

PRE-EMPLOYMENT INQUIRIES

All questions listed on an application form or asked during an interview should be for the purpose of making a selection based on the answers given. To seek information other than that which is essential to effectively evaluate a person's qualifications for employment is to make oneself vulnerable to charges of discrimination, legal proceedings or both.

The following are guidelines on equal employment practices to prevent discrimination in hiring. Additional information may be found at www.KHRC.net under "publications".

CATEGORY	ACCEPTABLE INQUIRIES	INADVISABLE INQUIRIES
Address	Asking the applicant's address and/or names of persons residing with applicant may be requested for compliance with nepotism policies.	Any inquiry which might indicate the national origin or ethnicity or an applicant, or the relationship of persons with whom the applicant lives.
Age, Date of Birth	Inquiry into age, when age is a legal requirement.	When age is not legally required, questions regarding age must be avoided.
Ancestry, Birth-place, National Origin		Asking about an applicant's lineage, national origin, descent, birthplace or native language.
Arrests	None	Any inquiry into number or kinds of arrests.
Availability for Weekend/Evening Work	Acceptable if a valid business necessity and asked of all applicants	Any inquiry regarding religious observance.
Citizenship	If U.S. citizenship is a legal requirement, inquiry about an applicant's citizenship is permissible.	Any inquiry which would indicate the birthplace of the applicant or the applicant's relatives.
Child Care	Inquiry into applicant's ability to meet required work schedules.	Any inquiry which would indicate marital status, child care arrangements or pregnancy.
Conviction Record	Inquiry into conviction record if job related.	Any inquiry that is not substantially related to applicant's ability to perform job duties.
Disability	Inquiry into the ability of an applicant to perform the essential job functions of a position. A demonstration or verbal description of how applicant would perform essential job functions may be requested if asked of all applicants.	No disability or health related inquiries or medical examinations may be required of an applicant until after an offer of employment has been made.
Education, Experience	Inquiry into educational level, academic, vocational or professional schools attended.	Any inquiry which might indicate the national, racial or religious affiliation of a school or dates of attendance or graduation.

Height, Weight	Inquiry is permissible only when the employer can prove that height or weight is directly related to a job requirement.	Any inquiry not related to abilities necessary to perform substantial job duties.
Marital or Family Status	Inquiry into applicant's ability to meet required work schedules and/or the ability to travel.	Any inquiry which would indicate marital status, information about a children, child care or pregnancy.
Military Service	Inquiry into education or experience gained that relates to specific job duties.	Any inquiry regarding type of discharge or any non-job related inquiry.
Medical and Drug Testing	After an offer of employment has been made, an employer may require a medical examination, an inquiry, or both, and/or may require the applicant to submit to a drug test, as long as all entering employees in the same job category face the same requirements and information obtained remains confidential except to supervisors or managers or for safety reasons.	Medical and drug testing should be done only after an offer of employment has been made.
Name	Inquiry about other names an applicant has worked under.	Inquiries which might indicate lineage, ancestry, national origin or marital status.
Notice in Case of Emergency	Inquiry into name and address of person(s) to be notified in case of an emergency may be requested after hiring selection is made.	Any inquiry into the name/address of relative(s).
Organizations	Inquiry into organizations are permissible only if they contribute to the applicant's ability to perform the job.	Inquiry into the name of an organization that might reveal the religious, racial or ethnic affiliation of the organization.
Photograph	Requiring an applicant to be photographed for purposes of identification after hiring selection is made.	Any requirement that a photograph be supplied before hiring.
References	Inquiry into names and addresses of an applicant's professional and/or character references.	Any requirement that a specific individual provide a reference for the applicant.
Religion	Informing prospective employees of normal days and hours of work required for the position.	Any requirement that a specific individual provide a reference for the applicant.
Sex	Inquiry is permissible only when the employer has proven that a bona fide occupational qualification exists and that all members of the affected class are unable to perform the job.	Any inquiry regarding the gender of an applicant if no established bona fide occupational qualification exists.
Workers Compensation	None	Any inquiry into past workers compensation claims.