

Illegal Interview Questions

*From Great Answers! Great Questions! For Your Job Interview
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1. The following categories contain illegal questions that by law should not be asked and you are not obligated to answer them.

- **Race, Color and National Origin**
Example: “Are you white or African-American?”
- **Religion**
Example: “Do you go to church or temple or what?”
- **Sex, Marriage, Pregnancy**
Example: “What’s your sexual preference?” or “Do you plan to get pregnant?”
- **Age**
Example: “How old are you and do you require health benefits?”
- **Affiliations**
Example: “Are you a member of a union?” or “Do you belong to any clubs or groups?”
- **Disability**
Example: “Do you have any physical or emotional disabilities?”
- **Spouse’s Job / Family Economics**
Example: “What does your husband do?” or “How much rent do you pay?”
- **HIV/AIDS/Alcohol/Drugs**
Example: “Have you ever been tested for HIV?” or “Have you been treated for addiction problems?”
- **Arrest (except for law enforcement or security positions)**
Example: “Have you ever been arrested?”*

*If you have been convicted of a crime, be prepared to discuss the facts honestly.

2. Sometimes an illegal question is asked for a good reason. You will have to decide if it is discrimination or a legitimate concern of the company to make the right hire. Illegal questions can be answered in one of three ways:

- **Avoid answering the question but risk losing the job.**
Example: “How old are you?” “That question is illegal and I refuse to answer.”

- **Answer the question in a confident, professional manner if you think there are real concerns pertinent to the job.**

Example: “How old are you?” “ *I am 47 years old so I can bring many years of successful experience to your company.*”

- **Walk out of the interview.**

Example: “How old are you? We’re looking for young, energetic people and you don’t fit the mold.” “*That’s an unlawful, rude and inappropriate question. Obviously this is a company that doesn’t fit my mold and I am terminating the interview.*”

Within reason, the best tactic is to answer the question. Try to interpret why they are asking it and then spin the answer (as in second case above) so that the potential objection is overcome.

It benefits most job hunters to answer the question in a professional manner whether it’s legal or not (unless it’s downright offensive). The objective is to get the job offer, then determine if the company is right for you. You should be in a position to accept or decline the job offer.