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Introduction:

The purpose of this guide is to provide an overview for managers and supervisors involved in the interviewing process. The resources provided here will assist hiring managers in structuring interviews that are consistent and job-related. As a University, we want to ensure that we provide hiring managers with the necessary tools that will make the hiring process successful.

It is very unlikely that a hiring manager would extend an offer to an individual whom he or she has never met. Therefore, the job interview is an integral part of the employment process. Prior to initiating a job search, it is recommended that the hiring manager perform an analysis of job requirements. Outlining job functions, duties and the requirements for successful performance is essential for selecting the most suitably qualified people to fill positions.

It is the responsibility of the hiring manager to ensure that interviews do not result in discriminatory practices. A valid interview includes only questions and topics that are job-related. By asking only job-related questions, personal bias is minimized. It is important that interviews be conducted in a consistent manner so the same job-related information is obtained from each applicant, thereby allowing for a fair comparison. In addition to being a legal requirement, it makes good business sense to base your hiring decisions on qualifications rather than non-job-related factors.

Reviewing Applications:

Applications received in response to a posting will be reviewed by the Recruitment Services department. Recruitment Services will review the applicant's qualifications against requirements listed in the job posting (this applies to AMP, SP, and OPS recruitments only).

Applicants who meet the minimum posted specifications will be available for review via Workday (please see the screen job aid for managers and recruiting partners). The Recruitment Services office will announce the availability of the applicant pool via email.

Prior to scheduling interviews, the hiring manager must determine the selection criteria by which all interviewed candidates will be evaluated; priorities should not change after the interviewing process has begun.

Well defined qualifications form the basis of an effective interview and selection process. The criteria must be based on the requirements described in the vacancy posting. Using the established selection criteria will aid in the review of applications and determining appropriate candidates for interview. This will greatly improve the likelihood of selecting a qualified applicant who will be a high performer.

Scheduling the Interview:

Before contacting any applicant to schedule an interview it is important to select an appropriate venue.

To avoid any appearance of discrimination, the interview location should be selected based on ease of access for all applicants, void of any unusual distractions.



When contacting applicants to schedule an interview, be prepared to provide the applicant with the following information:

- Describe the interview process
- Provide date, time and anticipated length of the interview
- Provide the name and titles of interviewers
- Inform the applicant of the number of interviewers and number of interviews planned for the day, for example, there may be three interviewers in the room, or there may be a series of interviews with three separate interviewers
- Provide address, building location and directions (email information to applicant if possible)
- Provide information regarding on-campus parking
- Provide your name, title and contact information in the event the applicant must reach you before the scheduled interview

Developing Interview Questions:

Interview questions must be developed prior to conducting interviews. Hiring managers should ask each applicant the same basic set of questions. Follow-up or clarification questions are the best way to get in-depth responses from an applicant whose answer is vague or incomplete, or who seems to misunderstand the question. Follow up questions will also be the basis for a more complete understanding of the applicant's qualifications and likelihood for success.

Interview questions should be based on:

- The position description
- Skills and abilities required for position
- Job responsibilities, expectations, and qualifications
- Applicant's prior experience in relation to the position

Review the selection criteria you have developed to ensure that you have covered all of the critical areas.

You may take notes, recording the applicant's response, during the interview to allow for accurate recall of answers that could become part of your records for the employment decision. Notes taken during an interview are part of public record and must be maintained by the department for seven years. Interview notes should not contain judgments but rather record statements and/or behaviors.

Normally, an applicant's responses to interview questions should provide examples of specific work experiences or education, which demonstrates skills, knowledge, abilities, attitudes, etc.

It is acceptable to explore qualifications that may have been developed in non-traditional ways, for example, through volunteer activities or community service.

Asking open-ended questions enables candidates to provide more information, and are more likely to draw out responses from candidates. Open-ended questions normally begin with "What, "How," "Why," "Describe," or "Tell me". For example, if the job requires an employee to work directly with customers, the interviewer might ask the applicant to describe a recent situation when he/she went above and beyond to ensure excellent customer service.



Interviewers are advised **not to ask** leading questions, as the applicant may attempt to provide the answer he or she thinks the interviewer wants to hear. For example: "For a Senior Clerk position, would you agree multi-tasking is the most important skill needed?"

