Hiring and Selection

Policy and Procedure Guidelines

**We reserve the right to make changes to the policies, procedures, and other statements made in this Guide. Business conditions, Federal and State Law, and organizational needs are constantly in flux and may require that portions of the Guide be re-written. This is necessary to successfully obtain the goals of the organization.**

# PURPOSE

The purpose of this document is to provide a hiring and selection guide for the company. “HR” functions are handled by different people depending on the size of the organization. Some organizations have HR departments while in smaller organizations hiring is primarily handled by the Executive Director. Therefore, please adapt these practices to best fit the size and structure of your affiliate while adhering to TQS and best practices.

Hiring and selection guidelines are to ensure consistency and objectivity when collecting and evaluating applicant and/or candidate data.

* To arm all managers with an awareness of employment laws related to hiring.
* Understand the importance of using a structured recruiting/interviewing process.
* Using a combination of technical skills, behaviors and values to determine a best fit within the

 Organization to include competencies.

An effective, well-organized process has the following benefits:

* Simplifies your selection process
* Strengthens your ability to recruit top talent
* Provides structure with roles and expectations
* Treats all candidates objectively and equally
* Can reduce training time and can decrease turnover
* Provides a positive image to external environment

# DEFINITIONS

A “Candidate” is a job seeker who has submitted his or her information to a company in the hopes of attaining a position that is best suited to their specific skill set WITHOUT there being an open position.

An “Applicant” includes only individuals who have applied for a specific, open position for which an employer is seeking candidates and who meet the pre-defined and documented minimum qualifications related to the specific, open position. Additionally, the definition of applicant should include only those individuals who apply for the position during the period that the applicant flow log remains open and who complies with the hiring organization’s formal recruitment practices (to include resume submittal, application submission, etc.)

# OPENING A POSITION

## A. Job Requisition

A formal request to fill all position vacancies must be submitted via email to HR/management (Full time, part time, temporary, etc). Job Requisitions for new positions should be submitted in advance of the preferred start date. Please obtain proper approvals from management and finance team before submitting. This is extremely important for larger organizations that ensure everyone is communicating.

A *Job Description* must be included with the completed Job Requisition. When clarifying the job requirements, the description must indicate what are "essential" and what are “marginal” job functions. These terms have specific meanings under the Americans with Disabilities Act (ADA) and other disability discrimination laws. The description must be clear on what the job functions are, but not specify how they should be accomplished. Review Competency Bank to ensure the job description reflects current competencies.

Provide a pre-screening questionnaire to HR/management if applicable. Examples:

* + - 1. Job Knowledge Tests: Involve written or oral questionnaires directly related to the functions performed. An applicant's responses reveal whether he or she has the requisite work experience and specific knowledge to be successful in the position.
			2. Work Sample Tests: Applicants are asked to complete an actual work project or simulation typical to that required by the open position.

All open Job Requisitions/Positions are reported to management and managed by HR.

NOTE: Interviews can occur *without* a valid approved requisition in order to keep a “pipeline” of candidates available. Typically, “pipeline” interviews are considered exploratory, informal, and should be clearly explained as such to candidates so there is no misunderstanding about the status of a position vacancy.

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## B. Job Posting

Once the Job Requisition is approved, HR will post the position internally and/or externally as appropriate. Requisitions are usually posted to ensure that current employees, or “internal candidates”, have an opportunity to apply for open positions either before or concurrent with a company's consideration of external candidates for employment.

Typically, a company’s philosophy is to promote from within whenever possible, but recognize that certain business conditions could require a position be filled without posting, or to be posted while simultaneously recruiting externally. These conditions may include organizational restructuring; special skill, education, and/or experience requirements that are not known to match any existing employee; critical operational needs, etc.

#  APPLICATION & RESUME COLLECTION PROCESS

Internal Applicants

One way to give internal candidates an opportunity to apply for an open requisition first is to allow them to submit an application to HR/management within the first five (5) business days of the posting period to receive consideration. Employees wanting to refer an external candidate for an open position may do so by submitting a resume to HR/management.

