

## **Appendix I**

### **USG Recruitment HRAP Appendix Document Regarding Appropriate Screening Questions**

Screening and interview questions should focus on the candidate's ability to successfully perform the position for which they are being considered. Generally, state, and federal equal opportunity laws prohibit the use of pre-employment inquiries that disproportionately screen out members based on protected status when the questions are not justified by some business purpose. The EEOC and state agencies take the position that the information obtained through pre-employment inquiries should be aimed solely at determining qualifications without regard to criteria based on irrelevant, non-job-related factors. Accordingly, inquiries that reveal information bearing no relationship to the qualifications for the job sought (e.g., year of graduation from high school, childcare arrangements, country of origin) have been viewed as evidence of an employer's discriminatory intent. Unless the information is for a legitimate purpose (see information under "Bona Fide Occupational Qualifications" above and "Application Forms" below), pre-employment questions about disability, race, gender, religion, national origin, or other protected classes can suggest that the information will be used as a basis for making selection decisions. If the information is used in the selection decision and members of particular groups are excluded from employment, the inquiries can constitute evidence of discrimination.

A bona fide occupational qualification (BFOQ) is a provision that permits discriminatory practices in employment only if a person's "religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise". To establish the defense of a BFOQ, the employer has the burden of proving that a particular class of employees would be unable to perform the job safely or efficiently and that the BFOQ is reasonably necessary to the operation of the business. Typically, it is difficult for most employers that are not religious organizations to invoke the BFOQ defense, as the parameters surrounding it are limited. Title VII does permit employers to hire and employ employees on the basis of religion if religion is "a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise."

The following includes high level guidance regarding screening and interview questions that are legally permissible. The list is not intended to be exhaustive, but rather for illustrative purposes. Each Institution's Human Resources department is responsible for providing assistance and guidance in developing and utilizing legally compliant interview and screening questions.

**HUMAN RESOURCES ADMINISTRATIVE MANUAL  
EMPLOYEE RECRUITMENT**

Topic	Not Permissible	Permissible
<b>Address/Length of Residence</b>	<ul style="list-style-type: none"> <li>• About foreign addresses that would indicate national origin (such as birthplace)</li> <li>• Names or relationships of people with whom applicant lives</li> <li>• Whether applicant owns or rents</li> </ul>	<ul style="list-style-type: none"> <li>• How long have you lived in (city, town)?</li> <li>• Phone number and other contact information</li> </ul>
<b>Age</b>	<ul style="list-style-type: none"> <li>• Age or date of birth</li> <li>• Questions that would tend to identify persons who are 40 and older (“Do you remember being at work before e-mail was introduced?”)</li> </ul>	<ul style="list-style-type: none"> <li>• If a minor, require proof of age in the form of a work permit or a certificate of age</li> <li>• If age is a legal requirement, can ask, “If hired, will you be able to furnish a proof of age?”</li> </ul>
<b>Arrest and Conviction</b>	<ul style="list-style-type: none"> <li>• Have you ever been arrested?</li> </ul>	<ul style="list-style-type: none"> <li>• For certain positions (for example, law enforcement), criminal history inquiries may be permissible during the interview phase. Always consult with Human Resources in advance for guidance.</li> </ul>
<b>Attendance, Reliability</b>	<ul style="list-style-type: none"> <li>• Number and/or ages of children?</li> <li>• Who is going to baby-sit?</li> <li>• What is your religion?</li> <li>• Do you have pre-school age children at home?</li> <li>• Do you have a car?</li> </ul>	<ul style="list-style-type: none"> <li>• What hours and days can you work?</li> <li>• Are there specific times that you cannot work?</li> <li>• Do you have any responsibilities that will interfere with specific job requirements such as traveling?</li> </ul>
<b>Citizenship/ National Origin</b>	<ul style="list-style-type: none"> <li>• What is your national origin?</li> <li>• Are you native-born or a naturalized citizen?</li> <li>• Where are your parents from?</li> <li>• What is your maiden name?</li> </ul>	<ul style="list-style-type: none"> <li>• Are you authorized to work in the United States?</li> <li>• Have you ever worked under a different name?</li> </ul>
<b>Credit Record</b>	<ul style="list-style-type: none"> <li>• Do you own your home?</li> <li>• Have your wages ever been garnished?</li> <li>• Have you ever declared bankruptcy?</li> </ul>	<ul style="list-style-type: none"> <li>• No questions.</li> </ul>
<b>Disabilities, Handicaps, Illness</b>	<ul style="list-style-type: none"> <li>• Do you have any (job) disabilities? May not ask:</li> <li>• About the nature of or severity of a disability/handicap.</li> <li>• What happened to you?</li> <li>• How will you get to work?</li> <li>• What sort of treatment do you need?</li> </ul>	<ul style="list-style-type: none"> <li>• Can you perform the duties of the job you are applying for (describe duties to candidate)? How would you perform this particular task?</li> <li>• State the attendance requirements and ask if the candidate can meet them.</li> </ul>

