

PRE-EMPLOYMENT INQUIRY GUIDE

Indiana University Northwest is committed to Equal Employment and Affirmative Action, and all employment decisions will further the principle of equality. In this regard, Indiana University Northwest will recruit, hire, promote, and educate persons without regard to race, color, sex, religion, national origin, disability, gender, gender identity, age, marital status, sexual orientation or status as a veteran.

One of the most effective ways to ensure sound selection procedures and to avoid unlawful discrimination is for individuals involved in the hiring process to develop written, job-related questions which focus on the required skills and abilities for each position. **Inquiries concerning a candidate's race, color, sex, gender, marital status, religion, disability (except as indicated below), etc. are unlawful and must be excluded from the employment process.**

The following contains detailed reference of lawful and unlawful questions to further assist you in conducting the pre-employment inquiry in a non-discriminatory manner.*

LAWFUL QUESTIONS:

Name: Have you ever worked for this University under a different name? Is any additional information relative to a different name necessary to check your work record? If yes, explain.

Age:

Are you under 18 years old? Or, Are you 18 years or older? This question may be asked only for the purpose of determining whether applicants are of legal age for employment.

Disability:

Are you able to perform these tasks (provide a description of the specific job tasks or describe the functions)?

If the applicant indicates that s/he can perform the tasks with an accommodation, s/he may be asked:

- How would you perform the tasks, and with what accommodations?
- How would you do this task and with what adjustment?

If a disability is known (for example, uses a wheelchair or guide dog, or has a missing limb or has volunteered information about a disability) that would appear to intervene with or prevent performance of an essential function, the applicant may be asked to describe or demonstrate how this function would be performed, even if other applicants do not have to do so.

The interviewer may provide information on the position's regular hours, special attendance needs of the job and leave time policies and ask if the applicant can meet these requirements (provided that the requirements actually are applied to all employees in the job category).

Inquiries about previous attendance records may be made, but the question should not refer to illness or disability.

- How many days were you absent from work last year?

(All applicants should be asked this question to avoid the appearance of discrimination against an individual with an apparent disability.)

After making a conditional job offer, questions about prescribed medication that could interfere with performance may be asked to all applicants in the job category.

Are you currently using drugs **illegally**?

After making a conditional job offer, an employer may ask about a person's workers' compensation history in a medical inquiry or examination that is required of all applicants in the same job category.

National Origin: Inquiry into languages applicants speak and write fluently.

After making a conditional offer, an employer may inform the job applicant that s/he will have to produce documents to prove work eligibility.

Other:

What professional or career organizations are you active in that are related to the responsibilities of this position?

Inquiry into willingness to work required work schedule may be asked of all applicants in the job category.

UNLAWFUL QUESTIONS:

Age:

How old are you?

What is your date of birth?

How do you feel about working for a person younger than you?

Disability:

Do you have any disabilities?

Do you have any handicaps?

Do you have any physical defects which preclude you from performing certain kind of work? If yes, describe such defects and specific work limitations.

Is there any health-related reason you may not be able to perform the job for which you are applying?

Do you have any disabilities or impairments (or handicaps) which may affect your performance in the position for which you are applying?

If disability is known:

-How severe is your disability?

-What is the nature of your disability?

- Does your disability prevent or limit your performance in the position for which you are applying?
- What is the prognosis or expectation regarding the condition or disability?
- Will you need or request a leave for special treatment or special leave because of the disability?

Have you ever had or been treated for any of the following conditions or diseases? (Followed by a checklist for various conditions and diseases)

Please list any conditions or diseases for which you have been treated in the past three years.

Have you ever been hospitalized? If so, for what conditions?

Have you ever been treated by a psychiatrist or psychologist? If so, for what conditions?

Have you ever been treated for any mental conditions?

Have you had a major illness in the last _____ years?

How many days were you absent from work because of illness last year?

Is your poor attendance record due to illness, accident, or disability?

Are you taking prescribed drugs?

Have you ever been treated for drug addiction or alcoholism?

Have you ever filed for worker's compensation benefits?

Do you have any family members or relatives that are disabled?

Are you caring for a disabled dependent or family member?

(Discrimination against an individual, whether or not disabled, because of a known association with an individual with a disability is prohibited)

Of what organization are you a member?

Gender:

Do you have plans for having children/family?

What are your marriage plans?

What does your spouse do?

What happens if you or your spouse gets transferred or needs to relocate?

How would you feel working for a woman/man?

National Origin:

Questions into applicant's (a) lineage; (b) ancestry; (c) national origin; (d) descent; (e) parentage, or (f) nationality; unless pursuant to the Federal I-9 process.

Where were you born? Where were your parents born? Where was your spouse born? Of what country are you a citizen? Questions into how the applicant acquired ability to read, write or speak foreign language.

Race or Color:

Do you feel that your race/color will be a problem in your performing the job?

Are you of _____ heritage/race?

Religion:

What is your religion?

What church do you attend?

Do you hold any religious beliefs that would prevent you from working certain days of the week?

***Please note the list of core job interview questions should be provided to the Office of Affirmative Action and Employment Practices (OAA-EP) for review and concurrence prior to applicant interviews.**

Please contact the OAA-EP at (219) 980-6705 if you have any questions regarding lawful or unlawful job interview questions.