

Checklist of Legal and Illegal Hiring Questions

Subject	You May Ask	You May Not Ask
IDENTITY	What is your full name? Have you ever used an alias? If so, what was the name you used? What is the name of your parent or guardian? (Ask only if the applicant is a minor.) What is your maiden name? (Permissible only for checking prior employment or education.)	Have you ever changed your name by court order or other means? What are the names of friends and relatives working for the company? What kind of work does your mother, father, wife, or husband do? (Do not ask for information about spouses, children, or relatives not employed by the company.)
RESIDENCE	What is your address? How long have you lived in this state/city? What is your phone number?	Do you rent or own your home? How long have you lived in this country? If you live with someone, what is the nature of the relationship? Do you live in a foreign country?
RACE, NATIONAL ORIGIN	Do you speak a foreign language? If so, which one?	What is your skin color? Your ancestry? Your maiden name? Where were you born? What is your mother's native language? What is your native tongue? How did you learn to speak a foreign language? What is your spouse's nationality?
CITIZENSHIP	Are you a citizen of the United States? If not, do you intend to become one? Can you provide documents required to prove that you have a legal right to work in this country?	Of what country are you a citizen? Are you a native-born or naturalized citizen? Your parents? Your spouse? When did you/they acquire citizenship?
CHILD CARE	Do you know of any reason why you might not be able to come to work on time, every day? (Caution: permissible only if the question is put to every applicant, regardless of gender.)	Are there children at home? How many? Their ages? Who looks after them? If you plan to have children later on, who will take care of them while you work?
DISABILITY	Would you be willing to take a company physical if offered the job?	Are you disabled or impaired? Have you ever received compensation for injury or illness? Have you ever been treated for (do not present a checklist). In your last job, how much sick time did you have?
PERSONAL HISTORY	Have you ever been convicted of a crime? Do you hold a valid driver's license? Do you belong to any groups or clubs related to this job or field?	Have you ever been arrested? Have you ever pleaded guilty to a crime? Have you ever been in trouble with the law? To what societies, associations, lodges, etc., do you belong?
AGE	Are you of legal job age? If you are younger than 18 or older than 65, what is your age?	How old are you? When were you born? What makes you want to work at your age?
RELIGION		What is your religion? What church are you a member of? What religious holidays do you observe? Can you work on the Sabbath?
MARITAL STATUS	What is your marital status?	Are you married, single, divorced, separated, widowed, or engaged? Should we call you Miss, Ms., or Mrs.? Where does your spouse work? What does your spouse do? Is your spouse covered by a medical/health insurance plan? Are you the head of your household? Are you the principal wage earner?
GENDER ISSUES		Do you plan to marry? Will you have children? Do you believe in birth control or family planning? Do you consider yourself a feminist? What do you think about ERA?