A. Resume Collection & Review

HR/management receives, dates and tracks all incoming resumes or applications, then forwards to the hiring manager. The HR/Hiring Manager screens all resumes against minimum position requirements and qualifications. It is important to keep record of which applicants are rejected or accepted.

## B. Screening

HR will screen candidates to verify skills and requirements and to answer questions which may have been noted while reviewing the resume or internal application. They may also do this by setting up a brief phone screen to ask some basic questions to ensure they meet basic job requirements.

Only HR/Hiring Manager should discuss compensation, benefits, etc. with an external candidate.

The Hiring Manager determines next steps and provides feedback to HR/management.

## C. Interview Process: *See below for additional interviewing TIPS!*

HR/Hiring Manager will coordinate the interview process for all candidates, including setting the questions, the agenda and making any necessary travel arrangements. All internal and external candidates formally interviewed by team members become “Applicants”.

* All applicants will be requested to complete an employment application.
* Pre-employment testing (if applicable) to be scheduled and received.
* Prior to interviewing, manager need to review the job description, interview questions and make sure team members know their role. It is recommended to go through their career in a chronological order and discuss their personal history at each job.
* The interviewer(s) must be familiar with the major duties and responsibilities, and the essential knowledge, skills, and behaviors of the position. Be sure that each interviewer reviews the position description carefully. The more thoroughly an interviewer understands the work a candidate is being considered for, the more effective they can be determining if the candidate is a match for the position.
* The team approach is preferable because it saves time and allows for comparison of the applicant by the team members. The size of the interview team may vary, but generally, two to three members are recommended.
* Candidate Presentation (if position requires)
* A feedback meeting needs to be scheduled with all of the members of the interview team. The selection criteria must be consistent with the complexity and level of the job. Focus on performance factors that can be demonstrated in the selection procedure. Understand the departmental/or organizational goals as they relate to this position. Such criteria must be job-related and might include performance during the interview, relevant training, education and experience. Example: To what extent is job success dependent upon effective communication, on-the-spot reasoning skills, and the ability to effectively present oneself to others? Use the Competency bank to determine what factors should be evaluated.

## D. Reference Checks

Professional references must be completed and on file for final applicants. Best practice is to check a minimum of 3 references who have reviewed the applicant’s work. Ask applicants to give you 4 references in case you have trouble getting hold of one you can still get at least 3 in a timely manner. Preferably former supervisors from the candidate’s application. This may not necessarily be who the candidate provided as a reference (peers, clients, personal references, etc).

Applicants that are not selected will be notified by phone or some other method as quickly as possible at the end of the process. Any candidate or applicant with questions regarding the process is to be referred to HR/management.

Sample response: Thank you for your time in getting to know “XXX company”. We appreciated your time, but we have decided to move forward with another candidate in our process.”

## E. Extending an Offer and Closing the Requisition

Once a decision is made and the best fit is determined then a job offer may be extended. A verbal offer is made by HR/management and the appropriate documentation is then prepared.

1. If an offer is rejected the applicant pool is re-reviewed and/or search reopened. The next applicant of choice receives an offer and so forth.
2. If an offer is accepted HR will “close” the requisition by removing postings and closing out the position. A closed job file must contain all of the above information. All the corresponding information for the new hire is removed from the job file and used to create the employees HR file.

**Interviewing Best Practices**

**Develop Job-Related Questions**

"Nice to know" questions are not permitted! Lawsuits may result from applicants who are rejected on the basis of irrelevant questions asked by interviewers.

|  |  |
| --- | --- |
| [Note] | It is not uncommon for an applicant to provide irrelevant or inappropriate information during the interview. Should this occur, disregard the information and do not write it down. |

**Develop Interviewing Strategies**

There are many different interviewing strategies. Develop strategies that are appropriate for the position level and skill requirements. For example, interviews for a position that involves client contact should focus on verbal skills, while an analytical position requires more testing of critical thinking.

**Establish a System to Evaluate the Responses**

It might be beneficial to set up a formula for rating or ranking the applicant's responses to the questions based on the selection criteria. Evaluating the responses in this manner will help make the selection process easier and more objective. An effective support tool that we have developed to assist you is the Competency Bank that includes competencies, descriptions, how to validate and sample interview questions as a starting point.

