

## Legal Aspects of Interview Questions – Guide for Colorado College Supervisors

If a candidate voluntarily shares information relating to the following topics, **do not** ask follow-up questions to find out more information unless it is on the approved may ask or request list.

TOPIC	MAY NOT ASK OR REQUEST	MAY ASK OR REQUEST
<b>Age</b>	Age, birth date, or any question that might identify the applicant's age, such as high school graduation, year they were born, retirement, etc.	Law generally requires that you are at least 14 years of age to work in Colorado and are subject to work hour restrictions until age 16. If hired, can you prove your age? Employees under 18 years of age cannot work in "hazardous" jobs. Proof of age is required. (If required) Are you 18 years or older?
<b>Arrest Record/Convictions</b>	Avoid any questions related to arrests if they are not directly related to the job. Have you ever been arrested? If you committed a crime, what was it?	None unless the information directly relates to job duties.
<b>Availability</b>	Directly asking about weekend work could be seen as a proxy question for religious observance. Questions about evening work or childcare arrangements can impact females who have childcare responsibilities. Asking if they own a car can be seen as discriminatory unless it is a requirement of the job.	What days and shifts can you work? Are there shifts you cannot work? Are there any responsibilities you have that could make it difficult for you to travel to work? Do you have a reliable way to get to work?
<b>Birthplace/Citizenship</b>	Nationality, ancestry, national origin, parentage of applicant or spouse. How did you learn another language so well? Are you a US citizen? Can you provide a birth certificate?	All offers of employment are contingent upon verification of identity and work authorization in the United States.
<b>Disabilities</b>	Are you physically or mentally disabled? Medical conditions? How many sick days have you taken? Do you need any accommodations to do the job? How did you lose your arm/leg? Have you filed a disability claim in the past year?	Are you able to perform the essential functions of this job?
<b>Economic Status, Credit Inquiries</b>	Credit ratings, charge accounts, bank accounts, bankruptcy, car ownership, length of residence at address, past garnishments of wages.	None
<b>Education</b>	What year did you graduate from high school?	Do you have a high school diploma or equivalent? What university or college degrees do you have?

<b>Emergency Contact Name</b>	Who is your emergency contact?	Only after employment is confirmed.
<b>Employment</b>	When did you first start working? (Age discrimination) What is your current salary?	How long did you stay at your last role? What were your start and finish titles?
<b>Family Status</b>	Are you single/married/divorced? Do you have any children? Are you in a long-term relationship? What are your children's ages? Who is taking care of your children while you work?	Do you have any commitments that might prevent you from working the assigned shifts?
<b>Genetic Information</b>	Do you or any of your family members have a history of disorders or disease? What is the health status of your parents/relatives? Has anyone in your family been diagnosed with cancer/heart disease, etc.?	None
<b>Height/Weight</b>	What is your height? How much do you weigh?	Accurately describe the job, then ask the candidate if they can perform all the essential functions.
<b>Marital Status</b>	Are you married? Are you single? Do you have any children?	None
<b>Military Service</b>	General questions about military services, such as dates, discharge type, or foreign military services.	Only questions about relevant skills, knowledge, and abilities during military service. What experience and training did you receive while serving that would be beneficial to this job?
<b>Name of Applicant</b>	What is your birth name? Did you ever change your name through marriage or court application? What is your maiden name?	Name of Applicant. Have you ever used another name? Any additional information, relative to a change of name or use of an assumed name necessary to enable a check of your educational or work record?
<b>National Origin</b>	Ancestry, birthplace of parents or spouse, or native language.	Ability to write, read and speak English, or another language if job related.
<b>Organizations, Societies, and Activities</b>	List all organizations, clubs, and lodges to which you belong.	Are you a member of a professional organization that relates to this job?
<b>Pregnancy</b>	Are you pregnant? Have you made any childcare arrangements yet? Do you plan to have children soon? Are you trying to have a family? Will these work hours get in the way of your kids' schedules?	The hours for this position are 8am-5pm. Are you able to work those hours?
<b>Race/Color</b>	Color, race, complexion or color of skin, eyes, hair, either directly or indirectly.	None

<b>References</b>	Questions of applicant's former employers or acquaintances that elicit information specifying applicant's color, race, religious creed, national origin, ancestry, any physical or mental disability, medical conditions, marital status, age, or sex.	Who referred you to this position? Will you provide names of people willing to provide professional references?
<b>Relatives</b>	What is the name of your relatives who work for our competitors?	Do any of your relatives currently work for us or our competitors? Can you provide the names of your relatives who work for us?
<b>Religion or Creed</b>	What is your religion? What is your denomination? What church do you go to? Does your religion prevent you from working weekends or holidays?	Are you able to work on the days regularly scheduled for this job?
<b>Residence</b>	What is your current address? Where do you live? Do you own or rent your home? Any roommates? How are you related to the people you live with?	None
<b>Sex, Orientation, or Gender Identity</b>	What gender do you identify with? What is your sexual orientation? Have you ever had transition treatments or surgery? What is your position/views on LGBTQ rights? What pronouns would you like us to use?	Pronouns may reveal gender identity. Do not ask for them. You may share your pronouns when introducing yourself, but it must be voluntary for the candidate.