

What NOT to Ask

a candidate during the interview...



When interviewing candidates it is important not to ask questions that can be viewed as discriminatory or illegal, even if you did not intend to use the information inappropriately.

The chart below briefly summarizes best practices when interviewing potential employees.

| ILLEGAL INTERVIEW QUESTIONS | | |
|-------------------------------|---|---|
| Inquiry Area | Illegal Questions | Legal Questions |
| National Origin / Citizenship | <ul style="list-style-type: none"> Are you a Canadian citizen? Where were you/your parents born? What is your "native tongue"? | <ul style="list-style-type: none"> Are you authorized to work in Canada? What languages do you read/speak/write fluently? (Providing that this ability is relevant to the job.) |
| Age | <ul style="list-style-type: none"> How old are you? What's your birth date? When did you graduate? | <ul style="list-style-type: none"> Are you 18 years of age or older? |
| Marital/Family Status | <ul style="list-style-type: none"> What's your marital status? Whom do you live with? Do you plan to have a family? When? How many kids do you have? What are your child-care arrangements? What are the names and relationships of persons living with you? | <ul style="list-style-type: none"> Would you be willing to relocate if necessary? Would you be able and willing to travel, as needed, for this job? Would you be able and willing to work overtime as necessary? |
| Affiliations | <ul style="list-style-type: none"> What clubs/social organizations do you belong to? Do you go to church? | <ul style="list-style-type: none"> List any professional or trade groups or other organizations that you belong to that you consider relevant to your ability to perform this job. |
| Religion | <ul style="list-style-type: none"> What is your religious affiliation or denomination? What church do you belong to? What is the name of your pastor, minister, or rabbi? What religious holidays do you observe? | <ul style="list-style-type: none"> Are you available to work on Saturdays and Sundays if needed? (If applicable to the job.) Would you be able and willing to work overtime as necessary? |
| Disabilities | <ul style="list-style-type: none"> Do you have any disabilities? Please complete the following medical history. Have you had any recent or past illnesses or operations? What was the date of your last physical exam? How is your family's health? Do you need an accommodation to perform the job? (This question can only be asked after a job offer has been made.) | <ul style="list-style-type: none"> Are you able to perform the essential functions of this job? (This question is okay if the interviewer has thoroughly described the job.) Can you demonstrate how you would perform the following job-related functions? |
| Arrest Record | <ul style="list-style-type: none"> Have you ever been arrested? | <ul style="list-style-type: none"> Have you ever been convicted of a crime for which you have not been pardoned? |
| Race/Colour | <ul style="list-style-type: none"> What is your race? What colour is your hair, eyes, or skin? | <ul style="list-style-type: none"> None |
| Personal | <ul style="list-style-type: none"> How tall are you? How much do you weigh? | <ul style="list-style-type: none"> Are you able to lift 40 lbs repeatedly if it was part of your job? (Providing this ability is relevant to the job.) |

(Speak to your labour lawyer for details and specifics relating to your company and job specifications.)

