

Chapter: 1	Page: 3410.2857.1.0.2	Template: content (chapter title)
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Hiring Series: Interview Restrictions

Chapter: 1	Page: 3410.2858.1.0.2	Template: content
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All too often, hiring managers ask questions or make statements during interviews that open the door to someone viewing their hiring decision as based on something other than legitimate, job-related criteria.

If it appears a hiring decision is not made on legitimate job-related criteria and instead made on personal, protected traits such as race, gender, religion, etc., you risk possible claims for discrimination and failure to hire.

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Even the most experienced interviewer with the best of intentions can say something accidentally, giving the impression that personal, protected traits will be part of the hiring evaluation. The following off-hand comments are examples:

- “We have found it difficult to retain women in this position since it requires a lot of travel.”
- “You will be managing teams comprised of [specify ethnic group] workers.”
- “Do you customarily take time off for the Jewish high holidays?”
- “Your last name is interesting. What part of the world does your family come from?”

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Workplace Scene

As an example, watch this interviewing scene as the manager asks some well-intentioned but personal questions.

Chapter: 1	Page: 3410.2866.1.0.2	Template: video
Version: All	Image: screenshots	Audio: no

[[CSL #500]]

How Not To Interview

Hiring Manager: Hello... Sweeda? [stumbles over the name]. I'm sorry, how do you pronounce your name?

Applicant: Shweeta.

Hiring Manager [repeating her]: Shweeta. Okay. Where are you from?

Applicant: Well, I grew up in Los Angeles.

Hiring Manager: Oh. I'm sorry. I meant where do you hail from? From India?

[Sign for "prohibited"]

Applicant: Well, my parents are from Mumbai, but they came here when they were really young.

Hiring Manager: I see. Okay, cool. Well, okay, if you could give me just a quick summary of your experience that would be super.

[The interview continues]

Hiring Manager: You see, what I'm trying to do is I'm trying to start a marketing engine very fast but on a very limited budget. Right now, I only have budget for one person with a lot of experience. So, if that person gets hired, we're really going to have to jump in with both feet and work very hard. I'm sorry but I've really got to ask, what are your family plans in the near future? I would just hate to have to count on someone and then they go and they take a leave for a few months.

[Sign for "prohibited"]

Applicant: I did just get married, but we're looking to enjoy ourselves a bit before starting a family.

Hiring Manager: That's a good idea! You know, when you're first married, things are just like. . . it's wonderful. You're footloose, you're fancy-free, you get to do whatever you want. You know, and then you have kids. Kids are great. They're great too, but then after that, it's really all about the children. [Shweeta nods along] I think there's really only one more question. I know that there's a big 5 day Indian holiday coming up, Diwali, and I was just wondering, do you plan on taking any days off work for that?

[Sign for "prohibited"]

Applicant: I do celebrate Diwali, but I don't take time off for it. I celebrate after work.

Hiring Manager: Okay, great! Thanks for letting me know.

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Version: All	Shutterstock Image: 100502632	Audio: Yes

To avoid possible claims of discrimination, interviewers are not allowed to ask any questions about legally protected personal traits such as:

- Age
- Citizen status
- National origin
- Religion
- Race
- Sexual orientation
- Marital status
- Pregnancy status
- Disability or medical conditions

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Version: All	Shutterstock Image: 77154757	Audio: Yes

As an interviewing manager, you can typically get the answers you need by asking the questions a bit differently and tying them to business needs rather than personal traits.

Chapter: 1	Page: 3410.2863.1.0.2	Template: video
Version: All	Shutterstock Image: 114832648	Audio: Yes

Workplace Scene

Let's watch the interview again but this time with the manager asking probing questions that are tied to business needs.

Chapter: 1	Page: 3410.2867.1.0.2	Template: video
Version: All	Image: screenshots	Audio: no

[[CSL #501]]

How To Interview

Hiring Manager: Hello... Sweeta? [stumbles over the name]. I'm sorry, how do you pronounce your name?

Applicant: Shweeta.

Hiring Manager [repeating her]: Shweeta. Shweeta. Well, Shweeta, could you please just give me a quick summary of your work experience?

[The interview continues]

Hiring Manager: I'm trying to build a marketing engine here as fast as possible with a very limited budget and right now my budget only has room for one very experienced person. So that person is going to have to jump in and work very hard. Okay? I want to be realistic about expectations here. This is not a 40-hour workweek. This is a great opportunity with a lot of career potential, there's a great upside to it. But it's going to involve a lot of hard work. Okay? It's not a 9-5 job. There's probably going to be some really long days and probably some weekends as well. So, is that okay for you?

[Sign for "approved"]

Applicant: I'm okay with that. Right now I want to focus on my career and work hard. If it means working after hours and on some weekends, I'm okay with that.

Hiring Manager: Okay, great. Finally, you know, if I were to hire you, are there any holidays or events that you have scheduled in the near future that might cause you to miss work for any time? I just want to know so I can schedule it sooner rather than later and have it in mind down the road.

[Sign for "approved"]

Applicant: No, no holidays scheduled. I'm ready to start cranking and helping you build a marketing machine.

Hiring Manager: Okay, thanks for letting me know.

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Version: All	Shutterstock Image: 147980255	Audio: Yes

Everyone understands the need to get as much information as possible when evaluating a person for a job.

However, when you are tempted to ask questions about personal details, stop and reframe the question so it is tied to business needs instead.

Click **HERE** for a quick checklist of interview dos and don'ts.

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Thank You

Thanks for taking this **Learning Moment**.

Questions about this concept?

Email us: trainer@emtrain.com