GUIDELINES FOR NON-DISCRIMINATORY INTERVIEWING

Now that you have reached the interview stage, it’s important to remember the purpose of these procedures. At the interview, we attempt to gather enough information to determine which applicant has the greatest promise of performing well in the position. We are also conveying information about ourselves and life at ECU so that the applicant also can make an informed decision.

Interviewers must be cautious, however, that no inappropriate inquiries are made. While questions about some areas, such as marital status and children, are not illegal per se, they are almost never job-related. The burden of proving that an applicant was not rejected on the basis of information from these inquiries rests with the university. So, no matter how congenial the interview or how laudable our intentions, these inquiries by any ECU employees involved in the interviewing process are highly inadvisable and make us vulnerable to costly legal actions.

We suggest that you decide ahead of time what questions will be asked of each applicant who is to be interviewed. This will give you some common information about each one. Be sure that these inquiries are related to the job standards and qualifications. In general, you should avoid any inquiry designed to elicit information regarding race, color, ancestry, sex, age, religion, or disability.

The following is more specific information about questions which you should or should not ask. The list is not exhaustive but includes those inappropriate inquiries most commonly made.

- **Inquiries about race or color**
  No inquiries about race or color are appropriate in an interview.

- **Inquiries about ancestry**
  Do not ask an applicant’s maiden name or where he or she was born.

- **Inquiries about sex or marital status**
  Do not ask whether an applicant is married or has other “arrangements.”
  Do not ask about pregnancies (past, present, or future) or children.
  Do not inquire about spouse’s name, occupation, or whether he or she is likely to be transferred.

- **Inquiries about age**
  Discrimination against applicants above age 40 is specifically barred by federal law. Do not ask the applicant’s age.

- **Inquiries about religion**
  Do not ask what religion an applicant professes or what accommodation(s) would be required on the job to facilitate his or her religious practices.

- **Inquiries about membership in organizations**
It is acceptable to ask about the applicant’s membership in professional organizations, but questions related to membership in any other type of organization should be avoided as this information has been used in the past to discriminate illegally.

- Inquiries about health and physical status
  Do not ask if the applicant is disabled or about the nature or severity of any disability. The Americans with Disabilities Act is quite specific about questions that may be appropriately addressed to job applicants and those that are prohibited. The rule of thumb is, first, do not ask anything about an applicant's physical or mental status that is likely to elicit information about a disability. Second, if it is known with certainty that the applicant is disabled, do not ask how he or she could perform anything other than the essential functions of the job. The essential functions of the job are its major responsibilities, not minor or occasional responsibilities. It does not matter if prohibited inquiries are well-intentioned or casual; they are still prohibited. So please avoid “friendly” comments such as “My brother was wounded in Vietnam. Is that what happened to you?”

Well then, what can you talk about?
- The duties and responsibilities of the job
- ECU’s mission, programs, and achievements
- Career possibilities and opportunities for advancement
- Facilities available, available equipment, and amount of travel involved in the job
- The applicant’s qualifications, abilities, interest, education, and experience

If you are unsure about these or any other particular inquires, do not hesitate to call the Office for Equity and Diversity at 328-6804.