

1 in 5 Employers Have Unknowingly Asked an Illegal Interview Question, CareerBuilder Survey Finds

- At least 1 in 3 employers unsure about legality of certain interview questions
- Hiring managers reveal their favorite off-the-cuff interview questions

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CHICAGO, April 9, 2015 /PRNewswire/ -- Job seekers may think they're the only ones sweating the job interview – afraid they'll say the wrong thing or answer inappropriately – but hiring managers are under just as much pressure. When it comes to drawing the line between what is and isn't appropriate to ask a job candidate, the parameters aren't always clear. In a recent CareerBuilder survey, 20 percent of hiring managers indicated they have asked a question in a job interview only to find out later that it was illegal to ask.

The survey also revealed the less-conventional interview questions hiring managers have asked to see what really makes a candidate tick.

"It's important for both interviewer and interviewee to understand what employers do and don't have a legal right to ask in a job interview – for both parties' protection," says Rosemary Haefner, chief human resources officer at CareerBuilder. "Though their intentions may be harmless, hiring managers could unknowingly be putting themselves at risk for legal action, as a job candidate could argue that certain questions were used to discriminate against him or her."

More than 2,100 hiring and human resource managers across industries participated in the nationwide survey, commissioned by CareerBuilder and conducted online by Harris Poll from November 4 to December 2, 2014.

Interview Questions That Aren't Okay to Ask

The following questions are illegal for hiring managers to ask; yet, when asked if they knew if these questions were illegal, at least one third of employers indicated they didn't know:

- **What is your religious affiliation?**
- **Are you pregnant?**
- **What is your political affiliation?**
- **What is your race, color or ethnicity?**
- **How old are you?**
- **Are you disabled?**
- **Are you married?**
- **Do you have children or plan to?**
- **Are you in debt?**
- **Do you social drink or smoke?**

Often the legality of the question is in how the interviewer asks it. For example, a number of hiring managers didn't know the legality of asking the following:

- **"When do you plan to retire?"** Asking candidates what their long-term goals are is okay, but asking when they plan to retire is off the table.
- **"Where do you live?"** Asking candidates where they live could be interpreted as a way to discriminate based on their location and is therefore illegal. Asking them if they are willing to relocate, however, is okay.
- **What was the nature of your military discharge?** Asking why a military veteran was discharged is illegal; however asking what type of education, training or work experience received while in the military is not.
- **Are you a U.S. citizen?** While it's okay to ask if a candidate is legally eligible for employment in the U.S., it's not okay to ask about citizenship or national origin.

Unusual Interview Questions (That Are Okay to Ask)

Some interview questions seem inappropriate because they are, as noted above. Others, however, seem inappropriate because they are unfamiliar. But though the following interview questions may have one wondering, "What does this have to do with the job?" there is a method to hiring managers' perceived madness. Below are some of the most unusual – but still legal – interview questions hiring managers say they have asked job candidates, and what these questions really assess:

"How would you wrangle a herd of cats?" A hiring manager might ask a question like this to gain insight

into a candidate's ability to organize, lead and motivate others.

"Do you believe in life on other planets?" A question like this might be asked to see if a candidate has an attitude that anything is possible.

"What superpower would you like to have?" How candidates answer this question can provide insight into how they view their own strengths and weaknesses.

"If you were stranded on an island, which two items would you like to have with you?" Answers to this question could indicate a candidate's ability to weather a tough situation with limited resources.

"If you did not have to work, what would you do?" This question provides a peek into a candidate's values and interests outside of work, which can help assess for cultural fit.

"If you were trapped in a blender, what would you do to get out?" This question might assess a candidate's creativity, ability to think on his or her feet and problem-solving skills.

Survey Methodology

This survey was conducted online within the U.S. by Harris Poll on behalf of CareerBuilder among 2,192 hiring and human resource managers ages 18 and over (employed full-time, not self-employed, non-government) between November 4 and December 2, 2014 (percentages for some questions are based on a subset, based on their responses to certain questions). With a pure probability sample of 2,192, one could say with a 95 percent probability that the overall results have a sampling error of +/- 2.09 percentage points. Sampling error for data from sub-samples is higher and varies.

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