**HUMAN RESOURCES ADMINISTRATIVE MANUAL  
EMPLOYEE RECRUITMENT**

<b>Topic</b>	<b>Not Permissible</b>	<b>Permissible</b>
	<ul style="list-style-type: none"> <li>• Have you ever been addicted to illegal drugs or treated for drug or alcohol abuse, ever received workers compensation, or been hospitalized/ treated for physical or mental health conditions, or ever been absent from work due to illness?</li> <li>• Will you need accommodations?</li> <li>• What kind of accommodations will you need?</li> </ul>	<ul style="list-style-type: none"> <li>• What was your attendance record at your prior job?</li> <li>• Wait until the candidate requests or mentions an accommodation before discussing the topic of accommodations (it is the candidate's responsibility to make a request for accommodation).</li> </ul>
<b>Education</b>	<ul style="list-style-type: none"> <li>• When did you graduate from high school or college?</li> </ul>	<ul style="list-style-type: none"> <li>• Do you have a high school diploma or equivalent?</li> <li>• Do you have a university or college degree?</li> <li>• What academic, professional, vocational schools did you attend?</li> <li>• Can you provide us with an official transcript?</li> </ul>
<b>Gender</b>	<ul style="list-style-type: none"> <li>• Do you wish to be addressed as Mr., Mrs., Miss, or Ms.?</li> <li>• What is your maiden/birth name?</li> </ul>	<ul style="list-style-type: none"> <li>• Generally, no questions may be asked about gender unless gender is a bona fide occupational qualification (e.g., locker room attendant).</li> </ul>
<b>Language</b>	<ul style="list-style-type: none"> <li>• What is your native language?</li> <li>• Inquiry into how candidate acquired ability to read or write or speak a foreign language.</li> </ul>	<ul style="list-style-type: none"> <li>• What languages do you speak and write fluently? (If the job requires additional languages.)</li> </ul>
<b>Military Record</b>	<ul style="list-style-type: none"> <li>• What type of discharge did you receive?</li> </ul>	<ul style="list-style-type: none"> <li>• What type of education, training, work experience did you receive while in the military?</li> </ul>
<b>Organizations</b>	<ul style="list-style-type: none"> <li>• List all clubs, societies, and lodges to which you belong.</li> </ul>	<ul style="list-style-type: none"> <li>• Inquiry into candidate's membership in organizations which the candidate considers relevant to his or her ability to perform job.</li> </ul>
<b>Parental Status</b>	<ul style="list-style-type: none"> <li>• Inquiry into whether candidate has children, plans to have children, or has childcare arrangements.</li> </ul>	<ul style="list-style-type: none"> <li>• May ask if candidate can meet specified work schedules or has activities, commitments, or responsibilities that</li> </ul>

