

**University of Central Florida
Office of Institutional Equity
Acceptable and Unacceptable Interview Questions**

Topic	Acceptable	Unacceptable
Age (ADEA)	If age is a legal requirement, can ask "If hired, can you furnish proof of age?" or a statement that hire is subject to age verification.	What is your date of birth?
Attendance/reliability (ADA, Rehabilitation Act, Sections 503 and 504, FMLA, Title VII, EPA, PDA, ERISA)	What hours and days can you work?	How many children do you have?
	Are there specific times that you cannot work?	What religion are you?
Citizenship/ national origin (Title VII, IRCA)	Are you legally eligible for employment in the United States?	What is your national origin? Where are your parents from?
	Have you ever worked under a different name?	What is your maiden name?
National origin (Title VII, IRCA)	None	What is your father's surname? What are the names of your relatives?
Disability (ADA, Rehabilitation Act, Sections 503 and 504)	Can you perform the duties of the job you are applying for?	Do you have any disabilities?
	None	Have you ever filed a workers' compensation claim?
	None	Have you ever been injured on the job?
Genetic Information (GINA)	None	Have any of your close relatives had a heart attack or been diagnosed with a heart condition? Do mental health conditions such as bipolar disorder, depression, or schizophrenia run in your family? Have you had genetic tests to determine whether you are at risk for cancer?
Pregnancy (PDA, ADA, Title VII, FMLA)	None	Are you pregnant? Do you plan to have children within the next year?
Arrest Record	Have you every been convicted of a crime? (Give details)	Have you ever been arrested?
Credit record (Title VII)	None	Do you own your own home?
		Have you ever declared bankruptcy?

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Military record (VEVRAA, USERRA, ADA, Rehabilitation Act, Sections 503 and 504)	What type of education, training, and work experience relevant to the job did you receive while in the military?	What type of discharge did you receive?
Language (Title VII)	What languages do you speak and write fluently? (if the job requires additional languages)	What is your native language? How did you learn to read, write, or speak a foreign language?
Organizations (Title VII)	Inquiry into an applicant's membership in organizations that the applicant considers relevant to his or her ability to perform the job	List all clubs, societies, and lodges to which you belong.
Race or color (Title VII)	None	Complexion or color of skin
Weight, height, eye color (Title VII)	Only if there is a bona fide occupational qualification	
Religion (Title VII)	Only if there is a bona fide occupational qualification	What is your religious denomination, religious affiliations, church, parish, pastor? What religious holidays do you observe?
Gender (Title VII)	Only if there is a bona fide occupational qualification	Do you wish to be addressed as Mr., Mrs., Miss, or Ms.?
Sexual Orientation/Gender Identity (Title VII)		Inquiry into an applicant's sexuality.
Marital Status (Title VII)	None	Are you married? Where does your spouse work? What are the ages of your children, if any?
Salary history	What are your salary expectations for this position? <i>*See note below for additional guidance.</i>	What is your current salary? What was your starting and ending salary in any prior position?
Education (ADEA, Title VII)	Do you have a high school diploma or equivalent? Do you have a university or college degree? (if relevant to job performance)	What year did you graduate from high school or college?

***Note on salary history:** In general, salary history should not be a factor in setting compensation. Rather, compensation decisions should be based on the value of the position to the organization, competition in the market and other bona fide business factors.

Laws (Federal)	Summary of Law
Age Discrimination in Employment Act (ADEA)	ADEA prohibits employment discrimination against persons 40 years of age or older.
Americans with Disabilities Act (ADA)	ADA prohibits discrimination against people with disabilities in several areas, including employment, transportation, public accommodations, communications and access to state and local government' programs and services.
Employee Retirement Income Security Act (ERISA)	ERISA sets minimum standards for most voluntarily established retirement and health plans in private industry to provide protection for individuals in these plans.
Equal Pay Act (EPA)	EPA prohibits sex-based wage discrimination between men and women in the same establishment who perform jobs that require substantially equal skill, effort, and responsibility under similar working conditions.
Family and Medical Leave Act (FMLA)	FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.
Genetic Information Nondiscrimination Act (GINA)	GINA prohibits discrimination on the basis of genetic information with respect to health insurance and employment.
Immigration Reform & Control Act (IRCA)	IRCA makes it an unfair immigration-related employment practice for an employer of three or more persons to discriminate against any individual (other than an unauthorized alien) with respect to hiring, recruitment, firing, or referral for fee, because of such individual's origin or citizenship (or intended citizenship) status.
Pregnancy Discrimination Act (PDA)	PDA prohibits discrimination based on pregnancy when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, such as leave and health insurance, and any other term or condition of employment.
Rehabilitation Act, Sections 503 and 504	The Rehab Act prohibits discrimination on the basis of disability in programs conducted by federal agencies, in programs receiving federal financial assistance, in federal employment and in the employment practices of federal contractors.
Title VII of the Civil Rights Act (Title VII)	Title VII prohibits employment discrimination based on race, color, religion, sex, and national origin.
Uniformed Services Employment and Reemployment Rights Act (USERRA)	USERRA protects servicemembers' and veterans' civilian employment rights. Under certain conditions, USERRA requires employers to put individuals back to work in their civilian jobs after military services. It also protects servicemembers from discrimination in the workplace based on their military service or affiliation.
Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA)	VEVRAA is a law that prohibits federal contractors and subcontractors from discriminating in employment against protected veterans and requires employers take affirmative action to recruit, hire, promote, and retain these individuals.