### Preparing Questions

When developing questions, always keep in mind that they must be job-related and appropriate for the complexity and level of the position. It is helpful to weigh the questions based on the importance of each selection criterion. Below are six main categories of questions that are commonly used by interviewers. Different types of questions may be combined to obtain a certain response.

1. **Behavioral questions**. These questions are used to predict behavior. Past behaviors are the best indicators of future behavior.
2. **Close-ended questions**. These questions may sometimes be helpful when an interviewer wants to know certain information at the outset or needs to determine specific kinds of knowledge. Example: "Could you name the five specific applications involved in...?
3. **Hypothetical questions**. Hypothetical situations based on specific job-related facts are presented to the applicant for solutions. Example: "What would you do if..", "How would you handle..."
4. **Open-ended questions**. These are the most effective questions, yield the greatest amount of information, and allow the applicant latitude in responding. Example: "What did you like about your last job?"
5. **Probing questions**. These questions allow the interviewer(s) to delve deeper for needed information. Example: "Why?", "What caused that to happen?", or "Under what circumstances did that occur?"
6. **Technical questions**. The most effective way to employ a technical question is to recall a real-life situation where two divergent approaches were both carefully considered.

### Determining Strategies

Although there are many different interviewing strategies, the following are examples of three different perceptive strategies. These types of interviews lend to the perception of fairness among candidates, and provide data to support decisions in the event of a challenge by a candidate.

1. **Behavioral interviewing**. The interviewer is looking for a behavioral pattern. All questions are based on the past. The assumption is that “past behaviors are the best indicator for future behaviors.” The interviewer may get an idea of what action the interviewee might take in the future based on what happened in the past.
2. **Situational interviewing**. This strategy is based on the assumption that the closer you can get to a real work situation, the better the evaluation will be. The situational interview could involve taking a tour of the workplace and asking the interviewee to actually perform some aspect of the job, or a closely related aspect of the job.
3. **Structured Interviewing**. In a structured interview the same questions should be asked to all candidates. This type of interview improves reliability and validity by using the same job related questions for each candidate. The strength of this type of interview is that all candidates receive the same treatment, interview questions are directly linked to job behaviors, and more than one person evaluates the candidate.

Each of these strategies has its strengths and weaknesses. One strategy should not be used exclusively for all interviews. Different position levels might require different interview approaches.

### Evaluating Responses

As part of evaluating the responses, the interviewer(s) should review the job description to ensure thorough familiarity with the requirements, duties, and responsibilities of the position. Furthermore, the interviewer(s) should review the work history and relevant educational credentials of each candidate and consider the requirements of the job. Finally, the interviewer(s) should review the selection criteria, evaluate and rate the responses, and rank the applicants based on those criteria. *See the sample interview protocols at the end of this this document that tie into our quality improvement work.*

## Interview Process

### Pre-Interviewing

1. Schedule interviews to allow sufficient time for post-interview discussion regarding the completion of notes, etc. This is a minimum of 1 hour per candidate.
2. Secure an interview setting that is free from interruptions or distractions including phones, emails or unexpected visits.
3. All applicants should complete a job application prior to their interview. Either email them the application at the time the interview is confirmed asking them to bring it with them to their interview or allot 15 minutes for the completion of the application in your scheduling. Do not accept applications where applicants have not completed the application but stated refer to my resume.

Hiring and Selection Process and Timeline

|  |  |  |
| --- | --- | --- |
|  Action Item | Completion Date | Person Assigned |
| Job Requisition Approved |  |  |
| Job Description Approved |  |  |
| HR/Management to meet to discuss qualifications |  |  |
| Job Posting (internally?) |  |  |
| Job Posting (externally?) |  |  |
| Set Resume collection process? |  |  |
| Resume Screening |  |  |
|  |  |  |
| Phone Screening |  |  |
| Candidates Identified & discussed w/CISNC Team |  |  |
| Pre employment testing? |  |  |
| Schedule 1st round interviews |  |  |
| Rank candidates and review with HR/Hiring Manager |  |  |
| Schedule 2nd Interview |  |  |
| RE-rank candidates and review with HR/Hiring Manager |  |  |
| Request References from Candidates |  |  |
| Email/call reference questionnaire to references  |  |  |
|  |  |  |
| Choose final candidate |  |  |
| Verbal Offer made |  |  |
| Offer Letters Drafted  |  |  |
| Offer Letters Extended *after verbal offer accepted* |  |  |
| All New Hires Confirmed to necessary team members with info needed |  |  |
| Remove Posting |  |  |
| Notification to candidates not selected (definite no’s) |  |  |

