



THE CITADEL

THE MILITARY COLLEGE OF SOUTH CAROLINA

The following list of inquiries is provided to you as a guide to assist with interview questions and to maintain compliance during the interview process. Two thoughts to keep in mind 1) the information collected should be directly related to the position being filled and 2) each candidate should consistently be asked the same or similar questions. Information listed below that is supplied by the candidate during casual conversation cannot be used for consideration during the hiring committee discussions and ultimate selection of a candidate.

Legal vs. Illegal Inquiries for Interviews

Topic	Legal	Illegal	What Is the Reason?
Attendance/reliability	<p>What hours and days can you work?</p> <p>Are there specific times that you cannot work?</p> <p>Do you have responsibilities other than work that will interfere with specific job requirements such as traveling?</p> <p>Do you have a reliable method of getting to work?</p>	<p>How many children do you have?</p> <p>What religion are you?</p> <p>What are your child care arrangements?</p> <p>Do you own a car?</p>	<p>Could be viewed as discriminatory toward females</p> <p>Could be viewed as religious discrimination</p> <p>Could be viewed as discriminatory toward females</p> <p>Could be considered racial discrimination</p>
Citizenship/national origin	<p>Are you legally eligible for employment in the United States?</p> <p>Have you ever worked under a different name?</p> <p>None</p>	<p>What is your national origin? Where are your parents from?</p> <p>What is your maiden name?</p> <p>What is your father's surname? What are the names of your relatives?</p>	<p>Could be considered national origin discrimination</p> <p>Could be considered national origin discrimination</p> <p>Not only are these irrelevant, but they could be considered national origin discrimination</p>
Criminal Background Checking	<p>Have you ever been <u>convicted</u> of a felony?</p>	<p>Have you ever been arrested?</p>	<p>Could be considered racial discrimination</p>
Credit record	<p>None</p> <p>Credit references may be used if in compliance with the Fair Credit Reporting Act of 1970 and the Consumer Credit Reporting Reform Act of 1996</p> <p>None</p>	<p>Do you own your own home?</p> <p>Have your wages ever been garnished?</p> <p>Have you ever declared bankruptcy?</p>	<p>Irrelevant and could be considered racial discrimination</p>
Military record	<p>What type of education, training and work experience relevant to job did you receive while in the military?</p> <p>Were you involved in the daily management of personnel and/or supplies?</p> <p>How many people did you supervise? What was the net worth of the resources your managed?</p>	<p>What type of discharge did you receive?</p> <p>Will you be called to active duty soon?</p> <p>Did you see any action over there?</p>	<p>Irrelevant and could be considered racial discrimination.</p> <p>Irrelevant and could be considered as discrimination due to implicit biases towards military duty or prejudiced stereotype regarding those who have served in combat zones.</p>
Disabilities	<p>Can you perform the duties of the job you are applying for?</p> <p>None</p> <p>None</p>	<p>Do you have any disabilities?</p> <p>Have you ever been injured on the job or filed a workers' compensation claim?</p>	<p>Could be considered discrimination against disabled persons</p> <p>Could be considered discrimination against disabled persons</p>

Topic	Legal	Illegal	What Is the Reason?
Emergency contact information	What is the name and address of the person to be notified in case of an emergency? (Request only after the individual has been employed.)	What is the name and address of the relative to be notified in case of an emergency?	Could be considered national origin discrimination and possibly could violate state antidiscrimination laws relative to sexual orientation
Language	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?	Could be considered national origin discrimination
Organizations	Inquiry into an applicant's membership in organizations that the applicant considers relevant to his or her ability to perform job	List all clubs, societies and lodges to which you belong.	Could be considered racial or national origin discrimination
Race or color	None	Complexion or color of skin.	Could be considered racial or national origin discrimination
Weight, height, eye color	Only if there is a bona fide occupational qualification		Could be considered racial or national origin discrimination
Religion	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?	Could be considered religious discrimination
Gender	Only if there is a bona fide occupational qualification	Do you wish to be addressed as Mr.?, Mrs.?, Miss? or Ms.?	Could be considered gender discrimination.
Previous and current addresses		What was your previous address? How long did you reside there? How long have you lived at your current address? Do you own your own home?	Could be considered racial or national origin discrimination. Could be considered as economic discrimination.
Education	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?	Could be considered age discrimination
Sexual Orientation, Gender Identity	None	Are you male or female? Are you lesbian or gay? Are you a member of the homosexual community? Do you support same-sex marriage?	Could be considered discrimination on the basis of sexual orientation or gender identity.

***Note on arrest records:** Using arrest or conviction records as an absolute bar to employment disproportionately excludes certain racial groups. Therefore, such records should not be used in this manner unless there is a business need for their use. Thus, an exclusion based on an arrest record is only justified if it appears not only that the conduct is job-related and relatively recent but also that the applicant or employee actually engaged in the conduct for which he or she was arrested. According to the EEOC, whether there is a business need to exclude persons with **conviction** records from particular jobs depends on the nature of the job, the nature and seriousness of the offense, and the length of time since the conviction and/or incarceration. In addition, some states bar the use of arrest records in employment decisions.