

Interviews and Inappropriate Interview Questions

Thoughtful interviews are important to reaching a sound hiring decision. They provide a crucial opportunity for the search committee and others to learn more about top candidates and their qualifications. They also provide firsthand opportunities for candidates to learn more about the position, the university, and community.

The interview process must be carefully designed to serve its intended purpose, while also protecting candidates from prohibited discrimination. Inappropriate interview questions can create potential liability for the University. Poorly designed interview questions may be ineffective in gathering useful information and may introduce bias into the selection process.

- To optimize the usefulness of candidate interviews, hiring authorities and search committees should consider the following interview principles: An interview is a *mutual* exchange of information. The interview should be structured in a way that allows a candidate to share relevant information and to ask questions.
- Those involved in the interview process need to be mindful that candidates will have different communication styles, some of which may be influenced by culture or gender. Unless communication style is directly relevant to the needs of the position, it is important to focus on the substance, not style, of a candidate's response. It is also important to be mindful of the potential for implicit bias in evaluating communication styles.
- Those involved in the interview process should have a common understanding of the interview questions and, in general, the kinds of information the questions hope to elicit. If technical or industry specific questions are being asked, a subject matter expert can be used to identify appropriate responses.
- All involved in the interview process must be mindful that while they are evaluating candidates, the candidates are evaluating the position, hiring department, future colleagues, and the University of Oregon. It's key in recruiting to reflect a positive image and provide clear and accurate answers to candidate questions.

To ensure that they serve their intended purpose and protect individual rights, interviews should focus on **job-related** topics – the essential functions of the position for which you are interviewing, and the job-related experience, training, skills or other attributes the candidate brings to the position that will enable them to effectively perform the essential functions of the position.

While a candidate may share personal information during an interview, to avoid inappropriate and possibly illegal questions, the interview should remain focused on job-related information.

Interviews and Inappropriate Interview Questions
TTF Workshop Series – Hosted by Active Recruitment Team
March 2022

The following pages cover common topics that those involved in interviews may wonder about, and appropriate and inappropriate questions. It's strongly recommended that anyone involved in the search process, whether they are a committee member or participating in an open session, be aware of these inappropriate questions.

TOPIC	APPROPRIATE QUESTIONS	INAPPROPRIATE QUESTIONS
Age	If hired, can you offer proof that you are at least 18 years of age*? *(Note: only if this is a legal or policy requirement for the role)	How old are you? What is your birth date? What are your retirement plans?
Arrests or Convictions of a Crime	None <i>Oregon law prohibits inquiry of criminal history in the selection process. Criminal history findings on a background check are evaluated on a job related case by case basis.</i>	Have you ever been convicted of a crime? Have you ever been arrested? Do you have a criminal record?
Citizenship or Nationality	Can you show proof of your eligibility to work in the U.S.? Are you fluent in any languages other than English?*	Are you a U.S. citizen? Where were you born? You have a distinctive accent or name. What is your background?
Disability	Are you able to perform the essential functions of this job with or without reasonable accommodation? <i>As noted above, for all candidates the interview process should focus on the ability to perform the essential functions of the position.</i> <i>If a candidate has an obvious disability or discloses a disability that reasonably might interfere with his/her ability to perform the duties of the position, it is acceptable to ask the candidate to explain how he/she would perform the essential job functions, with or without reasonable accommodation.</i>	Are you disabled? What is the nature or severity of your disability? Have you ever filed a Workers' Comp claim? How much work time have you missed due to illness or other medical condition?
Family Status	Do you have any responsibilities that conflict with job attendance or travel requirements?*	Are you married? What is your spouse's name? What is your maiden name? Do you have any children? Are you pregnant? Who takes care of your children?

Interviews and Inappropriate Interview Questions
TTF Workshop Series – Hosted by Active Recruitment Team
March 2022

TOPIC	APPROPRIATE QUESTIONS	INAPPROPRIATE QUESTIONS
Name	Do you have any professional information or publications under a different name?	What is your maiden name? Do you go by Miss, Mrs., or Ms.? That's an interesting name, what is its origin?
Organizations	What professional organizations are you involved with that relate to the position?	What organizations are you involved with outside of your professional work? Where do you volunteer your personal time?
Race/Ethnicity	None	What is your race/ethnicity?
Residence	What is your address?	Do you own or rent your home? Who lives with you?
Religion	None <i>You may inquire about availability for weekend work. However, when an applicant's sincerely held religious beliefs make him or her unavailable for weekend shifts, you cannot base a hiring decision on this information. Title VII requires that an employer reasonably accommodate an employee's religious belief, unless accommodation would create undue hardship. If you ask and a candidate disclosed that they are unable to work weekends due to their religious beliefs, let the applicant know that a reasonable effort</i>	What is your religion? Which [place of worship] do you attend? What are your religious holidays?
Sex	None	What is your gender? What is your gender identity?
Sexual Orientation	None	Is your partner male or female?