



LEGAL & INCLUSIVE INTERVIEWING (Last Revised 3/6/2020)

This guide provides examples of appropriate discussion topics for the benefit of hiring managers, hiring team members, human resources and administrative personnel who may participate in and/or coordinate selection activities. Please remember that all interactions with applicants, regardless of the setting, may be considered a part of the selection process. This includes hiring manager interviews, group interviews, phone conversations, testing and simulations, tours, lunches, and all other selection events in which identified applicants and UAH employees are present.

Topic	Illegal and/or Not Advisable	Legal and/or Okay Questions
Name	<ul style="list-style-type: none"> • Maiden or original name 	<ul style="list-style-type: none"> • Applicant's full name • Have you ever worked for UAH under another name?
Address	<ul style="list-style-type: none"> • How long have you lived at your current address? • Do you rent or own your home? 	<ul style="list-style-type: none"> • What is your current address?
Birthplace/National Origin	<ul style="list-style-type: none"> • Where were you born? • Where were your parents born? • When did you come to the U.S.? • What is your national origin? • Are you a native born or naturalized citizen? 	<ul style="list-style-type: none"> • Are you authorized to work in the United States?
Age	<ul style="list-style-type: none"> • How old are you? • What is your birth date? • Questions that may identify persons who are 40 or older 	<ul style="list-style-type: none"> • If hired, can you offer proof that you are at least 18 years of age? <i>(If age is a requirement of the position)</i>
Race	<ul style="list-style-type: none"> • Questions regarding complexion or color of skin. • What is your race? 	<ul style="list-style-type: none"> • None
Religion	<ul style="list-style-type: none"> • What is your religion? • Which church do you attend? • What are your religious holidays? • Are you willing to work on Sundays? (or any particular day) • What is your denomination? 	<ul style="list-style-type: none"> • It is permissible to inform applicants about normal work hours that are required by the job and to ask if s/he is willing to work the schedule on a regular basis.
Ability/Disability*	<ul style="list-style-type: none"> • Do you have a disability(-ies)? • Questions in response to an observed/assumed limitation, such as "What happened to you?" • Have you ever been addicted to drugs? • Have you ever received worker's compensation or do you have any previous work injuries? • Have you ever been absent from work due to illness? 	<ul style="list-style-type: none"> • Applicants may be provided the job description, which includes any physical requirements of the position, including lifting, standing, etc. S/He may be asked, "Are you able to perform the essential functions of this job, with or without a reasonable accommodation?"
Physical/Weight/Height**	<ul style="list-style-type: none"> • What is your height/weight? 	<ul style="list-style-type: none"> • None

Marital/Family Status	<ul style="list-style-type: none"> • Do you have a spouse or partner? • What is your spouse's name? 	<ul style="list-style-type: none"> • Do you have a spouse (or close family member) that is a current UAH employee?
Children	<ul style="list-style-type: none"> • Do you have children?/How many children do you have? • Are you planning to have children? • Are you pregnant? 	<ul style="list-style-type: none"> • None
Sexual Orientation	<ul style="list-style-type: none"> • Are you gay or a member of the LGBTQ community? • Do you have a partner or a spouse? 	<ul style="list-style-type: none"> • None
Arrest Record***	<ul style="list-style-type: none"> • Have you ever been arrested? 	<ul style="list-style-type: none"> • None
Credit***	<ul style="list-style-type: none"> • Do you own your home? • Have your wages ever been garnished? • Have you ever declared bankruptcy? 	<ul style="list-style-type: none"> • None
Education	<ul style="list-style-type: none"> • When did you graduate from high-school? 	<ul style="list-style-type: none"> • Do you have a high school diploma? • Do you have a university or college degree? • Can you provide us with an official transcript?
Military Record	<ul style="list-style-type: none"> • What type of military discharge did you receive? 	<ul style="list-style-type: none"> • What type of education, training, and/or work experience did you receive while in the military?
Organizations	<ul style="list-style-type: none"> • List all clubs, societies and lodges to which you belong. • Are you a union member? 	<ul style="list-style-type: none"> • What type of organizations do you belong to that are relevant to this job?
Experience	<ul style="list-style-type: none"> • What type of non-work-related activities do you enjoy? 	<ul style="list-style-type: none"> • Inquiries into work experience (this may include job-related volunteer experience).
Attendance/Reliability	<ul style="list-style-type: none"> • How many times have you been absent in the last year? • Do you have young children at home?/Do you have a babysitter? 	<ul style="list-style-type: none"> • Are you able to meet the attendance requirements set forth in the job description?

*Should an applicant request an accommodation, please contact Human Resources for assistance. Applicants may have access to reasonable accommodations during the interview process, as well as in the performance of essential job functions once hired.

**Height and weight requirements are rare and are not typically advisable. However, if you believe that your open position has a physical requirement that entails a bona fide qualification for a particular height or weight, please consult with Human Resources to determine if such should become a part of the formal job description.

***Human Resources conducts background checks for all new employees, as a condition of employment. This includes a general criminal background check. For certain senior executive roles and/or roles with high fiduciary responsibility, the background check may be more comprehensive. For more information, contact Human Resources at backgroundchecks@uah.edu.

This reference guide is not intended to be an exhaustive list of legal/illegal questions, but rather, a tool to help promote best practices. For additional assistance, please contact UAH Talent Management at 256.824.6545 or jobs@uah.edu.

