

### Acceptable and Unlawful Questions

Base your questions on job-related criteria. Listed below are examples of unlawful interview questions.

<b>Subject Area</b>	<b>Acceptable Inquiries</b>	<b>Unlawful Questions</b>
Age	Are you 18 years of age or older? If not, state your age.	“You look very young for the position you have. Are you even 30 yet?” “How old are your children?” Requirement of a birth certificate, naturalization or baptismal record, or proof of age, except for applicants below the age of 18.
Arrest Record/Conviction	“Have you ever been convicted of a crime? Give details.” (May ask only if job-related and required.)	“Have you ever been arrested?”
Birthplace	None	“Where were you born?” “What is the birthplace of your parents? Or spouse?”
Citizenship	“Are you legally authorized to work in the U.S.?”	Whether an applicant is naturalized or a native-born citizen. Requirement that an applicant produce naturalization papers.
Disability/Handicap	After stating the essential job duties and working conditions, ask “Are you able to perform the essential functions of the job?”	“Do you have any disabilities that require accommodation?” “Do you have, or have had, a drug or alcohol problem?”
Driver’s License	“Do you have a valid Texas driver’s license?” (If a driver’s license is required for the position.)	Requirement that applicant produce a driver’s license.
Education	Inquiry into applicant’s academic, vocational, or professional education and the public or private schools attended. Inquiry into detailed work experience.	Graduation dates. “When did you receive you _____ diploma/degree?”
Language/English Requirement	Inquiry into languages applicant speaks and writes fluently (If job-related.)	“What is your native language?” Any inquiry into how the applicant acquired ability to read, write, or speak a foreign language.
Marital/Parental Status	“Can you meet the specified work schedule?” “Are you able to travel for business reasons?”	“What does your husband/wife do?” “Is it going to be a problem to find child care if you relocate?” “Do you wish to be addressed as Ms., Mrs., or Miss?”

Military	Inquiry into applicant's military experience in the Armed Forces of the U.S. or in a state militia. Inquiry into an applicant's job-related activities in a particular branch of the service.	Inquiry into applicant's general military experience and discharge.
Name	"Have you ever worked for this agency under a different name?"	What was your maiden name?
National Origin	None	Inquiry into applicant's ancestry, national origin, descent, parentage, or nationality. "Is that a Spanish surname?"
Organizations	Inquiry into applicant's membership in organizations that are considered relevant to ability to perform the job.	"What kind of social clubs, societies, and organizations do you belong to?"
Race or Color	None	"Are you Puerto Rican?"
References	List of persons who would be willing to provide professional and/or character references.	Inquiries to the references concerning applicant's race, sex, age, national origin, religion, marital status, or general medical condition.
Religion or Creed	After a statement of regular work days, normal hours, or schedule to be worked in fulfilling the requirements of the job, ask "Are you able to work the required schedule?"	Inquiry into an applicant's religious denomination, religious affiliation, or religious holidays observed.
Sexual Orientation	None	Inquiry regarding sexual orientation.