*NOW GO TO ONBOARDING CHECKLIST!*

Phone Screen

Completed by HR/Hiring Manager

“Get the Real Story”

Candidate’s Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position: \_\_\_Student Support Specialist\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Follow these guidelines when conducting interviews:

* LISTEN, LISTEN, LISTEN!!! (Talk less than 20% and don’t lead). Use silence effectively.
* Talk about actual experiences of what they did and take notes.

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| --- |
| In the beginning… |
| Tell me why you went to college or how you started working at your first job? (Go from beginning to present day and confirm why they left each job) |

|  |
| --- |
| Inquire around the following (if not already covered): |
| * *Technology experience* (types of software, amount of use, and do they enjoy it?)
* *Youth experience*: If they have not talked about this above, dig in around school experience or experience with children. Also, adults in education
* *Attention to Details/Case Management*: Have the candidate explain any experience they may have around maintaining files and what was there process to ensure they met deadlines?
* *Communication throughout phone screen*
 |

HR/Screener: Explain the company, the model and the job to the candidate. Find out why they are interested as this is important!

Inquire as to why they think they are a good fit for this role? What skills/talents would they bring to the organization?

The 1st Round In Person-Interview

Candidate’s Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position: \_\_\_Student Support Specialist\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Interviewers:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* Before proceeding into the interview, review the applicant’s resume, application and answers to the questions that HR asked. The goal is to get any “holes” in their background cleared up or verfified when it comes to their work history.

Behaviors & Situations

Scenario, completed resource map, and copy of CIS Model to be provided to interview candidates before interview:

You started your first year as a CIS Student Support Specialist in a traditionally under-resourced school with lower academic performance results. The needs of students you will service are highly varied, some require minimal check-ins, and others need daily or weekly progress monitoring sessions with you. Some have basic needs that are not being met at home, while others can benefit from behavior interventions or connections to tutoring and mentoring programs. Others may need more intensive, ongoing mental health supports or additional services that you aren’t qualified to provide.

On the other hand, your school leaders are enthusiastic about the academic gains they expect to make this year with several new staff members, and they have lots of ideas for new initiatives and programs to help ensure a successful year. Some of the students in your school are returning, and some are new. Several returning students are having difficulty adjusting to the differences within their school community, and the teachers and staff are still learning their roles and responsibilities. As the year progresses, your school continues to respond to major logistical and personnel challenges, including multiple master schedule changes and teacher turnover. Despite these challenges, you have a strong understanding of what services would best help the students at your school because you have evaluated student demographic and school data, as well as the assets and opportunities within the surrounding community.

You also worked with the school leaders and support staff to identify the most pressing needs of the students in your school related to attendance, behavior, academics, and parent/family engagement, and you created a CIS School Support Plan that aligns with the school’s own action plan. Armed with current school-level trends and individual student data regarding attendance, behavior, course work and other risk factors, you now have meaningful data to begin identifying a caseload of students needing the most support in these areas.

After you’ve completed a needs assessment and evaluated their attendance, behavioral and coursework data and other individual factors, you develop goals with your case managed students to track on a regular basis. Unfortunately, you determine the needed resources/services are not readily available internally through the school.

