

PERMISSIBLE AND IMPERMISSIBLE INTERVIEW QUESTIONS

SUBJECT	YOU MAY ASK	DO <u>NOT</u> ASK
Age	Are you 18 years of age or older? If not, state your age.	How old are you? What is your date of birth? What are the ages of your children, if any?
Arrest/Conviction Record	Have you ever been convicted of a criminal offense (Give details)	Have you ever been arrested?
Disability (Note: Gender Dysphoria is a protected disability under New York Human Rights Law regulations.)	None	Do you have a disability? Have you ever been treated for any of the following diseases...? Do you have now, or have you ever had, a drug or alcohol problem? How many days were you sick last year? Have you ever had a work-related injury?
Genetic Predisposition or Carrier Status	None	Do you have any genetic predisposition to disease? Do any diseases run in your family? Inquiries as to the health status of parents or other family members
Marital Status	None	Do you wish to be addressed as Miss? Mrs.? Ms.? Are you married? Single? Divorced? Separated? Name or other information about spouse.
National Origin	None	Inquiry into applicant's lineage, ancestry, national origin, descent, parentage or nationality. Nationality of applicant's parents or spouse. Where are you from? What kind of accent is that?
Sexual Orientation	None	Inquiries as to sexual orientation. Are you married or single? Do you have a girlfriend/boyfriend?
Wage and Salary History	None, except, if an applicant voluntarily discloses her/his wage or salary history in response to an offer of employment, the employer may then confirm such history with the applicant's previous employer.	Wage or salary history as a requirement for a job interview, job application, job offer, or promotion.
Race or Color	None	Complexion or color of applicant's skin, eyes, hair, and so forth. Other traits historically associated with race.
Religion	None	Inquiry into applicant's religious denomination, religious affiliations, house of worship, religious holidays observed.

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Sex/Gender (Note: This protected status includes gender identity and transgender status under the New York Human Rights Law)	None	Inquiry as to gender. Inquiries as to capacity to reproduce, use of any form of birth control or family planning.
Address or Duration of Residence	Applicant's place of residence. How long a resident of this state or city?	How long have you lived in this country? In what country did you live before? Where are you from?
Birthday	None	Requirement that applicant submit birth certificate, naturalization or other record showing age. Requirement that applicant produce proof of age in form of birth certificate or other record.
Birthplace	None	Inquiries as to birthplace of applicant or birthplace of applicant's parents, spouse or other relatives.
Citizenship	None	Of what country are you a citizen? Inquiries as to whether an applicant or an applicant's parents or spouse are naturalized or native-born citizens; requirement that applicant produce naturalization papers.
Driver's License	Do you possess a valid NYS driver's license (<i>if</i> a driver's license is necessary for the position applicant is seeking)?	Requirement that applicant produce license prior to offer of employment.
Education	Inquiry into applicant's academic, vocational or professional education and the public and private schools attended.	Year(s) of attendance; Date(s) of graduation.
Experience Language	Inquiry into work experience. If the duties of the position applicant is seeking require fluency in a particular language as a bona fide occupational qualification, inquiry may be made into whether applicant speaks or writes that language fluently.	What is your native language? Inquiry into how applicant acquired ability to read, write or speak a foreign language.

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Military Experience	Inquiry into applicant's military experience in the Armed Forces of the United States or in a State Militia. Inquiry into applicant's service in a particular branch of the United States Army, Navy, etc.	Inquiry into applicant's military experience other than in the Armed Forces of the United States or in a State Militia.
Name	Have you ever worked for this company under a different name? Is additional information relative to change of name, use of an assumed name or nickname necessary to enable check on our work records? If yes, explain.	Inquiries as to original names of an applicant whose name has been changed by court order or otherwise. Inquiries as to the birth name of a married woman. If you have ever worked under another name, state name and dates.
Notice in Case of Emergency	None	Requirement that applicant provide name and address of relative to be notified in case of an accident or emergency.
Organizations	Inquiry into applicant's membership in organization which the applicant considers relevant to his or her ability to perform the job.	Requirement that applicant list all clubs, societies, and lodges to which applicant belongs.
Photograph	None	Requirement or option that applicant affix a photograph to employment form at any time before hiring.
Relatives	Inquiry as to names of applicant's relatives already employed by the company.	Inquiry as to names, addresses and ages of applicant's spouse, children or relatives not employed by the company.
Domestic Violence Victim Status	None	Inquiries about an applicant's domestic violence victim status

Adapted from: N.Y.S. Division of Human Rights, Recommendations on Employment Inquiries