It is recommended that hiring managers develop questions that require applicants to provide a description of an experience that would be similar to the tasks and duties of the vacant position. It is important to ask follow-up questions in order to obtain a detailed understanding of the situation the applicant uses as an example. You will want to learn why the applicant handled the situation in the way they did, how often the situation occurred, problems encountered, the outcomes, the effects of the situation or outcome on others, and how long it took to resolve the situation (if applicable).

The hiring manager may also want to develop questions based on the candidate's application or resume.

Items on the application/resumes which may need clarification include:

- Relevant education and training
- Patterns in work history
- Availability to start work and work required shifts

While it is important to ask all candidates the same basic questions, more specific questions can be asked if they are based on the specific application/resume.

Questions should not extend into areas that are not job-related. **Any volunteered information that is not job-related must be disregarded.**

Unlawful Interview Questions:

Florida Atlantic University is required by law, as well as Federal and State regulations to ensure that it does not discriminate against applicants for employment. This policy of nondiscrimination applies to all phases of the employment process and prohibits discrimination based on race, sex, age, religion, national origin, sexual orientation, disability, and veteran status. More importantly, FAU is bound by our own core values of professional ethics and does not support misrepresentation in hiring activity.

Hiring managers must observe the University's nondiscrimination policy when developing interview questions and conducting the interview. Questions of a discriminatory nature may not be asked during interviews.

Discriminatory questions fall into two basic categories:

- Questions that are discriminatory on face value
- Questions whose responses may lead to discriminatory trends

When developing interview questions, it is important to review the examples below of unacceptable questions that discriminatory and should not be asked. Questions with potential responses that may lead to discriminatory trends are those questions that have an unfair effect on women, veterans, minorities, and some other protected groups, are to be avoided.

Inquiry Area	Illegal Questions
Race/Ethnicity Discrimination	To what race do you belong?Are both your parents white?



	What is your ancestry?
Gender Discrimination	 Do you plan to have children/more children? What are your daycare arrangements? Are you married? As a woman/man, do you feel you can do the job?
Age Discrimination	How old are you?When do you plan to retire?
Religious Discrimination:	 To what church do you belong? Is that a Star of David you are wearing? On what days do you observe religious organizations? Was your schooling in public schools or in church schools?
National Origin Discrimination	 Where did you get that accent? In what country were you born? How did you learn so many languages?
Disabilities Discrimination	 What is the nature of your disability? Do you have any disabilities that might prevent you from doing this job? Do you have any disabilities or physical problems that cause you to visit physicians regularly? Do you get sick often?
Veteran Status Discrimination	 What type of discharge did you receive? Have you had any after effects from serving in war? What is your military discipline history? How do you alleviate anxieties and pressures with your military experience?
Questions that result in responses leading to discriminatory trends:	 Do you own an automobile? Have you ever been arrested? What is your credit rating? Do you own or rent a home or live in an apartment? To what non-professional organizations do you belong? What type of military discharge did you receive? What is your opinion of people who get psychological counseling? What is your height? What is your weight? Has college changed much since you were a student? Can you provide medical records?

	 What types of medication are you currently taking? Do you need any special accommodations?
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Interviewing Techniques:

Below is a breakdown of the most popular interview techniques. The best interviews are a blend between both.

Traditional Interview:

This is most common type of interview. This interview format consists of a series of questions that may or may not be standardized. The traditional job interview uses broad-based questions such as: "why do you want to work for this company," and "tell me about yourself."

Behavioral Interviewing:

Behavioral interviewing is based on the premise that past performance is the most accurate indicator of future performance. Behavioral interview techniques are used to evaluate a candidate's experiences and behaviors in order to determine their potential for success within a particular position. The interviewer first identifies desired skills and behaviors relevant to the position being filled.

Secondly, the interviewer structures open-ended questions to elicit detailed responses. This is the most widely recommended method of interviewing.

Tips for conducting an effective behavioral interview:

- Identify what is required of an employee in the available position. Use the position description to help describe the requirements of the position.
- Determine the required outputs and performance success factors for the job.
- Determine the characteristics and traits necessary to succeed in that job. If you have employees successfully performing the job currently, consider the traits, characteristics, and skills they bring to the job.
- Make a list of questions, both behavioral and traditional, to ask each candidate during the
 interview. A structured list makes candidate selection more defensible and allows you to make
 comparisons between the various answers and approaches of your interviewees.
- Hiring managers may perform phone screening of the candidates whose qualifications have caught your attention, if necessary, to further narrow the candidate pool.
- Schedule interviews with the candidates who most appear to have the behavioral characteristics, along with the skills, experience, education, and the other factors you would normally screen for in your resume review.
- Ask your list of behavioral and traditional questions of each candidate you interview.
- Narrow your candidate choices based on their responses to the behavioral and traditional interview questions.
- Select the candidate with behavioral characteristics that match the needs of the job.



