

Appendix B. Inappropriate vs. Permissible Questions

Protected Class	Examples of Inappropriate and Illegal Questions	Examples of Permissible Questions
Age	<p><i>Any inquiries that might indicate that there is an age preference for the position.</i></p> <ul style="list-style-type: none"> • What year were you born? • What year did you graduate from high school (college)? • When do you plan to retire? • What lovely gray hair. Is that natural? 	None
Gender	<p><i>Any inquiry concerning sex assigned at birth or transgender identity.</i></p> <ul style="list-style-type: none"> • How shall I refer to you as a he or a she? • As a woman [or man], how do you feel about _____? • Your style of dress seems rather unusual for a woman [man]. Why do you dress that way? 	<p><i>Pronouns are not always indicators of gender identity. It is permissible to ask candidates about their pronouns if you ask all candidates the same question and you ask in a consistent, respectful, and non-discriminatory way. You can start by providing your own pronouns. By asking pronouns, you are creating a respectful and inclusive environment for all.</i></p>
Sexual orientation	<p><i>Any inquiry regarding sexual orientation or sexual identity.</i></p> <ul style="list-style-type: none"> • What can you tell me about any significant other in your life? 	None

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<p>Marital status</p>	<p><i>Any inquiry about the applicant's marital status whether an applicant is married, single, divorced, separated, engaged, widowed, has same sex spouse, etc. Any form requesting identification by Mr., Mrs., Miss, or Ms. status.</i></p> <ul style="list-style-type: none"> • What does your spouse [partner] do? • Will your spouse [partner] be coming with you if you take this job? • Is that an engagement or wedding ring that I see? • How does your spouse feel about your job? 	<p>None</p>
<p>Family status</p>	<p><i>Specific inquiries concerning spouse, spouse's gender, spouse's employment or salary, children, childcare arrangements, or dependents.</i></p> <ul style="list-style-type: none"> • Are you pregnant? • Do you have children? • Do you plan to have more children? • What are your childcare arrangements? 	<p><i>If certain work hours are required for the job and you pose the question to all finalists, you may ask candidates if they can meet specified work schedules or whether they have activities, commitments, or responsibilities that may prevent meeting work attendance requirements (as long as you don't ask whether they have children).</i></p> <p><i>If travel is required for the position, you may ask about candidate's ability and willingness to travel.</i></p>

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Race	<p><i>Any inquiries regarding a candidate's complexion, hair, skin color, or eye color.</i></p> <ul style="list-style-type: none"> • What is your ancestry? • Are both of your parents [members of a specific race]? 	None.
National origin	<p><i>Any inquiry into applicant's lineage, ancestry, national origin, descent, birthplace, native language, or national origin of an applicant's parents or spouse.</i></p> <ul style="list-style-type: none"> • What is your ancestry? • In what country were you born? • Are both of your parents [members of a specific nationality]? • How long has your family been in this country? • That's an interesting name. What are its origins? • Where did you get that accent? • What's your native language? 	<p><i>If proficiency in a specific language is a requirement for the job, you may inquire into the person's ability to read/write/speak foreign language. However, you must ask all candidates about their proficiency level.</i></p>
Citizenship status	<p><i>Any inquiry into citizenship that would tend to divulge applicant's lineage, ancestry, national origin, descent, or birthplace.</i></p> <ul style="list-style-type: none"> • Are you a U.S. citizen? • Where were you born? 	<p><i>You can ask candidates if they are legally authorized to work in this country (as long as you ask all candidates the same question).</i></p>

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<p>Religion</p>	<p><i>Any inquiry concerning religious preference, denomination, affiliations, church, parish, pastor, or religious holidays observed.</i></p> <ul style="list-style-type: none"> • Do you attend church (or any other religious service)? • Which holidays will you be celebrating? • Did you go to public or religious schools? 	<p><i>If weekend work is required for the job, and you pose the question to all finalists, you may ask questions such as “Can you work on weekends?”</i></p>
<p>Disability of Physical Challenges</p>	<p><i>Any inquiry about nature, severity or extent of a disability or whether an applicant requires reasonable accommodation prior to a conditional job offer. Whether an applicant has applied for or received worker’s compensation. Any inquiry that is not job related or consistent with business necessity.</i></p> <ul style="list-style-type: none"> • Do you have any physical disabilities? • Do you always need to use your walker, wheelchair or other accommodation? 	<p><i>If you pose the question to all finalists, you may ask questions such as “Will you be able to perform the essential functions of this position, either with or without reasonable accommodations?”</i></p>
<p>Pregnancy</p>	<p><i>Any inquiry related to pregnancy, medical history concerning pregnancy, and related matters.</i></p>	<p><i>If you pose the question to all finalists, you may ask about any intended absences from the job.</i></p>

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<p>Medical history</p>	<ul style="list-style-type: none"> • Do you have any pre-existing medical conditions? • What medications do you use? • Do you use drugs or alcohol? Do you smoke? • How did you get that scar? • Do you exercise regularly? • Do you need to visit doctors frequently? 	<p><i>If you pose the question to all finalists, you may ask questions such as “Will you be able to perform the essential functions of this position, either with or without reasonable accommodations?”</i></p>
<p>Veteran status</p>	<p><i>Any inquiry about military service in a country outside of the U.S.</i></p> <ul style="list-style-type: none"> • Was your discharge from the military honorable or dishonorable? • Do you have any lingering effects from your service? • How do you alleviate the anxieties and pressures that stem from your military service? 	<p><i>If it is relevant to the job, you may ask about special training and skills the candidate developed while in the military.</i></p> <p><i>If the candidate has self-disclosed that she/he served in the military, you may ask in which branch the candidate served.</i></p>
<p>Criminal history</p>	<ul style="list-style-type: none"> • Have you ever been arrested? • Have you ever been pulled over for drunk driving? • Have you ever spent a night in jail? 	<p><i>You can inform candidates that Texas A&M University routinely runs background checks on finalists before an offer is finalized. [Departments do not receive copies of the report.]</i></p>