

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 an applicant 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 applicants 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 applicant 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>
Credit History or Bankruptcy	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> • Questions regarding an applicant'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 applicant 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?

Impermissible Interview Questions and Their Permissible Counterparts

Education	Not Allowed to Ask: <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. 	Permitted to Ask: <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	Not Allowed to Ask: <ul style="list-style-type: none"> • Questions requiring applicant to identify race, ethnicity, first/native language, national origin, ancestors, or nationality. • Questions requiring applicant to identify attitudes about working with, supervising, or being supervised by a person of another race. 	Permitted to Ask: <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)
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: <p>None, there are no job-related considerations that would justify asking an applicant a question based on the applicant's family.</p>
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 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: <p>None, there are no job-related considerations that would justify asking a question regarding the applicant's legal matters.</p>

Impermissible Interview Questions and Their Permissible Counterparts

Medical History or Genetic Information	<p>Not Allowed to Ask:</p> <ul style="list-style-type: none"> All questions related to personal or family medical history or genetic information. 	<p>Permitted to Ask:</p> <p>None, there are no job-related considerations that would justify asking an applicant a question based on medical history or genetic information.</p>
Military Service	<p>Not Allowed to Ask:</p> <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 an applicant has veterans preference.</i></p>	<p>Permitted to Ask:</p> <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	<p>Not Allowed to Ask:</p> <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? 	<p>Permitted to Ask:</p> <ul style="list-style-type: none"> Have you ever worked for us before under any other name?
Organizations, Activities, or Affiliations	<p>Not Allowed to Ask:</p> <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? <p><i>Note: avoid all questions about non-professional organizations that could be seen as a question about race, age, sex, etc.</i></p>	<p>Permitted to Ask:</p> <ul style="list-style-type: none"> Are you a member of a professional organization that is relevant to this position?
Prior Drug and Alcohol Use	<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> <ul style="list-style-type: none"> Do you currently use illegal drugs? Have you used illegal drugs in the past six months?

Impermissible Interview Questions and Their Permissible Counterparts

Religion or Creed	Not Allowed to Ask: <ul style="list-style-type: none"> • All questions related to religion or creed. 	Permitted to Ask: <p>None, there are no job-related considerations that would justify asking an applicant a question based on religion or creed.</p>
Salary History	Not Allowed to Ask: <ul style="list-style-type: none"> • Questions related to an applicant's salary history that can perpetuate any previous gender based pay inequities. 	Permitted to Ask: <p>None, there are no job-related considerations that would justify asking an applicant a question regarding previous salary history.</p>
Sex, Orientation, Gender or Gender Identity	Not Allowed to Ask: <ul style="list-style-type: none"> • All questions related to sex, orientation, gender or gender identity. 	Permitted to Ask: <p>None, there are no job-related considerations that would justify asking an applicant a question based on sex, orientation, gender or gender identity.</p>

Last Updated 12/2019