

Provided By
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PRE-EMPLOYMENT INQUIRY GUIDELINES

| ACCEPTABLE | SUBJECT | UNACCEPTABLE |
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| <p>Name</p> <p>“Have you ever used another name? /or/ Is any additional information relative to change of name, use of an assumed name, or nickname necessary to enable to check on your work and education record? If yes, please explain.”</p> | NAME | Maiden name. |
| <p>Place of residence</p> <p>Statement that hire is subject to verification that applicant meets legal age requirements.</p> <p>“If hired can you show proof of age?”</p> <p>“Are you over eighteen years of age?”</p> <p>“If under eighteen, can your after employment, submit a work permit?”</p> | RESIDENCE | “Do you own or rent your home?” |
| <p>“Can you, after employment, submit verification of your legal right to work in the United States?” /or/ Statement that such proof may be required after employment.</p> | AGE | Age Birthdate Dates of attendance or completion of elementary or high school Questions which tend to identify applicants over age 40. |
| <p>Languages applicant reads, speaks, or writes.</p> <p>If use of language other than English is relevant to the job for which applicant is applying.</p> | BIRTHPLACE, CITIZENSHIP | Birthplace of applicant, applicant’s parents, spouse, or other relatives. “Are you a U.S. citizen?” /or/ Citizenship of applicant, applicant’s parents, spouse, or other relatives. Requirements that applicant produce naturalization, first papers, or alien card <i>prior to employment</i> . |
| <p>Name and address of parent or guardian if applicant is a minor.</p> <p>Statement of company policy regarding work assignment of employees who are related.</p> | NATIONAL ORIGIN | Questions as to nationality, lineage, ancestry, national origin, descent, or parentage of applicant, applicant’s parents, or spouse. “What is your mother tongue?” /or/ Language commonly used by applicant. How applicant acquired ability to read, write, or speak a foreign language. |
| <p>Statement that photograph may be required after employment.</p> | SEX, MARITAL STATUS, FAMILY | Questions which indicate applicant’s sex. Questions which indicate applicant’s marital status. Number and/or ages of children or dependents. Provisions for childcare. Questions regarding pregnancy, child bearing, or birth control. Name or address of relative, spouse, or children of adult applicant. “With whom do you reside?” /or/ “Do you live with your parents?” |
| | RACE, COLOR | Questions as to applicant’s race or color. Questions regarding applicant’s complexion or Color of skin, eyes, hair. |
| | PHYSICAL DESCRIPTION, PHOTOGRAPH | Questions as to applicant’s height and weight. Require applicant to affix photograph to application. Request applicant, at his or her option, to submit a photograph. Require a photograph after interview but before employment. |

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| Statement by employer that offer may be made contingent on applicant passing a job-related physical examination. "Do you have any physical condition or handicap which may limit your ability to perform the job applied for? If yes, what can be done to accommodate your limitation?" | PHYSICAL CONDITION, HANDICAP | Questions regarding applicant's general medical condition, state of health, or illnesses. Questions regarding receipt of Workers' Compensation. "Do you have any physical disabilities or handicaps?" |
| Statement by employer of regular days, hours, or shifts to be worked. | RELIGION | Questions regarding applicant's religion. Religious days observed /or/ "Does your religion prevent you from working weekends or holidays?" |
| "Have you ever been convicted of a felony?" Such a question must be accompanied by a statement that a conviction will not necessarily disqualify applicant from the job applied for. | ARREST, CRIMINAL RECORD | Arrest record /or/ "Have you ever been arrested?" |
| Statement that bonding is a condition of hire. | BONDING | Questions regarding refusal or cancellation of bonding. |
| Question regarding relevant skills acquired during applicant's U.S. military service. | MILITARY SERVICE | General questions regarding military services such as dates, and type of discharge. Questions regarding service in a foreign military. |
| | ECONOMIC STATUS | Questions regarding applicant's current or past assets, liabilities, or credit rating, including bankruptcy or garnishment. |
| "Please list job-related organizations, clubs, professional societies, or other associations to which you belong – you may omit those which indicate your race, religious creed, color, national origin, ancestry, sex, or age." | ORGANIZATIONS, ACTIVITIES | "List all organizations, clubs, societies, and lodges to which you belong." |
| "By whom were you referred for a position here?" Names of persons willing to provide professional and/or character references for applicant. | REFERENCES | Questions of applicant's former employers or acquaintances which elicit information specifying the applicant's race, color, religious creed, national origin, ancestry, physical handicap, medical condition, marital status, age, or sex. |
| Name and address of person to be notified in case of accident or emergency. | NOTIFY IN CASE OF EMERGENCY | Name and address of relative to be notified in case of accident or emergency. |

Fair Employment and Housing Act prohibits any non-job-related inquiry, either verbal or through the use of an application form, which directly or indirectly limits a person's employment opportunities because of race, color, religion, national origin, ancestry, medical condition (cancer related), physical handicap, marital status, sex, or age (40+). The regulations of the Fair Employment and Housing Commission define this to include any question which:

- ☐ Identifies a person on a basis covered by the Act.
- Or
- ☐ Results in the disproportionate screening out of members of a protected group.
- Or
- ☐ Is not a valid predictor of successful job performance.

It is the employer's right to establish job-related requirements and to seek the most qualified individual for the job. It is presumed that the information obtained through application forms and interviews is used by the employer in making selection and assignment decisions. For this reason, the employers should make only those inquiries necessary to determine the applicant's eligibility to be considered for employment. Documents required for legitimate business purposes which reveal protected information (such as birth certificates, naturalization papers, or medical histories), may be requested at the point of hire, not before. (The point of hire is reached once the employer has decided to hire and so informs the applicant.)