|  |
| --- |
| Analytical |
| Give them the Site Coordinator Scenario (above) and the following question:How would you prioritize your list of students and then help ensure these case managed students get the specialized help they need?Circle one:

|  |  |  |
| --- | --- | --- |
| No Evidence of Basic Requirement | Meets Basic Requirements | Clearly Outstanding |
| 0 | 1 | 2 |
| * They do no show that they plan and they jump in and try to figure it out as they go along
 | * They have a plan
* They show they are a process thinker
 | * They have a plan and are able to lay it out with details
* They are a process thinker and have a logical order to do things
* They address handling multiple students with different priorities and how they would prioritize them
 |

 |
| Communication/Leadership/Flexibility: Tell them you will coach them after your answer |
| Give them the Site Coordinator Scenario (above) and the following question:Throughout the school year, unexpected school needs arise, and you are asked by the staff and school leaders to assist with various ad-hoc projects. These projects, however, do not align with the CIS School Support Plan goals you agreed upon together at the beginning of the school year. You want to maintain positive work relationships but already have an aggressive action plan to follow based on your needs assessment. Describe the tactical approach you would use to address this concern with principals and other school staff.Circle one:

|  |  |  |
| --- | --- | --- |
| No Evidence of Basic Requirement | Meets Basic Requirements | Clearly Outstanding |
| 0 | 1 | 2 |
| * They do not show how they would communicate with the schools on the objectives that need to be accomplished
* They have a hard time telling someone “no.”
 | * They demononstrate a strong communication plan to make sure they are open with the school staff. They face the concern without hesistation.
 | * They demononstrate a strong communication plan that incorporates verbal and written techniques to communication with multiple audiences (ie they set up meetings/phone calls to go over information, they reinforce information via emails, they determine the best way to communicate with the audience they are serving)
* They show how they would adapt the communication based on the person and show a great level of honesty
 |

Coaching/Feedback moment: pick out part of their answer they COULD have done better and give them some advice. Rate their reaction and ask them with that feedback in mind to “redo” their answer. See how this works with the candidate.  |
| Initiative/Passionate |
| Tell me about a time when you were proactive & solved a potential problem before consequences occurred.(This is an excellent question that lets a potential employee really sell themselves. In doing so, the hiring manager can see what type of person they are really interviewing. They can also measure how out of the way this candidate had to go in order to complete their duty. This gives a clearer picture about the work ethics of the potential employee).Circle one:

|  |  |  |
| --- | --- | --- |
| No Evidence of Basic Requirement | Meets Basic Requirements | Clearly Outstanding |
| 0 | 1 | 2 |
| * They can’t give a solid answer and are struggling to think of an example of when they solved a problem
 | * They provide an example that needed to be solved and fixed the issue.
* Provided some details
 | * They provide an example that needed to be solved and fixed the issue.
* Provided full details. Who, What, Where, Why and How?
* Never gave up and were forward thinking in the process
* Showed they were results oriented and engaged
 |

 |

* Let the canidate ask questions around the interview
* Explain the recruitment process and timelines

Total Score from 1st in Person interview (total score possible is a 6):

Notes:

2nd Round In Person-Interview

Candidate’s Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position: \_\_\_\_\_\_\_Student Support Specialist\_\_\_\_\_\_\_\_ Interviewers:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

* Before proceeding into the interview, review the applicant’s resume, application and answers to the questions that HR and the first round of interviews asked. The goal is to get any “holes” in their background cleared up or verfified when it comes to their work history.

Behaviors & Situations

|  |
| --- |
| Relationship Builder |
| To this point, you have learned a lot about CIS and the model. If you were to accept an opportunity with us how would you handle the following. It is your first month at the school in which you are going to serve - how do you start to engage all the stakeholders you have to build a relationship with (principal, teachers, administrator, students, community partners, etc). Let them talk and see how they think and build relationships. This should also confirm if they are a process/sequential thinker as well. Circle one:

|  |  |  |
| --- | --- | --- |
| No Evidence of Basic Requirement | Meets Basic Requirements | Clearly Outstanding |
| 0 | 1 | 2 |
| * They don’t have a solid plan and are struggling with how they would this.
* Interpersonal skills are lacking
* Suggestions of how to engage stakeholders due not line up to the model
 | * They come up with suggestions of how to engage stakeholders in a variety of different areas
* They include all necessary audiences
* Some ideas may not be ideal but they have attempted to address all areas
 | * They come up with suggestions of how to engage stakeholders in a variety of different areas
* They include all necessary audiences
* Ideas are well thought out and shows understanding of the frame of reference (CIS Model)
* They thrive under the coaching feedback you provide under your answer
 |

