-style-type: none"> • Questions regarding pregnancy, birth control, number and/or ages of children, child bearing, or child care plans. 	Permitted to Ask: None, there are no job-related considerations that would justify asking a candidate a question based on the candidate's family.
Height, Weight or Physical Health	Not Allowed to Ask: <ul style="list-style-type: none"> • What is your height? How much do you weigh? • Do you have any current or previous medical conditions? • Do you have any previous FMLA usage or medical leaves? 	Permitted to Ask: <ul style="list-style-type: none"> • This job requires you to lift 50 pounds on a frequent basis. Are you able to perform this function? (only if based on position requirements)
Hours of Work or Attendance	Not Allowed to Ask: <ul style="list-style-type: none"> • How many sick days have you taken at your previous employer(s)? 	Permitted to Ask: <ul style="list-style-type: none"> • Are you able to work the department's normal work hours? • Are you able to work overtime? (if required for the position)
Legal Matters	Not Allowed to Ask: <ul style="list-style-type: none"> • Questions regarding insurance claims, lawsuits or legal complaints, wage assignments, garnishments, judgments or bankruptcy. 	Permitted to Ask: None, there are no job-related considerations that would justify asking a question regarding the candidate's legal matters.

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Medical History or Genetic Information	Not Allowed to Ask: <ul style="list-style-type: none"> • All questions related to personal or family medical history or genetic information. 	Permitted to Ask: <p>None, there are no job-related considerations that would justify asking a candidate a question based on medical history or genetic information.</p>
Military Service	Not Allowed to Ask: <ul style="list-style-type: none"> • What type of discharge did you receive? • What are your reserve duty obligations? <p><i>Note: HRS will notify the search committee if a candidate has veterans preference.</i></p>	Permitted to Ask: <ul style="list-style-type: none"> • What branch of the Armed Forces did you serve? • What type of training or education did you receive in the military?
Name or Personal Information	Not Allowed to Ask: <ul style="list-style-type: none"> • What is your maiden name? • Has your name been changed by a court order? • What is your mother’s maiden name? • What is your spouse’s name? 	Permitted to Ask: <ul style="list-style-type: none"> • Have you ever worked for us before under any other name?
Organizations, Activities, or Affiliations	Not Allowed to Ask: <ul style="list-style-type: none"> • What is your political affiliation? • Are you a union member? • What personal clubs or organizations are you a member of? • Are you a member of a protected class? 	Permitted to Ask: <ul style="list-style-type: none"> • Are you a member of a professional organization that is relevant to this position?

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	<p><i>Note: avoid all questions about nonprofessional organizations that could be seen as a question about race, age, sex, etc.</i></p>	
<p>Prior Drug and Alcohol Use</p>	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • All questions related to prior illegal drug use or alcohol use or participation in a drug/alcohol treatment program. 	<p>Permitted to Ask:</p> <p>Consult with HRS regarding any permitted questions related to drug and alcohol use.</p>
<p>Religion or Creed</p>	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • All questions related to religion or creed. 	<p>Permitted to Ask:</p> <p>None, there are no job-related considerations that would justify asking a candidate a question based on religion or creed.</p>
<p>Salary History</p>	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Questions related to a candidate’s salary history that can perpetuate any previous gender based pay inequities. 	<p>Permitted to Ask:</p> <p>None, there are no job-related considerations that would justify asking a candidate a question regarding previous salary history.</p> <p>The expected salary range for the position should be shared with the candidate and questions regarding if this range meets their expectations can be asked.</p>
<p>Sex, Orientation, Gender or Gender Identity</p>	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • All questions related to sex, orientation, gender or gender identity. 	<p>Permitted to Ask:</p> <p>None, there are no job-related considerations that would justify asking a candidate a question based on sex, orientation, gender or gender identity.</p>