

**N.J. DEPARTMENT OF PERSONNEL
GUIDE FOR CONDUCTING PROFESSIONAL INTERVIEWS**

SUBJECT	ACCEPTABLE	INADVISABLE
Availability for Overtime	Inquiries about an applicant's availability for evening and/or weekend work, provided that the inquiry is made of both male and female applicants and provided that the person now doing the job works evenings and/or weekends, or that a definite change in schedule is being implemented.	Asking this question because you think you may occasionally want the person to work evenings or weekends is not recommended. (Reason: question is likely to have an excessive and therefore discriminatory impact on applicants with families – particularly women.)
Citizenship	Whether the applicant is prevented from lawfully becoming employed in this country because of visa or immigration status. Whether the applicant can provide proof of citizenship, visa, alien registration number after being hired. Note: It's better just to show applicants an I-9 Form and explain that, if hired, they will need to provide documents showing that they can work in the US as required by The Immigration Act.	Whether <i>applicant</i> is a citizen. Any requirement that the applicant present proof of citizenship, visa, alien registration number <i>before</i> being hired. Rejecting any of the documentation deemed acceptable on the I-9 Form.
Credit Inquiries	Few, unless job related. Since this is a tricky area, check with management or the Affirmative Action Office before asking any questions. This criteria will have little effect to no effect on positions at DOP.	Inquiries about charge accounts, bank accounts, etc.

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Education	If the individual has the specific education or training required for the specific job.	General questions about high school or college degrees unless you (or your supervisor) can prove the educational degree inquired about is necessary to perform the job. Questions about education dates are also considered age sensitive.
Family Status	Whether applicant has any activities, commitments, or responsibilities that might prevent him or her from meeting work schedules or attendance requirements. Note: These questions must be asked of both men and women or of neither; it is unlawful to ask them only of women or only of men.	Whether the applicant is married/civil union or single (which is simply unlawful in NJ); number and age of children, spouse's/civil union partner's job, spouse's/ civil union partner's or applicant's family responsibilities. Any question asked only of one gender – e.g., asking only women about childcare arrangements. However, some questions that clearly will affect only women are inadvisable even if asked of both men and women applicants.
Financial Status	None	Inquiries about an applicant's financial condition. This has been found to result in discrimination against minorities since minorities on the average have a lower income than whites. Questions about home ownership or car ownership (unless owning a car is required for the job).
Conviction	Inquiry into actual convictions that reasonably relate to performing the particular job.	Inquiries into arrests, court or conviction records not reasonable related to the job or working conditions at issue.

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Height and Weight	Inquiries about ability to perform the job – without mentioning the applicant’s height or weight unless you are able to prove that a specific minimum or maximum height or weight is required to perform the job.	Any inquiry about height or weight that is not based on the actual job requirements.
Marital/Civil Union Status	None	Any questions designed to discover someone’s marital/civil union status.
Military	Inquiries about education, training, or related work experience gained in the US Armed Forces.	Type or condition of military discharge.
National Origin	Inquiries into applicant’s ability to read, write, and speak English or foreign languages when required for the specific job.	Questions about applicant’s lineage, ancestry, national origin, descent, place of birth, or mother tongue, national origin of applicant’s parents or spouse. How the applicant acquired the ability to read, write or speak a foreign language.
Organizations	Inquiries about membership in professional organizations related to the job – e.g., does the applicant for a Personnel Assistant job belong to Human Resources or Personnel Executive society?	Questions about organizations whose name or character indicates members’ economic or social class, race, color, creed, marital/civil union status, religion or national origin, or sexual orientation – e.g., country clubs, social clubs, religious clubs, fraternal orders.
Pregnancy	Inquiries about the applicant’s anticipated duration of stay on the job or anticipated absences – only if made to both male and female applicants.	Any question relating to pregnancy or medical history concerning pregnancy.

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Race or Color	None	Any questions tending to yield information about race or color.
Relatives	Name of applicant's relatives already employed by your organization or competitor. (This inquiry may become unlawful when hiring preference is given to relatives of employees at a time when minorities are considered underrepresented based on a lawful Affirmative Action Plan.)	Requests for the names and addresses of any relatives other than those working for your organization.
Religion or Creed	None	Questions about availability for overtime or weekend work (see above). Questions about an applicant's religious denomination, religious affiliation, church parish, pastor, or religious holidays observed.
Residence	Inquiries about the applicant's address, needed for future contact with the applicant.	Whether the applicant owns or rents his or her home. Name or relationship of person with whom applicant resides.