

The 25 Off-Limits Interview Questions

Job interviews present a minefield of legal problems for supervisors. One wrong question could spark a discrimination lawsuit by a rejected candidate. That's why managers should never "wing it" during interviews. Instead, it's best to create a list of interview questions.

Every question you ask should somehow relate to this central theme: *"How are you qualified to perform the job you are applying for?"* Managers usually land in trouble when they ask for information that's irrelevant to a candidate's ability to do the job.

Federal and state laws prohibit discrimination on the basis of an applicant's race, color, national origin, religion, sex, age or disability. Some state laws also prohibit discrimination based on factors such as marital status or sexual orientation. Asking questions relating to any of these topics is legally dangerous.

To avoid the appearance of discrimination during interviews, do not ask the following 25 questions:

1. Are you married? Divorced?
2. If you're single, are you living with anyone?
3. How old are you?
4. Do you have children? If so, how many and how old are they?
5. Do you own or rent your home?
6. What church do you attend?
7. Do you have any debts?
8. Do you belong to any social or political groups?
9. How much and what kinds of insurance do you have?

The following questions relating to a person's health could result in a lawsuit under the Americans with Disabilities Act (ADA) or state disability law:

10. Do you suffer from an illness or disability?
11. Have you ever had or been treated for any of these conditions or diseases?
12. Have you been hospitalized? What for?
13. Have you ever been treated by a psychiatrist or psychologist?
14. Have you had a major illness recently?
15. How many days of work did you miss last year because of illness?
16. Do you have any disabilities or impairments that might affect your performance in this job?
17. Are you taking any prescribed drugs?
18. Have you ever been treated for drug addiction or alcoholism?

Many companies ask female applicants questions they don't ask males. Not smart. Here are some questions to avoid with female applicants:

19. Do you plan to get married?
20. Do you intend to start a family?
21. What are your day care plans?
22. Are you comfortable supervising men?
23. What would you do if your husband were transferred?
24. Do you think you could perform the job as well as a man?
25. Are you likely to take time off under the Family and Medical Leave Act?

Final point: If a job candidate reveals information that you're not allowed to ask, don't pursue the topic further. The "she brought it up" excuse won't fly in court, so change the subject right away.