



LAWFUL EMPLOYMENT INTERVIEW AND APPLICATION GUIDELINES

ACCEPTABLE		UNACCEPTABLE
<p>Name.</p> <p>“Have you ever used another name?”</p> <p>“Is any additional information relative to change of name, use of an assumed name, or nickname necessary to enable a check on your work and education record? If yes, please explain.”</p>	NAME	<p>Maiden name.</p>
<p>Place of residence.</p>	RESIDENCE	<p>“Do you own or rent your home?”</p> <p>“What was your previous address?”</p> <p>“How long have you lived at your current address?”</p>
<p>Statement that hire is subject to verification that applicant meets legal age requirements.</p> <p>“If hired can you show proof of age?”</p> <p>“Are you over 18 years of age?”</p> <p>“If under 18, can you, after employment, submit a work permit?”</p>	AGE	<p>Age.</p> <p>Birth date.</p> <p>Dates of attendance or completion of elementary or high school.</p> <p>Questions which tend to identify applicants over age 40.</p>
<p>“Can you, after employment, submit verification of your legal right to work in the United States?”</p> <p>Statement that such proof may be required after employment.</p>	BIRTHPLACE/ CITIZENSHIP	<p>Birthplace of applicant, applicant’s parents, spouse, or other relatives.</p> <p>“Are you a U.S. citizen?”</p> <p>Requirements that applicant produce naturalization, first papers, or alien card <i>prior to employment</i>.</p>
<p>None.</p>	RACE	<p>Questions as to applicant’s race or color.</p> <p>Questions regarding applicant’s complexion or color of skin, eyes, or hair.</p>
<p>Statement that photograph may be required after employment.</p>	PHYSICAL DESCRIPTION/ PHOTOGRAPH	<p>Questions as to applicant’s height and weight.</p> <p>Require applicant to affix a photograph to application.</p> <p>Request applicant to submit a photograph as his or her option.</p> <p>Require a photograph after interview but before employment.</p>
<p>Languages applicant reads, speaks, or writes (if use of language other than English is relevant to the job for which applicant is applying).</p>	NATIONAL ORIGIN	<p>Questions as to nationality, lineage, ancestry, national origin, descent, or parentage of applicant, applicant’s parents, or spouse.</p> <p>“What is your mother tongue?” or “What language do you commonly use?”</p> <p>How applicant acquired ability to read, write, or speak a foreign language.</p>
<p>None.</p>	ECONOMIC STATUS	<p>Questions regarding applicant’s current or past assets, liabilities, or credit rating, including bankruptcy or garnishments.</p>

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"Please list job-related organizations, clubs, professional societies, or other associations to which you belong - you may omit those which indicate your race, religious creed, color, national origin, ancestry, sex, or age."	ORGANIZATIONS / ACTIVITIES	"List all organizations, clubs, societies, and lodges to which you belong."
Name and address of a parent or guardian if applicant is a minor. Statement of company policy regarding work assignment of employees who are related.	SEX, MARITAL STATUS, & FAMILY	Questions that indicate applicant's sex. Questions regarding the applicant's sexual orientation. Questions that indicate applicant's marital status. Number and/or ages of children or dependents. Provisions for child care. Questions regarding pregnancy, child bearing, or birth control. Name or address of relative, spouse, or children of adult applicant. "With whom do you reside?" or "Do you live with your parents?"
Statement by employer that offer may be made contingent on applicant passing a job-related physical examination. "Are you able to perform the essential functions of the job with or without accommodation? How would you perform the tasks, and with what accommodation?"	PHYSICAL CONDITION/ HANDICAP	Questions regarding applicant's general medical condition, state of health, or illnesses. Questions regarding receipt of Workers' Compensation. "Do you have any physical disabilities or handicaps?"
Statement by employer of regular days, hours, or shifts to be worked.	RELIGION	Questions regarding applicant's religion. Religious days observed. "Does your religion prevent you from working weekends or holidays?"
"Have you ever been convicted of a felony or misdemeanor?" Such a question must be accompanied by a statement that a conviction will not necessarily disqualify an applicant from the job applied for.	ARRESTS/ CRIMINAL RECORD	Arrest record. "Have you ever been arrested?"
Statement that bonding is a condition of hire.	BONDING	Questions regarding refusal or cancellation of bonding.
Questions regarding relevant skills acquired during applicant's U.S. military service.	MILITARY SERVICE	General questions regarding military services such as dates and type of discharge. Questions regarding service in a foreign military.
"By whom were you referred for a position here?" Names of persons willing to provide professional and/or character references for applicant.	REFERENCES	Questions of applicant's former employers or acquaintances which elicit information specifying the applicant's race, color, religious creed, national origin, ancestry, physical handicap, medical condition, marital status, age, or sex.
Name and address of person to be notified in case of accident or emergency (only after individual has been employed).	NOTIFY IN CASE OF EMERGENCY	Name and address of relative to be notified in case of accident or emergency.

COMPLIMENTS OF KIMSTAFF HR.

If you have any questions regarding these guidelines, please contact Dorothy Escobedo at (949) 752-2995.