



Illegal Interview Questions

These are a few examples of legal versus illegal interview questions. It is very important that your human resources department reviews all interview questions to ensure they are legal and non-discriminatory. It is also important to remember that you must ask all candidates the same questions.

Category	Legal	Illegal	Why?
Disability	Will you be able to perform the essential duties and functions of this position with or without reasonable accommodations?	Do you have any disabilities?	It is prohibited to ask an applicant whether they are disabled or asking them about the nature and severity of their disabilities.
Family Status	Are you available for extended or weekend hours?	Do you have any children or are you planning on having any children?	Inquire only about availability; avoid alluding to family constraints that may limit availability. You may only ask about dependents after member acceptance for childcare purposes.
Marital Status	Are you available for extended or weekend hours?	Are you married, single, divorced or separated?	Inquire only about availability; avoid alluding to family constraints that may limit availability.
Military Service/Record	What type of education, training or work experience, do you have that is relevant to this position?	What type of discharge did you receive? Did you serve in the military? Do you have any military records?	It is prohibited to ask an applicant about military discharge unless it is for an occupational qualification such as state job veteran preference or security clearance.
Religious Affiliation	Are you available to work within the required schedule?	What religious holidays do you need off?	Specific question about religion are prohibited.