Sample Behavioral Interview Questions:

Scenario	Sample Questions
We frequently must explain policies and procedures to students or staff who sometimes do not understand or agree with what we are telling them. Tell me about the most difficult or frustrating time you experienced in explaining something to someone (a co-worker, student, applicant, or customer)	 When did this happen? What were the circumstances leading up to it? What was being explained? Was the outcome successful? What contributed to the success (or failure)?
"Occasionally an office machine you are using may break down. Tell me about the last time you had this happen to you."	 What type of machine was it? What was the problem? What action was taken when problem was identified? Was there anything that could have been done to have prevented it? What procedures/instructions did the supervisor have for dealing with these kinds of problems?
"Tell me about a time you were unable to meet a goal set by your supervisor."	 What was the goal? What prevented you from meeting the goal? How did you approach your supervisor? What was the outcome? What did you learn from the experience?
Look for examples of strengths and weaknesses from the candidate's responses. When your impression of the applicant becomes too one-sided, ask questions that will give you a more balanced picture.	You have told me about your ability to be decisive. Now tell me about a time when you had difficulty making a decision".

Structuring the Interview

Plan the structure of the interview to include introductions, interview questions, applicant questions, and a tour of the office. Your objectives in the interview are to assist the applicant in providing you with the best information possible and to leave the applicant with a favorable impression of your department and the University.

Fostering a Good Interview Atmosphere

As hiring managers prepare for the interview, it is important to remember that the hiring process is not a one-sided decision. The applicants will also be making observations, forming impressions, and making



choices. The care taken in planning the interview may affect the applicant's perceptions of your competence and interest, and the quality of the information that is obtained. Here are some recommendations for fostering a good interview atmosphere:

- When calling to schedule appointments, introduce yourself, and identify your department and the vacant position. Provide directions to your office and information on parking facilities. Remember that applicants may be applying for other positions on campus.
- Select a quiet and private location where visual and auditory distractions are minimized.
- Avoid interviewing from behind a desk if possible. A desk may act as a barrier and materials on the desk may distract you or the candidate. The physical setting should be the same for all applicants when possible.
- Prepare the department for the interview. Provide an interview schedule to the necessary people (receptionist, other interviewers, etc.).
- Keep the appointment time. If you are unavoidably detained, have someone else greet the applicant and explain the delay.
- During the interview, there should be no interruptions. If a necessary interruption occurs, make it as brief as possible and apologize.
- Put the applicant at ease and attempt to establish rapport. Begin the interview with a description
 of the interview format. Follow with a relevant but non-threatening question, such as "What
 prompted your interest in this position?"
- It is acceptable to take notes during the interview. Explain that you will be taking notes, however, do not allow your record keeping to dominate the interview. Note taking should include only the applicant's response to the questions.
- Give the applicant your undivided attention. This includes maintaining eye contact, attentive listening, and being responsive to questions or comments.
- Avoid being overly positive or negative with the applicant during the interview. You do not want to leave the impression that the applicant is going to be hired or that he/she is not being seriously considered.
- Maintain control of the interview. If an applicant begins to wander from the question, tactfully lead him/her back to the subject by re-phrasing the question or asking a follow-up question.
- Interview all candidates in the same order and manner.
- As a courtesy, it is recommended that internal candidates be informed of the selection decision before making it public knowledge.

Conducting the Interview:

It is the responsibility of the hiring manager or search committee chair to use interview effectively to obtain an accurate and complete picture of the applicant's skills and abilities. Important attributes of conducting interviews effectively include:

- Be well-prepared and clear about what you are trying to achieve. Know what you are looking for.
- Create a comfortable environment to set applicants at ease. Applicants typically respond best if
 the interview is conducted in a natural and conversational manner. Every effort should be made
 to ensure interviews are conducted in a conference room or meeting room away from telephones,
 cluttered workspace or other interruptions.
- When scheduling, be sure to leave sufficient time between interviews to review and summarize your recollection of the interview.