Coaching/Feedback moment: pick out part of their answer they COULD have done better and give them some advice. Rate their reaction and ask them with that feedback in mind to “redo” their answer. See how this works with the candidate.  |
| Flexibility  |
| Describe a situation that required you to multitask. What did you do? How frequently do you feel like you had to do this? (daily, weekly, monthly?) Did you enjoy having to do that many things at once?Circle one:

|  |  |  |
| --- | --- | --- |
| No Evidence of Basic Requirement | Meets Basic Requirements | Clearly Outstanding |
| 0 | 1 | 2 |
| * They can’t give a solid answer and are struggling to think of an example of multitasking
* OR they have not been in jobs that have required flexibility & multitasking
 | * They provide an example that shows flexibility
* They were used to changing on a daily basis
 | * They provide an example that shows flexibility
* They were used to changing on a daily basis
* They are adaptable and the flexibility/ability to changes is something they enjoy (i.e.,Does not cause them stress)
 |

 |

* Let the candidate ask questions around the interview
* Explain the recruitment process and timelines
* If there seems to be high interest in the candidate, ensure you have references to check on the candidate

Total Score from 2nd interview (total possible is a 4):

Reference Check Form

Candidate’s Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Open Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Reference’s Name/Phone:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reference’s Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Company Reference: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| How long have you known the candidate and in what context (peer, subordinate, supervisor) ?What were their dates of employment? What was the job title? If you could describe him/her in one word, what would it be? |
| What were the applicant’s primary responsibilities?  |
| How would you describe the candidate’s ability to communicate?  |
| How does the candidate handle pressure/deadlines? |
| How does the candidate handle conflict situations? |
| What were the person’s biggest strengths? What was the BEST contribution they did while at your company? |
| What were some of the person’s biggest areas for improvement back then?   |
| How would you rate their overall performance in that job (1-10).  |
| What was the reason given for leaving your company? Would you rehire or work with again? Why or why not? |
| Overall Summary: Do you have any additional information to share with us about this candidate?Thank the reference for their time. |
| Candidate’s Next Step: Recommendation:  Refer On  No InterestConducted by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

