What Not to Ask: Illegal Interview Questions

Federal, state and local laws protect employees from discrimination by age, race, gender, national origin, citizenship, disabilities, marital status, sexual orientation, arrest and conviction record, military discharge status, pregnancy status and even salary history. The purpose of a job interview is to determine whether someone has the ability to do the job.

To prevent discrimination lawsuits, share this list of unlawful questions with interviewers ahead of time.

- How old are you?
- When did you graduate from __________?
- Are you married?
- Are you gay?
- Do you have/plan on having children?
- Who will take care of your children while you’re at work?
- Is English your first language?
- Are you a U.S. citizen?
- What country are you from?
- Where were you/your parents born?
- What is your religion?
- Where do you go to church?
- What clubs or social organizations do you belong to?
- Do you have any disabilities?
- How is your health?
- How tall are you? How much do you weigh?
- Have you ever been arrested?
- If you’ve been in the military, were you honorably discharged?
- What is your current salary/previous salary?

This list is not intended to be complete or constitute legal advice. If you have questions about the legality of interview questions, please consult your organization’s attorney.