

# UNDERSTANDING ILLEGAL OR UNETHICAL INTERVIEW QUESTIONS

Potential employers are supposed to ask you questions that are related to the job you are seeking. Those questions should be related only to facts that are relevant to whether you can perform the functions of the job. Some types of questions are protected from being asked by law, such as those that are based on race, color, sex, marital status, number and/or ages of children or dependents, religion, and national origin (unless disclosure of this information is required to meet the job description). Other questions regarding age, sexual orientation, and disability are also prohibited if they are used solely to discriminate against a prospective candidate.

## **Inappropriate Interview Questions and How to Handle Them:**

- **You can rephrase the question.** For example, you may encounter an employer who states, "This job requires a lot of travel; would your spouse object to you being away from home often?" You could answer, "Are you asking me if I will be able to travel for the job? If so, yes, I can assure you I can travel as needed."
- **You can answer the question.** If you answer the question directly, you may jeopardize your chances of being hired. Although there may be legal recourse available to you, this is not the preferred outcome for most job applicants.
- **You can refuse to answer the question, which is well within your rights.** If you refuse to answer, you still run the risk of appearing uncooperative or confrontational and losing the job. There may be legal recourse, but that is hardly a perfect situation.
- **You can examine the question for its intent and respond with an answer as it might apply to the job.** For example, if an employer asks you, "What kind of child care arrangements have you made?" Your answer could be, "I can meet the work schedule that this job requires."

Adapted from The National Association of Colleges and Employers (NACE).

## **How to Handle Illegal Interview Questions**

Remember: it is not illegal to answer an illegal question if you feel comfortable doing so. Conversely, you can respond by saying, "I do not feel that is relevant to the position or interview." You might choose to answer by addressing the concerns behind the questions. Examples if you choose to answer:

- What is your national origin or place of birth? "I am authorized to work in the US."
- Do you have any disabilities? "I have no issues that would keep me from effectively carrying out this job."