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Human Resources: Legal Considerations

The Affirmative Action Program reflects the Institution's efforts to eliminate discrimination in the employment selection process.

The interview must avoid areas that could inadvertently be the source of legal violations. Unless the infomation you seek is directly related to job performance, questions in the following areas are viewed as an abridgement of equal employment opportunity and have legal consequences for the Institution. The Equal Employment Opportunity Commission (EEOC) considers several areas of discussion particularly sensitive and unacceptable:

- Age: All questions designed to discover age. The only permissible question is whether the applicant is over the State minimum legal employment age of 18 (special regulations apply to minors under age 18).
- Arrest Record: All questions relating to arrests.
- Citizenship/Natural Origin: All questions relating to citizenship, lineage, ancestry, national origin, descent, birthplace, mother tongue.
- Education: All questions relating to a degree when a degree is not necessary for the job.
- Financial/Credit Status: All questions about financial condition/credit rating. May ask about minimum salary requirements.
- Gender or Sex-linked Information/Sexual Orientation: Avoid all comments about gender. If you would not ask a question of a man, do not ask it of a woman, and vice versa.
- Health/Handicap: All questions about health not related to specific job requirements; handicaps and nature/severity of handicaps.
- Marital Status/Family Status/Child Care Needs: All questions about whether the applicant is married, single, divorced, number and age of children, child care needs, or spouse's job.
- Military/Veteran Status: All questions about type or condition of discharge.
- Organizations: All questions relating to organizations whose names or character may indicate economic or social class, race, sex, marital status, religion.
- Pregnancy: All questions about pregnancy or medical history concerning pregnancy.
- Race or Color: All questions about race or color.
- Religion: All questions to indicate or identify religious denomination or customs.
- Residence: All questions regarding renting or owning a home.

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