ASK THIS, NOT THAT: A QUICK REFERENCE FOR INTERVIEWS

A lag in staffing momentum provides an outstanding opportunity for organizations to reevaluate staffing procedures and prepare for a market rebound. One way organizations can prepare is by educating their hiring managers and establishing standardized hiring procedures for the entire organization.

During countless interview debriefs with candidates, I am shocked to find that clients may be wandering into dangerous territory with interview questions. One candidate, Jennifer B, who did a contract assignment for one of my clients stated, “The interviewer asked me about my kids and how old they were and I didn’t understand why he needed to know these things.” While I am confident the question was a well-intended attempt to get to know the candidate on a personal level, it crosses boundaries about what is and is not appropriate information to ask at the interview stage. Coaching your management staff on what is and is not acceptable during an interview can prevent headaches and potentially even legal action. This question may seem like friendly conversation but in the HR world, it is wrong.

The purpose of an interview is to gain important knowledge while also building a friendly rapport with the candidate. Interviewers must exercise discretion and realize that some questions can be a little too friendly. The goal is not only to protect your company from legal trouble and embarrassment but also get resolution to the real concern behind what you really want to know. Here I provide a handy guide for quick reference that you may want to adapt for your management staff. It covers information in various protected categories.

Nationality
What you Want to Know: Can this candidate legally work for my organization?
Ask THIS: “Are you authorized to work in the United States?”
NOT this: Are you a United States citizen?

Note: While they may seem like the same question, you are forbidden to discriminate against legally authorized candidates based on citizenship status.

Religion
What you Want to Know: Will this candidate need time off for religious observances outside of our normal work days?
Ask THIS: Are there days throughout the year on which you are unavailable for work?
NOT this: What religious holidays do you observe?

Note: Religion can be a very touchy subject and should be approached with extreme caution in the office in general and avoided entirely during the interview process. Asking someone, “What religious holidays do you observe” is highly inappropriate.
As an interviewer you might want to know about days that a candidate would have to miss due to a religious holiday or ritual, but it is extremely important to refrain from asking about the candidate’s beliefs directly. Instead ask, “Are there any days throughout the year you are unavailable to work?”

**Marital and Family Status**
What you Want to Know: What is this candidate like outside of work? What are their additional commitments?
Ask THIS: Would you be available to work overtime on a consistent basis? Are you available for overnight travel?
NOT this: Do you have children?

Note: This is one of the easiest areas to find yourself in completely by accident. Many times “small talk” easily veers into talk about family as it is an area that people find common ground. Ensure that any information you gain about this piece of a candidate’s life is voluntarily disclosed rather than solicited by the interviewer.

**Age**
What you Want to Know: Is this candidate a mature and responsible individual?
Ask THIS: Are you over the age of 18?
NOT this: How old are you?

Note: It may seem like you are incredibly restricted in this category. You are! I suggest asking more behavioral questions to determine a candidate’s maturity and preparedness for the job. For instance, “Name a time when you were forced to make an unpopular decision on the job” or “What is the greatest deal of responsibility you have been handed on the job and how did you handle it?”

**Gender**
What you Want to Know: Can this candidate handle my all male/all female office environment?
Ask THIS: Have you ever worked on a team with diverse viewpoints or personalities? How did you handle it?
NOT this: Can you handle working with all guys?

Note: Gender obviously becomes evident when you are at the interview stage, but it is critical that you do not make unnecessary assumptions. Asking someone how they feel they would handle a position when they are a male and it’s an all-female employee office is not relevant. Instead ask about their ability to do the job and how their past work experience and skills have prepared them for the position they are applying for.

**Disabilities**
What you Want to Know: Can this candidate perform the essential functions of this job with or without reasonable accommodations?
Ask THIS: Do you feel that you are able to perform all of the duties required of this position?
NOT this: Do you have any disabilities that would interfere with this job?
Note: You are required as an employer to provide reasonable accommodations when necessary. Make sure that you are not letting that indisputable fact get in the way of hiring a great candidate. Although it is very important to note that an employee’s health and abilities affect whether they are able to perform the job functions, it is vital to avoid assumptions and discrimination. It is wrong to ask someone, “Do you have any disabilities that would interfere with the job?” Be less specific and ask something along the lines of, “Do you feel that you are able to perform all of the duties required of this position?”

You may be thinking, “My hiring managers get the basic gist. Why invest the extra time in training?” It comes down not only to minimizing risk of legal action and costly settlements, but perhaps even more serious, missing out on outstanding candidates simply because your friendly banter turned invasive inadvertently.

Illegal or offensive questions could result in the loss of a talented candidate. Maybe the interviewer is thinking that this candidate is someone they want to hire but the candidate feels offended and wouldn’t take the job if offered to him or her. This can also trickle down to other potential candidates or clients if the candidate shares their negative experience, again giving the company or hiring manager a bad reputation.

Taking advantage of down time in order to further educate your hiring managers can save you a wealth of time in the future. We have already begun to see an upswing in our business, which means there are more jobs available, indicating an increase on the horizon in the number of interviews you and your managers are conducting. Do right by your organization by ensuring that everyone is prepared, prepped, and primed to conduct ethical interviews and capture outstanding talent.

About Amy Cloud

Bringing two years of prior management experience with her, Amy Cloud joined Celebrity Staff in September of 2007.

In her two years on the Kansas City team, Amy has secured business with companies leading in the pharmaceutical, food, and mortgage industries. In addition to working with companies, Amy recruits and places top administrative, sales, and marketing individuals throughout the Kansas City metro.

Originally from Anthon, IA, Amy graduated with a B.A. in mass communications. She enjoys pursuing photography as a side business and wedding planning has consumed the last 13 months of her life. Amy will marry her college sweetheart, Tony, in November of this year.