



During an Interview, Asking the Wrong Questions Can Spell Trouble

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As employers gear up for summer seasonal hiring, it's important to remember that job interviews can be loaded with legal pitfalls if not approached with caution. Employers should pay close attention to the types of questions they ask and avoid topics that are inappropriate from a legal standpoint.

One way to avoid trouble is to simply let the applicant do the talking. Ask open-ended questions that allow candidates not only to provide information about their experience, but that also force them to demonstrate verbal skills. Gather information about the applicants' work experience by asking them to talk about their current job or to discuss their duties in their three previous jobs.

It's perfectly acceptable to ask people about problems they encountered in their previous job or to get their perspective about what constitutes a full work week in terms of hours.

Continue using open-ended questions when asking about their former supervisor ("What kind of person was your former supervisor?"), their areas of talent/interest ("What are some of the things you would like to avoid in a job? Why?") or disagreements with the supervisor.

One area of concern for many employers might be when they ask the applicant about specific qualifications. It's permissible to ask such questions as "Are you able to physically perform the essential job functions?" or whether the applicant can meet attendance requirements. Employers can ask about details of impairments that are not disabilities under the Americans with Disabilities Act, such as broken limbs. For example, "How did you break your leg? Is fine. But "Do your bones break easily?" is not.

The situation that seems to get many employers and job interviewers in trouble is when they venture into conversation areas or topics that should be avoided altogether. It's never a good idea to discuss issues related to age, race, family plans or religion.

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