# Understanding Illegal vs. Legal Interview Questions

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<tr>
<th>INQUIRY AREA</th>
<th>ILLEGAL QUESTIONS</th>
<th>LEGAL QUESTIONS</th>
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| National Origin/Citizenship | - Are you a US citizen?  
- Where were you/your parents born?  
- What is your "native tongue"? | - Are you authorized to work in the United States?  
- What language do you read/speak/write fluently? (This question is okay only if this ability is relevant to the performance of the job) |
| Age | - How old are you?  
- When did you graduate?  
- What's your birth date? | - Are you over the age of 18? |
| Marital/Family Status | - What's your marital status?  
- With whom do you live?  
- Do you plan to have a family? When?  
- How many kids do you have?  
- What are your child-care arrangements? | - Would you be willing to relocate of necessary?  
- Would you be able and willing to travel as needed for the job?  
- Would you be able and willing to work overtime as necessary? (These questions are okay assuming they are asked of all applicants for the job.) |
| Affiliations | - What clubs or social organizations do you belong to? | - List any professional or trade groups or other organizations that you belong to that you consider relevant to your ability to perform this job. |
| Personal | - How tall are you? How much do you weigh? (Questions about height and weight are not acceptable unless minimum standards are essential for safe performance of the job.) | - Are you able to lift a 50-pound weight and carry it 100 yards, as this is part of the job? |
| Disabilities | - Do you have any disabilities?  
- Please complete the following medical history.  
- Have you had any recent or past illnesses or operations? If yes, list them and give dates when these occurred.  
- What was the date of your last physical exam?  
- How's your family's health?  
- When did you lose your eyesight? How? | - Are you able to perform all the essential functions of the job? (This question is okay if the interviewer has thoroughly described the job.)  
- Can you demonstrate how you would perform the following job-related functions?  
- As part of the hiring process, after a job offer has been made, you will be required to undergo a medical exam. (Exam results must be kept strictly confidential, except medical/safety personnel may be informed if emergency medical treatment is required, and supervisors may be informed about necessary job accommodations, based on exam results.) |
| Arrest Record | - Have you ever been arrested? | - Have you ever been convicted of _________? (The crime named should be reasonably related to the performance of the job in question.) |
| Military | - If you've been in the military, were you honorably discharged? | - In what branch of the armed services did you serve?  
- What type of training or education did you receive in the military? |

Source: National Association of Colleges and Employers (Job Choices 2006)