Question Effectively



Ask the question to the applicant, don't read it. With a little practice, you should be able to glance at the question then look directly at the applicant while you repeat the question. If the question is complex, break it down to ensure the applicant does not become confused or overwhelmed. A good guideline is one thought per question.

Allow silence. After asking a question, resist the temptation to break silence. Don't interrupt the applicant's train of thought by shifting to another question. This calculated pause may give the applicant the extra time needed to think of a response to your question.

Restate, rephrase or paraphrase when necessary. If the applicant cannot think of a response or an example, or gives a response that is not what is needed, restate or rephrase the question. Restating the question may give the applicant a better understanding of what is desired and trigger his/her memory. Summarize or paraphrase any information that may be vague, unclear, ambiguous or incomplete to ensure that you understand the meaning intended by the applicant and can clarify or fill in any gaps. Use phrases such as "If I understand you correctly, you're saying that ...".

Use probing questions to help get an applicant back on track or to clarify or draw out further information about specific points. Focus the applicant on providing more depth, rather than breadth, of information in their responses. Probing questions are useful when the applicant's response is inadequate or possibly evasive. Probe, don't prompt. An interview is still a "test" of the assessment component. Don't ask questions that lead or help the applicant figure out the answer. A few examples of probing questions include: "I'm not sure I understand completely. Would you elaborate on that for me please?"; "Could you give me an example of that please?"; or "What specific actions did you take?"

Tip: It's perfectly acceptable if the degree and amount of probing, restating, rephrasing, paraphrasing and revisiting questions varies between applicants. Some applicants may need little or none; others may need more. **Be flexible**. The key here is to ensure that each applicant has had an equitable and fair opportunity to demonstrate their competencies. That doesn't mean you have to stick to a rigid script and treat every applicant identically.

Listen Actively and Carefully

Active listening skills are an essential part of the interviewing process. Listening well is a matter of paying close attention. Listen carefully and critically to what is being said. Listen for the central ideas not just the facts being presented. Get the main points.

Focus on what the applicant is communicating. Be prepared to be open-minded to what the applicant is saying even though you may disagree with it. Don't argue mentally and suspend judgment while you are listening. Be aware of the emergence of your personal bias or assumptions, cultural differences, or a one-sided picture (positive or negative).

Give the applicant an opportunity to get to their point. The first thing people bring up when they have something to say often isn't the central point they'll eventually make, whether they know it or not. Listening carefully for a while gives both of you a chance to develop understanding. If the applicant speaks too quickly, don't be afraid to ask them to slow down or repeat what they said.

Take Effective Notes

Note taking is essential. It helps you pay attention and organize your thoughts, communicates that what the applicant says is important, and helps you retain important details. Note taking seems simple but



involves sometimes simultaneous actions: talking, writing, observing and listening for what is said and for what is not said. Add to this the challenge of gathering notes quickly, clearly and accurately.

Notes taken during an interview must be sufficient enough to be used as a reference when reviewing applicants after the interview and to support your decision-making. Also, remember that you may be providing feedback to an applicant or referring to your notes in the event of a review of your decision. They will need to be clear enough for you to understand them at a later date.

Be brief in your note taking. Don't try to record everything you hear. Record just enough to stimulate your recall. Your notes are not to be an exact record of every word said. Notes are "memory joggers" only. Get down just the main ideas, facts, key terms and behaviors. Include enough subordinate points or examples to clarify understanding. Listen selectively for information related to the performance to be rated and focus your note taking on this.

Limit your notes to what the applicant said or did. Do not record hunches, evaluations, value judgments or comments. If non-job-related irrelevant information (e.g. personal or off-topic information, anecdotes or asides) comes out in the interview, do not record it.

Be unobtrusive in your note-taking and reassure applicants that you are listening even when you are taking notes. If you are taking notes, look up as frequently as possible. It may be appropriate to arrange for an interview team member who is not involved in asking the questions to take primary responsibility for note-taking.

Manage the Time

Most interviews have a maximum time allotted; however, some may be scheduled with a more open-ended time frame than others. Whichever approach you take, start and finish on time and keep the interview process on track. Move through the questions at a reasonable pace and keep to the time limits set for the interview. If the applicant rambles or gets off track, avoids answering the question, is spending too much time on one question, or is repeating information, politely acknowledge the applicant's comments, and direct the conversation back to the prepared questions.

