

Handout 2: EEOC Interview Guidelines

The University of Alabama provides equal opportunity in education and employment for all qualified persons regardless of race, color, religion, national origin, sex (which includes sexual orientation, gender identity, and gender expression), age, disability, or veteran status.

The University of Alabama complies with applicable laws prohibiting discrimination and retaliation, including Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, Executive Order 11246, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, the Vietnam Era Veterans' Adjustment Assistance Act, as amended by the Jobs for Veterans Act of 2002 (VEVRAA), the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, and the Genetic Information Nondiscrimination Act of 2008, and does not discriminate on the basis of genetic information, race, color, religion, national origin, sex (which includes sexual orientation, gender identity, and gender expression), age, disability or protected veteran status in admission or access to, or treatment of employment in, its programs and services. For additional information, visit <http://eop.ua.edu/law.html>.

The following list is an overview of the questions employers are **prohibited from asking the applicant** as mandated by the EEOC. Be sure to review this list carefully along with the EEOC's website <https://www.eeoc.gov/laws/practices/index.cfm> for the most up to date information when preparing interview questions or contact your HR Recruiter.

- **Name:** You may not ask an applicant about names used previously (e.g.: maiden name), including usage of Mr., Mrs., Ms., etc., or for information that indicates the applicant's marital status, sex, national origin, or ancestry.
- **Height and Weight:** You may not ask an applicant for this information unless there is a job-related restriction (as qualified by BFOQ) or if it would screen out a disproportionate number of minorities.
- **Age:** You may not ask an applicant for this information, unless you are interviewing a minor.
- **Religion:** You may not ask for any information regarding an applicant's beliefs or religious practices.
- **Citizenship:** You may ask if the applicant to provide proof of his/her legal right to work in the US. You may not ask an applicant for date of citizenship, whether the applicant is naturalized or native-born, a citizen of another country, or for a naturalization number.
- **National Origin:** You may not ask an applicant about their lineage, maiden name (for herself, wife or mother), or languages they use. You may lawfully ask an applicant what foreign languages he/she speaks, reads, or writes fluently, but not how they acquired the ability to do so.
- **Education:** You may not ask an applicant for dates of attendance and graduation from various schools. You may ask an applicant for the name and location of the institution they attended, what coursework they completed, and if they graduated.
- **Military Background:** You may not ask the applicant what branch of military they served in or what type of discharge they received.
- **Arrest Records:** You may not ask an applicant for this information unless the employer can demonstrate that certain crimes are related to the functions and responsibilities of the job.
- **Relatives:** You may not ask an applicant to list names/addresses of relatives, unless you are asking about relatives that are currently employed at the same company.
- **Sex/Gender:** You may not ask an applicant any questions regarding their sex/gender.
- **Physical Handicap or Disabilities:** You may not ask an applicant if they have previously received workers' compensation for any reason. You may ask an applicant if they are able to perform the essential functions of the job with or without reasonable accommodation.
- **Marital Status:** You may not ask an applicant for any information regarding their marital status or whether an applicant plans to marry.
- **Spouse:** You may not ask an applicant for any information regarding the employment status of their spouse or the name of their spouse.
- **Name of Children:** You may not ask an applicant for any information regarding the number and age of children or future child bearing plans.
- **Child Care:** You may not ask an applicant for any information regarding child care arrangements.
- **Housing:** You may not ask an applicant if he/she owns rents or leases a house.
- **Pregnancy:** You may not ask whether an applicant is pregnant.