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Some Job-Interview Questions Are Unlawful

BY J.R. DUREN
LEDGER CORRESPONDENT

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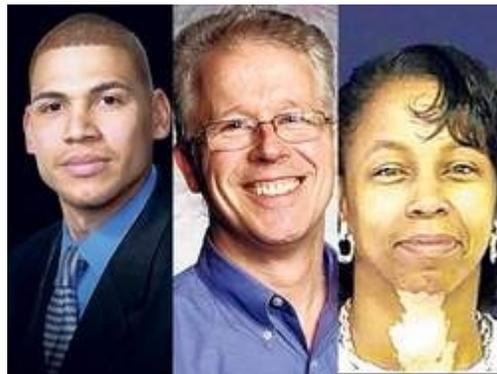
The scene is a common one these days: a Polk County resident, fighting the wake of unemployment, sits nervously outside a human resources office preparing to answer an unforeseen list of interview questions.

While formulating answers for anticipated questions, the interviewee should remember there are certain questions that employers cannot ask. Michael Allen, president of H.R. Allen Consulting Services, a human resource consulting and outsourcing group based in Citrus Park, Calif., says questions that go beyond the scope of the abilities needed to perform the job are off-limits during a job interview.

"A question is unlawful when it is directed to find out about race, religion, national origin, sex, age, ancestry, etc." says Allen. "Also, beware of questions regarding personal info like pregnancy, children, weight, height or other questions that seem irrelevant to the job."

Joe Murphy is vice president of Shaker Consulting, a Cleveland, Ohio, human resources firm whose list of clientele include Starbucks Coffee Company, Merrill Lynch, and Toshiba. His firm offers clients a list of 16 categories of questions that cannot be asked. The list reveals several categories that job seekers may not know.

For instance, it is unlawful for employers to inquire into a candidate's plans to have a family, or if the candidate is married or has children. It is unlawful to ask



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From left: Michael Allen, president of H.R. Allen Consulting Services; Joe Murphy, vice president of Shaker Consulting; and Roberta Anderson-Barnes, Florida Southern College Director of Human Resources.

if a candidate prefers to work male or female coworkers. While an employer may ask if a candidate can perform the specific duties the job requires, asking if the candidate has a disability or a medical condition is not allowed.

Memorizing a tedious list of discriminatory questions, however, can be overwhelming. "Job-related" is the phrase that Murphy recommends interviewers remember.

"Questions must focus on capabilities, (job-related) experiences, and knowledge and skills required to perform the job," he says.

If an interviewee feels a question goes beyond the job-related threshold, Florida Southern College Director of Human Resources Roberta Anderson-Barnes said she encourages the candidate to address the question immediately.

"Ask the interviewer to restate the question as it relates to the position or position requirements," she advises.

Michael Allen reminds applicants to be tactful.

"If an applicant feels that he/she has been asked an unlawful question, he/she should respond by addressing the issue immediately and professionally... advising the interviewer that the question is unlawful."

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