Information to Provide during the Interview:

Topic	Example:
Position Description	Describe the job, including physical demands or unusual working conditions.
	For complex jobs, a written job description may be given to the applicant.
	Include the importance of the job to the department/University. Provide sufficient information to ensure that the applicant is able to make an intelligent decision about the position.
Conditions of Employment	Explain the conditions of employment and ask each applicant if he or she can meet these requirements. Hours of Work: Provide information about work



	hours, breaks, and lunch hours. Leave Policies: Provide information on leave benefits. Training Period and Critical Work Periods: If applicable, explain the training requirements and ask if there are any conditions or situations that would interfere with attendance during the training period or during critical work periods. (This is the perfect time to discuss black-out periods, too.) Attendance expectations and inclement weather policy.
Salary	Explain the advertised salary. You should discuss the applicant's salary requirements during the interview.
	Approval to offer a salary above advertised limits must be obtained from your Vice President/Provost or Dean and Human Resources BEFORE an offer can be made and it may result in re-posting the vacancy.
Benefits	A brief description of benefits (insurance coverage, accrued leave, retirement, employee scholarship, etc.) can be discussed with applicant and can be found on the FAU Benefits and Retirement webpage at http://www.fau.edu/hr
Work Area Location and Schedule	The applicant should generally be shown the work site. Explain to the applicant the standard work hours. The manager's approval is required to modify the work schedule.
Conclude Positively	Closing the interview is just as crucial compared to how you open it. At the conclusion of every interview it is recommended that the applicant have an opportunity to ask questions regarding the position and employment at the University. Maintain the rapport and leave the applicant with a positive impression. This is the appropriate time to confirm that the applicant is still interested in the position, his/her available start date and willingness to accept a starting salary within the posted range. Let the applicant know what the next steps in the



selection process are.
Do not make any remarks that could be construed as a decision having already been made – either to hire or not. Finally, let the applicant know that a background check and reference checks will be conducted on the selected applicant. Confirm contact names and telephone numbers to be used for reference checks.
Conclude with a friendly close, and thank the applicant for his/her time.

After the Interview & Selection:

Immediately after each interview, go over your notes while everything is still fresh in your mind. Clear up illegible writing, check for errors and fill in any gaps. The end of the day or 24 hours later may be too late for a complete recollection of the interview.

The selection decision should be based on an objective consideration of the job requirements and the applicants' qualifications. All of the information obtained about each applicant at each stage of the employment process should be evaluated. You are permitted and encouraged to arrange follow-up interviews with your top candidates if additional information is needed.

The applicants' qualifications should be examined and compared in terms of:

- Primary and secondary job requirements (qualifications)
- Short-term and long-term needs of the department.

Once a selection has been made, it is important to complete the following steps before making a contingent offer:

- Conduct Reference Checks (guide in next section)
- Request a Hiring Review via Workday (job aids available in Workday)

Once the above steps have been completed and approved, then it is ok to contact the candidate to make an offer contingent upon the successful completion of a background check.

Conducting Reference Checks:

Reference checks are an important final step to the interview process.

This is the opportunity for the hiring manager to obtain information on the applicant's past performance and to confirm prior experience and job requirements. Checking an applicant's reference takes pre-planning.



As with conducting an interview, prepare your questions in advance. Include questions that confirm the applicant's responsibilities with their previous/current employer as well as their performance in the position.

Hiring managers should inform potential candidates that their current employer will be contacted prior to a firm offer of employment.

While some employers will not respond to requests for reference checks it is important to make the effort. If necessary, contact the applicant for additional references who can speak directly to their prior performance.

Checking prior job performance should not be limited to non-FAU applicants. Past performance is a good predictor of future behavior.

Hiring departments are strongly urged to contact Employee Relations to review personnel files of current or previous employees prior to concluding the selection process.

What is a Reference Check?

A reference check gathers information about a person's past performance relating to the qualifications you are looking for.

The best indicator of how someone will perform in the future is his/her past performance.

Reference checks may be used to assess any qualifications, e.g. experience, skills, or professional suitability and to verify reliability.

Is Consent Required?

Yes, each applicant must give consent before a reference check is performed. As part of the Florida Atlantic University application and background check process all applicants consent to professional reference checks.

In some cases, the applicant may ask that their current employer not be contacted until they give formal notice.

