

RECRUITMENT RESOURCE

EEO CONSIDERATIONS IN INTERVIEW QUESTIONS

Hiring stakeholders must conduct all employment interviews fairly and consistently. All interview questions must be relevant to the performance of the applicable position. Certain subjects or areas of inquiry are unlawful or inappropriate topics for interview questions. Sometimes, questions that seem innocuous could be interpreted to be discriminatory and should be avoided. Therefore, hiring stakeholders should refer to the information below before conducting interviews with identified candidates.

Some types of interview questions are not allowed

Federal and local anti-discrimination laws prevent prospective employers from discriminating against job applicants and interviewees based on their membership in a group with a common characteristic, sometimes referred to as a protected class. Therefore, interview questions should never directly or indirectly reference the candidate's protected class information. GW applies to all current and prospective employees, regardless of location, the 15 employment-related protected classes identified in Washington, D.C. Questions related to any of these categories may be considered discriminatory and must be avoided.

Protected classes are:

- Race
- Color
- Religion
- National origin
- Sex
- Age
- Marital status
- Personal appearance
- Sexual orientation
- Gender identity or expression
- Family responsibilities
- Political affiliation
- Disability
- Matriculation
- Genetic information

In addition, federal and/or local laws also prohibit inquiries regarding:

- Participation (as a complainant or witness) in a complaint or grievance
- Filing of a worker's compensation claim
- Protected medical leave
- Information about health conditions
- Criminal record information
- Status as unemployed
- Anything else that is not job related

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Examples of questions that are not allowed

As discussed above, the interviewer should avoid all questions that can be perceived as directly or indirectly referencing a protected class. Avoid questions that resemble the ones listed below.

- This position maintains a schedule of X. Do you have any issues working past dinner-time? Would this schedule interfere with your religious commitments?
- Can you arrange for childcare such that you are able to work on-call or overtime?
- I see you're fluent in a foreign language. Did you learn that at home?
- How do you keep current in your industry since you graduated from college so long ago?
- How old are your children?
- I noticed you have an accent. Where are you from?
- Is that your maiden name or married name?
- When did you graduate?
- How long have you been collecting unemployment?

What types of questions are allowed?

As a general matter, interviewers can make any job-related inquiry in order to assess a candidate's background, qualifications, credentials, or ability to perform the position. As you develop your interview materials, keep in mind that objectivity and consistency are key to a successful recruitment process. Use neutral language and ask the same questions of all interviewees to avoid any appearance of impropriety. If you find that the interviewee starts to reference a protected class, kindly redirect the conversation to the candidate's past job performance and proposed duties.

Talent Acquisition and Recruitment ("TAR") as well as your Human Resources Service Delivery professional are available to assist you in formulating relevant, job-specific inquiries tailored to the unique needs of your department. Additionally, you can refer to the TAR Competitive Recruitment Guide found in Talent@GW-Learning.

Examples of questions that are allowed

Please feel free to use the questions and ideas from the bank below to help you gauge a candidate's ability to meet the more general needs of your department.

- This position maintains a schedule of X. Are you able to work those hours?
- This position requires that the incumbent maintain an on-call schedule/periodic overtime. Would that be a problem for you?
- This position often liaises with individuals who speak [a foreign language]. Could you describe your level of comfort with that language, including your ability to read or write in that language?
- What pronoun do you prefer we use for you?
- Are you able to perform the essential functions of this position with or without a reasonable accommodation?
- Do you possess the required certification or license for this position?

More Information

For any additional questions, please contact the Human Resources Representative assigned to your area.