**HUMAN RESOURCES ADMINISTRATIVE MANUAL  
EMPLOYEE RECRUITMENT**

Topic	Not Permissible	Permissible
		may prevent him or her from meeting work attendance requirements. If such questions are asked, they must be asked of both sexes.
<b>Physical Features</b>	<ul style="list-style-type: none"> <li>• It is illegal to ask about weight, height, impairment, or other non-specified job-related physical data.</li> </ul>	<ul style="list-style-type: none"> <li>• No questions.</li> </ul>
<b>Race or Color</b>	<ul style="list-style-type: none"> <li>• Complexion or color of skin.</li> </ul>	<ul style="list-style-type: none"> <li>• No questions.</li> </ul>
<b>Reference Checking</b>	<ul style="list-style-type: none"> <li>• What is your father's surname?</li> <li>• What are the names of your relatives?</li> </ul>	<ul style="list-style-type: none"> <li>• By whom were you referred for this position?</li> <li>• Names of people willing to provide references.</li> </ul>
<b>Religion or Creed</b>	<ul style="list-style-type: none"> <li>• Inquiry into candidate's religious denomination, religious affiliations, church, parish, pastor, or religious holidays observed.</li> <li>• Willingness to work any particular religious holiday.</li> </ul>	<ul style="list-style-type: none"> <li>• Can advise candidate about normal hours and days of work required by the job to avoid possible conflict with religious or other observances.</li> </ul>
<b>Sexual Orientation</b>	<ul style="list-style-type: none"> <li>• No questions.</li> </ul>	<ul style="list-style-type: none"> <li>• No questions.</li> </ul>
<b>Worker's Compensation</b>	<ul style="list-style-type: none"> <li>• Have you ever filed for worker's compensation?</li> <li>• Have you had any prior work injuries?</li> </ul>	<ul style="list-style-type: none"> <li>• No questions.</li> </ul>

**HUMAN RESOURCES ADMINISTRATIVE MANUAL  
EMPLOYEE RECRUITMENT**

**APPENDIX II**

**USG HRAP RECRUITMENT APPENDIX REGARDING APPROPRIATE  
COMPETENCY BASED EMPLOYMENT QUESTIONS**

Examples of Competency Based Interview Questions (Technical and Behavioral Competencies)

<b>JOB RELATED COMPETENCY</b>	<b>SAMPLE QUESTIONS</b>
<b>Customer Orientation</b>	<p>How do you handle problems with customers? Give an example.</p> <p>How do you go about establishing rapport with a customer? What have you done to gain their confidence? Give an example.</p> <p>What have you done to improve relations with your customers?</p>
<b>Conflict Resolution</b>	<p>Describe a time when you took personal accountability for a conflict. What was the issue and how was it resolved?</p>
<b>Decision Making</b>	<p>Discuss an important decision you have made regarding a task or project at work. What factors influenced your decision?</p> <p>Everyone has made some poor decisions or has done something that just did not turn out right. Has this happened to you? What happened?</p> <p>Tell us about a time when you had to defend a decision you made even though other important people</p> <p>What was your most difficult decision in the last 6 months? What made it difficult? doing it?</p>
<b>Detail-Oriented</b>	<p>Have the jobs you held in the past required little attention, moderate attention, or a great deal of attention to detail? Give me an example of a situation that illustrates this requirement.</p>
<b>Technical Skills</b>	<p>What type of software programs do you consider yourself an expert in?</p> <p>Tell us about a time that you utilized a software program to resolve a business issue and improve efficiencies.</p> <p>What kinds of problems have you had coordinating technical projects? How did you solve them?</p>

**HUMAN RESOURCES ADMINISTRATIVE MANUAL  
EMPLOYEE RECRUITMENT**

<b>Professional Expertise</b>	Tell us about a time that your knowledge and subject matter expertise were instrumental in the successful development and/or implementation of a project or program for the organization that you worked for.
<b>Employee Development</b>	Tell us about a training program that you have developed or enhanced. Have you ever had an employee whose performance was consistently marginal? What did you do?
<b>Delegation</b>	How do you make the decision to delegate work? What was the biggest mistake you have had when delegating work? The biggest success?