Hiring managers should inform potential candidates that their current employer will be contacted prior to a firm offer of employment.

How to Conduct a Reference Check - 3 Basic Steps

- 1. Preparing Information
 - Review candidate's resume and your notes from interview. Prepare list of qualifications and facts to be verified. Confirm how long the reference and the applicant worked together, applicant's duties and reporting relationship.
 - Prepare questions that are relevant to the qualifications and duties of the job being filled.
 - Aim for facts, specific relevant incidents--- not opinions.
- 2. Gathering Information
 - Explain to reference your purpose and the time the check will take.
 - o Follow your prepared questions to stay on track.
 - Use follow-up questions to clarify events and get details.
 - Keep to the facts and ask for specific examples of incidents.
 - Take notes and evaluate later.



Be alert to unusual hesitations, evasive responses and overly enthusiastic responses.
 Ask follow-up questions for further explanation as necessary.

3. Using Information:

- Do not accept all information gathered at face value. Be cautious of personality conflicts and different work environments.
- Try to use information derived from several methods to make an overall assessment of a qualification, e.g. interviews, written tests, reference checks.
- When in doubt about a person's qualifications, check other references if necessary.

Components of a Reference Check:

When contacting the reference it is important to have an opening statement. Sample below:

- My Name is......
- We are in the process of staffing a ...(name, group & level of position)
- I am calling to conduct a reference check on.....(name of candidate)
- It will take....(approximate length of time)
- Is this a good time for you?
- If not, arrange another time.

Confirm the Suitability of the Reference

- Clarify the relationship. The best reference is an individual who can speak to the applicant's performance. Co-workers or friends are not the best available references. If the reference is unsuitable contact the candidate, explain the situation and ask for a more appropriate contact.
- Did/does the candidate report directly to you? For what length of time?
- Did you complete or contribute to appraisals of this candidate?
- Did/do you work directly with the candidate as part of a team?

General Job Information:

- Confirm dates of employment and job title.
- Confirm the applicant's duties were as described on their resume and as described during the interview.

Sample Reference Check Questions:

Торіс	Sample Questions
Team Player	 Does the person work well with others on the team? How does the person interact with others on the team or in a work unit? How is he/she accepted by co-workers? How does the candidate influence others How does the candidate deal with conflict? Describe a specific situation where the candidate had to deal with conflict. Describe the feedback you have received concerning this candidate.
Meeting Deadlines	 Describe a situation where the candidate had to meet an important deadline.



	,
	 How are deadlines managed or honored? Can you describe a time when the candidate did not meet a deadline? How does the candidate handle changes in his/her deadlines?
Self-Reliance	 Is this person a self-starter? Describe a situation to demonstrate that the candidate is a self-starter. Does he/she rely on others for direction? When a task is given, are you confident of the end result? Why/why not?
Meeting Objectives	 Does he/she tend to work in isolation? Does he/she communicate problems/concerns/status with others? Does the person ask for clarification of team objectives? What contribution has this person made to the team?
Dealing with Priorities	 How does the person deal with shifting priorities? Describe a situation where the candidate had to deal with changing priorities? Is she/he willing to redraft work and put in extra time on projects? Does the person demonstrate an understanding of the broader picture?
Need More Information	If you need more information or clarification, ask follow-up questions. Can you give a specific example? What happened next? Did this cause a problem in the work unit? Did the candidate try to correct this problem? Was she/he successful? Why did she/he do that? How often does it happen? How did the employee react?
Closing Statement	 How would you classify this individual's overall performance? Can you describe his/her greatest strength? What area(s) need improvement? Would you consider this individual for re-hire? Have you any comments you wish add? REMEMBER TO THANK THE REFERENCE FOR THE TIME THEY SPENT TALKING TO YOU.



Summary of Federal Rules and Regulations:

Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, and national origin regarding civil rights.

Title VI prohibits discrimination on the basis of race, color, religion or national origin under educational programs receiving federal financial assistance (applies primarily to the student).

Title VII prohibits discrimination in employment on the basis of race, color, religion, sex, or national origin.

Pregnancy Discrimination Act prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical condition.

Rehabilitation Act of 1973 is designed to ensure equal opportunities in employment for qualified handicapped persons.

- **Section 503** requires government contractors to take affirmative action to employ and advance in employment qualified handicapped persons. Applies to employment only.
- **Section 504** prohibits discrimination against the handicapped in federally funded programs or activities. Covers employment and students.

