

# Ask This, Not That! Avoiding Inappropriate Interview Questions

If you've ever skimmed the [\*Eat This, Not That!\*](#) book series, you know the premise of the books is to help you make healthier choices about the foods you eat. Instead of consuming a thick, rich, creamy chocolate milkshake, for example, you could theoretically get the same delicious taste satisfaction – but fewer calories! – by eating fat-free, no-sugar-added chocolate pudding (theoretically).

Anyway, the list below aims to do for recruiters and hiring managers what these books do for conscientious eaters: Achieve the desired results by making better choices. In order to achieve their goals of getting certain information out of candidates, recruiters and hiring managers need to be careful in the way they phrase certain interview questions; otherwise, they could face potential legal ramifications.

Recruiters and hiring managers should already know that any question that asks a candidate to reveal information about his or her national origin, citizenship, age, marital status, disabilities, arrest record, military discharges, or personal information is a violation of [Title VII of the Civil Rights Act of 1964](#).

But while avoiding these subjects sounds easy enough, it's not always glaringly obvious what questions might be construed as inappropriate – even when they seem harmless on the surface. Below is a guideline to avoiding 10 potentially dangerous questions – while still getting the information you're looking for.

1. **Ask this:** Are you legally authorized to work in the United States? **Not that:** Are you a U.S. citizen? *or* Where were your parents born? *Questions about national origin or ancestry are prohibited as they have no relevance to the job at hand or work status. The exception to this rule, of course, is if the position specifically requires one to be a U.S. citizen (and it should state so in the job posting).*
2. **Ask this:** What is your current address and phone number? *or* Do you have any alternative locations where you can be reached? **Not that:** How long have you lived here? *Like the question above, this one alludes to a candidate's citizenship. Stay away.*
3. **Ask this:** Are you able to perform the specific duties of this position? **Not that:** Do you have any disabilities? *or* Have you had any recent or past illnesses and operations? *You may want to know about a candidate's ability to handle certain responsibilities or perform certain jobs, but asking about disabilities or illnesses of any sort is not the way find out (legally, at least).*
4. **Ask this:** Are you a member of any professional or trade groups that are relevant to our industry? **Not that:** Do you belong to any clubs or social organizations? *You might simply be trying to learn about a candidate's interests and activities outside of work, but a general question about organizational membership could tap into a candidate's political and religious affiliations or other personal matters.*

5. **Ask this:** Have you ever been convicted of “x” [something that is substantially related to the job]? **Not that:** Have you ever been arrested? *Questions about arrests or pending charges for jobs that are NOT substantially related to the particular job are off-limits.*
6. **Ask this...**What are your long-term career goals? **Not that...** How much longer do you plan to work before you retire? *While you may not want to hire an older worker who will retire in a few years, you can't dismiss an applicant for this reason.*
7. **Ask this...**Are you available to work overtime on occasion? Can you travel? **Not that...**Do you have children? *or* Can you get a babysitter on short notice for overtime or travel? *You might be concerned that family obligations will get in the way of work, but you can't ask or make assumptions about family situations. ([You know what happens when you assume.](#)) Cut to the chase by asking directly about the candidate's availability.*
8. **Ask this...**Are you available to work within our required schedule? **Not that...**What religion do you practice? *or* What religious holidays do you observe? *Again, you might simply be trying to discern a candidate's availability, but leave religion out of it.*
9. **Ask this...** Are you over the age of 18? **Not that...**How old are you? *or* When did you graduate from college? *If you know a candidate's age, you could find yourself facing discrimination charges at some point. Your only concern should be as to whether the candidate is legally old enough to work for your organization.*
10. **Ask this...**Is additional information, such as a different name or nickname necessary in order to check job references? **Not that...**Is this your maiden name? *or* Do you prefer to be called “Ms.,” “Miss,” or “Mrs.?” *Be sure to avoid any question that alludes to a woman's marital status – as well as anything that could be construed as a question referring to national origin or ancestry (e.g. “Your name is interesting. What nationality is it?”).*

**When in doubt...**keep it work-related. According to the [University of Wisconsin-Eau Claire](#), if employers can phrase questions so that they directly relate to specific occupational qualifications, then the questions may be legitimate ones.