



Lawyers since 1897

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Job Interview DO's and DON'Ts

Presented by James Shaker

SUBJECT	PERMITTED INQUIRY	UNFAIR INQUIRY
Age	Birth date & proof of true age - RCW 49.44.090.	Inquiry implying preference for person under 40.
Arrests	No permitted inquiry. Law enforcement agencies are exempt. WAC 162-16-050	All inquiry concerning arrests. For convictions, see below.
Citizenship	Can applicant provide proof of citizenship, visa, alien registration after hiring; is applicant prevented from lawfully becoming employed?	Whether applicant is citizen. Requiring proof of citizenship pre-hiring. Inquiry re: applicant's lineage, ancestry, national origin, descent, or birthplace.
Convictions	Questions re: specific convictions relating to fitness for the particular job providing that such inquiry is limited to convictions for which the date of the conviction or the prison release, whichever is more recent, is within seven years of the date of the job application. If the employer believes, after careful consideration, that it is not practical to ask about specific convictions, the employer may inquire generally concerning all convictions for which the date of conviction or prison release is within seven years of the date of the application, provided that such general inquiries are accompanied by a disclaimer informing the applicant that a conviction record will not necessarily bar him/her from employment.	Any inquiry which does not meet the requirements for fair pre-employment inquiry.
Family	Questions regarding whether applicant can meet specified work schedules or has activities, commitments or responsibilities which prevent him/her from meeting attendance requirements.	Specific questions concerning spouse, spouse's employment or salary, children, child care arrangements, or dependents.



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Handicap	Whether applicant has certain sensory, mental or physical handicaps which relate reasonably to fitness to perform the particular job. Whether applicant has handicaps or health problems which may affect work performance or which the employer should take into account in determining job placement.	Generalized inquiries which tend to divulge handicaps or health conditions that are not reasonably related to applicant's fitness to perform the job (do you have any handicaps?).
Height Weight	Questions regarding ability to perform actual job requirements. Certain height and weight requirements will not be considered job requirement unless the employer can demonstrate that no employee with an ineligible height or weight could perform the work.	Any inquiry which is not actually based on job requirements.
Marital Status	None.	<input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Miss <input type="checkbox"/> Ms. Whether the applicant is married, single, divorced, separated, engaged, widowed, etc.
Military	Questions regarding education, training, work experience in the U.S. armed forces	Type or condition of military discharge. Applicant's experience in other than U.S. Armed Forces or request for discharge papers.
Name	Whether applicant has worked for the company or a competitor under a different name and, if so, what name. Name under which applicant is known to references, if different from present name.	Questions regarding original name (if it has been changed); inquiries about a name which would divulge marital status, lineage, ancestry, national origin, or descent.
National Origin	Inquiries regarding applicant's ability to read, write and speak foreign languages, if such inquiry is based on job requirement.	Questions regarding applicant's lineage, ancestry, national origin, descent, birth place or mother tongue, national origin of applicant's parents or spouse.



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Membership	Inquiry into organization memberships, excluding any organization the name or character of which indicates race, creed, sex, marital status, religion or national origin or ancestry of its members.	Requirement that applicant list all organizations, clubs, societies and lodges to which he/she belongs.
Photographs	May be requested after hiring for identification purposes.	Requiring a photo prior to hiring.
Pregnancy	Questions re: duration of stay on job or anticipated absences so long as made to both male & female applicants.	Questions as to pregnancy, medical history re: pregnancy and related matters.
Race/Color	None.	Any questions concerning race or color of skin, hair, eyes, etc.
Relatives	Name of applicant's relatives already employed by company or any competitor.	Names and addresses of any relative other than those listed as proper
Religion Creed	None.	Questions re: applicant's religious denomination, affiliations, church, parish, pastor or religious holidays observed.
Residence	Questions re: address to facilitate contacting the applicant.	Names or relationships of persons with whom the applicant resides; whether the applicant rents or owns.
Sex	None.	Any inquiry.