Disabled and Vietnam Era Veterans Readjustment Act of 1974, Section 402 requires government contractors to take affirmative action to employ and advance in employment qualified disabled and Vietnam Era veterans.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any educational programs receiving federal financial assistance.

Age Discrimination in Employment Act, as amended 1967 prohibits discrimination on the basis of age (age 40 and above) in employment.

Equal Pay Act of 1963 prohibits discrimination in salaries on the basis of sex.

Executive Order 11246 prohibits discrimination in employment on the basis of race, color, religion, national origin, or sex in institutions with federal contracts over \$10,000.

Americans with Disabilities Act of 1990 prohibits discrimination in employment against a qualified individual with a disability.

Civil Rights Act of 1991 provides additional remedies to protect against and deter unlawful discrimination and harassment in employment and to restore the strength of federal antidiscrimination laws.





Summary of Lawful and Unlawful Questions:

Торіс	Lawful Example	Unlawful Example
Name	First, middle, last name. Use of any other names or nicknames necessary for checking previous work experience or education.	Requirements of prefix Mr., Miss, Ms., Mrs. Inquiries about names which would indicate national origin. Inquiries regarding names changed by marriage, divorce, court order, etc.
Address	Applicant's address and length of residence in this city/state.	Questions regarding foreign addresses, which would intentionally or unintentionally indicate national origin. Whether applicant owns or rents home or lives in an apartment. Names and relationships of persons with whom applicant resides
Marital Status	Whether applicant can meet specified work schedules. Whether applicant has any additional responsibilities that would interfere with proper attendance.	Whether applicant is married, single, divorced, separated, engaged, etc. Number and ages of dependent children. All questions related to pregnancy or methods of family planning. Questions regarding child care arrangements
Height & Weight	NONE - unless based on a Bona Fide Occupational Qualification.	Any question related to height or weight, unless based on a Bona Fide Occupational Qualification.
Race	NONE	Questions regarding race. Any question which would indicate race
Religion	Questions regarding religious denomination or beliefs if based on Bona Fide Occupational Qualification as in the case of ministers, teachers, or other employees of	Questions regarding religious beliefs if not based on BFOQ. Questions such as "What religious



	specific religious organizations.	holidays do you observe?" if asked before employment
	Questions regarding availability for work during specific time periods	
National Origin	Language applicant speaks, reads, or writes.	How foreign languages were learned.
		Ancestry or birthplace of parents or spouse.
		Associates or other relatives from foreign countries.
		Birthplace of applicant.
	Are you legally eligible to accept work in this country?"	Whether other members of applicant's family are U.S. citizens.
1	Statement that, if hired, applicant must furnish proof of citizenship or appropriate visa	Of what country are you a citizen?
	visa	Require proof of citizenship prior to employment
	NONE - except questions that are based on bona fide occupational qualification (BFOQ). Which could occur in cases such as men's locker room attendant, etc.	All questions regarding sex of the applicant unless based on BFOQ,
	Schools attended & degrees acquired. Transcripts, if required of all applicants for similar work.	Questions regarding what year the degree was obtained. Questions regarding national, racial, or religious affiliations.
	"Have you ever been convicted of a crime?" (Information obtained must be used only if it relates to applicant's fitness to perform a particular job. Example: Person convicted for embezzlement would be a high risk for a position as cashier in a store.)	"Have you ever been arrested?" (An arrest is merely the detaining of a person to answer a crime and has no effect on fitness to perform a particular job.)
	Questions regarding disability(s) voluntarily disclosed by applicant if information is used solely for affirmative action.	Do you have any disabilities or physical defects?
	Names and contact information of persons willing to provide character or professional	Requiring references from pastor, priest, rabbi, or other religions associates.
	references for applicant.	associates.



		would indicate race, religion, or national origin of applicant.
In Case of Emergency	Names of persons to be notified in case of an emergency	Names of relatives to be notified in case of an emergency
Age	Whether the applicant meets the minimum age requirements	How old are you? Or When did you graduate?
Military History	Experience/education in military services which would relate to the job applicant is seeking.	Type of discharge and any questions relating to disciplinary records.
Medical Examination	Medical examination is required prior to employment. Must be required for all applicants. Must be necessary to assess ability to perform job safely and effectively.	No additional questions should be asked relating to this topic.