Legal

Acceptable and Unacceptable Questions

|  |  |  |
| --- | --- | --- |
| Topic | Unacceptable | Acceptable |
| Citizenship, National Origin | * Are you a U.S. citizen?
* What is your national origin?
* What is your maiden name?
* Where are your parents from?
* What is your father's surname?
* What are the names of your relatives?
* Asking for birthplace of applicant.
* Asking for birthplace of applicant's parents, spouse, or other close relatives.
 | * Are you lawfully employable in the United States either by virtue of citizenship or by having authorization from the INS and the Labor Department?
* Are you legally eligible for Employment in the United States?
* Do you have the legal right to work and remain in the United States?
* Are you currently authorized to work for all employers in the United States on a full-time basis or only for your current employer?
* Have you ever worked under a different name?
* Have you ever been known by another name? (Only ask this question if you need to contact a former employer, because a legal liability may exist if an applicant claims that you were trying to determine her ethnic background and consequently didn't hire her because of it.)
 |
| Age, Education | * How old are you?
* When did you graduate from high school? (Can be associated with age)
* When did you graduate from college?
* We’re looking for recent graduates.
 | * Are you over the age of eighteen?
* What schools have you attended?
* Do you have a high school diploma or equivalent?
* Do you have a university or college degree?
* Inquiries about applicant's academic, vocational, or professional education and the public and private schools attended.
 |
| Reliability, Attendance | * Do you have any children? What are your childcare arrangements?
* Number of children?
* Who is going to baby-sit?
* What religion are you?
* Do you have pre-school age children at home?
* Do you have a car?
 | * What hours and days can you work?
* Are there specific times that you cannot work?
* Do you have responsibilities other than work that will interfere with specific job requirements such as traveling?
* Questions about family status are not job related and should not be asked.
 |
| Organizations & Affiliations | * What clubs or organizations do you belong to?
 | * What professional or trade groups do you belong to that you consider relevant to your ability to perform this job?
 |
| Workers’ Compensation | * Have you ever filed a workers' compensation claim?
* Have you had any prior work injuries?
 | * None.
* You may not ask this question or any related question during the pre-offer stage.
 |
| Disabilities | * What disabilities do you have?
 | * Are you able to perform the essential functions of the job to which you are applying? (Be sure you tell the applicant what the essential functions are).
 |
| Arrest, Conviction | * Have you ever been arrested?
 | * Have you ever been convicted of a crime? If so, what was the disposition of the case?
* Note: The EEOC and many states prohibit use of arrest records for employment decisions because they are inherently biased against applicants in protected classes. The employer must establish a business necessity for use of an applicant's conviction record in its employment decision. In establishing business necessity, the employer must consider three factors to justify use of a conviction record: (1) Nature and gravity of the offense for which convicted; (2) Amount of time that has elapsed since the applicant's conviction and or completion of sentence; and (3) The nature of the job in question related to the offense.
 |
| Credit | * Do you own your own home?
* Have your wages ever been garnished?
* Have you ever declared bankruptcy?
 | * None
* 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.
 |
| Smoking | * Do you smoke?
 | * Our smoking policy is <<< >>>—can you adhere to it? (Be aware of any state laws that relate to smoking. Some states prohibit an employer from excluding applicants for off the job smoking.)
 |
| Medical, Disability | * Do you have AIDS or are you HIV-positive?
* Do you have any job disabilities?
* Have you ever had or been treated for any of the following conditions or diseases (followed by a list)?
* Have you ever been hospitalized?
* Have you ever been treated for a mental disorder?
* How many days were you absent from work last year due to illness?
* Do you have any known physical disabilities?
* Are you taking any prescription medications?
* Have you ever been treated for alcoholism or drug addiction?
* Do you have any physical or mental impairments that would affect your job performance?
* Have you ever filed a workers' compensation claim?
* Have you sought treatment for an inability to handle stress?
* Are you able to stand or walk?
* How many days' sick leave did you take last year?
* What medications are you currently taking?
* Have you ever been addicted to drugs?
 | * There is no acceptable way to inquire about a medical condition.
 |
| Emergency | * What is the name and address of the relative to be notified in case of an emergency?
 | * 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.)
 |
| Military Record | * What type of discharge did you receive?
 | * Did you serve in the military?
* What was your rank at discharge?
* What type of education, training, work experience did you receive while in the military?
 |
| Foreign Languages | * What is your native language?
* Inquiry into use of how applicant acquired ability to read, write or speak a foreign language.
 | * Inquiry into languages applicant speaks and writes fluently. (If the job requires additional languages)
 |
| Organizations | * List all clubs, societies and lodges to which you belong
 | * Inquiry into applicant's membership in organizations that the applicant considers relevant to his or her ability to perform job.
* Are you a union member?
 |
| Race or Color | * Complexion or color of skin.
* Coloring.
 | * None
 |
| Religion or Creed | * Do you attend church?
* What is your religion?
* Does your religion prevent you from working weekends and holidays?
* Inquiry into applicant's religious denomination, religious affiliations, church, parish, pastor or religious holidays observed.
 | * None
* Statement of regular days, hours, or shifts to be worked.
 |
| Gender | * Do you wish to be addressed as Mr.?, Mrs.?, Miss?, or Ms.?
* Are you expecting?
* Are you pregnant?
* Asking applicant about future childbearing plans.
* Asking applicant about childcare arrangements.
 | * None
 |
| 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?
* Are you renting?
 | * None
 |
| Personal | * What colors are your eyes, hair?
* What is your weight?
 | * Only permissible if there is a bona fide occupational qualification.
 |
| References | * Asking for name or address of any relative of applicant.
 | * “Who referred you for a position here?”
* Asking for names of persons willing to provide professional and/or character references for applicant.
* Statement of company policy about work assignment of employees who are related, *or* asking for names of applicant's relatives already employed by the company.
 |
| Marital Status | * Are you married?
* Are you single?
* Are you divorced?
* Are you separated?
* Are you widowed?
* What does your spouse do for a living?
 | * None
 |
| Salary | * What is the lowest salary you will accept?
 | * What are your salary expectations?
 |
| Sexual Preference | * Are you homosexual?
* Are you bisexual?
* Are you heterosexual?
* Do you like women?
* Do you like men?
 | * None
 |