# Understanding Legal vs. Illegal Interview Questions

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<th>INQUIRY AREA</th>
<th>ILLEGAL QUESTIONS</th>
<th>LEGAL QUESTIONS</th>
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| National Origin/Citizenship | • Are you a US citizen?  
• Where were you/your parents born?  
• What is your “native tongue”? | • Are you authorized to work in the United States?  
• What languages do you read/speak/write fluently? (This question is okay only if this ability is relevant to the performance of the job) |
| Age                       | • How old are you?  
• When did you graduate?  
• What’s your birth date? | • Are you over the age of 18?                                                                                                                   |
| Marital/Family Status      | • What’s your marital status?  
• With whom do you live?  
• Do you plan to have a family? When?  
• How many kids do you have?  
• What are your child-care arrangements? | • Would you be willing to relocate of necessary?  
• Would you be able and willing to travel as needed for the job?  
• Would you be able and willing to work overtime as necessary? (These questions are okay assuming they are asked of all applicants for the job.) |
| Affiliations               | • What clubs or social organizations do you belong to? | • List any professional or trade groups or other organizations that you belong to that you consider relevant to your ability to perform this job. |
| Personal                   | • How tall are you? How much do you weigh? (Questions about height and weight are not acceptable unless minimum standards are essential for safe performance of the job.) | • Are you able to lift a 50-pound weight and carry it 100 yards, as this is part of the job?                                                    |
| Disabilities               | • Do you have any disabilities?  
• Please complete the following medical history.  
• Have you had any recent or past illnesses or operations? If yes, list them and give dates when these occurred.  
• What was the date of your last physical exam?  
• How’s your family’s health?  
• When did you lose your eyesight? How? | • Are you able to perform all the essential functions of the job? (This question is okay if the interviewer has thoroughly described the job.)  
• Can you demonstrate how you would perform the following job-related functions?  
• As part of the hiring process, after a job offer has been made, you will be required to undergo a medical exam. (Exam results must be kept strictly confidential, except medical/safety personnel may be informed if emergency medical treatment is required, and supervisors may be informed about necessary job accommodations, based on exam results.) |
| Arrest Record              | • Have you ever been arrested? | • Have you ever been convicted of? (The crime named should be reasonably related to the performance of the job in question.) |
| Military                   | • If you’ve been in the military, were you honorably discharged? | • In what branch of the armed services did you serve?  
• What type of training or education did you receive in the military? |

Source: National Association of Colleges and Employers (Job Choices 2006)