Ask This, Not That

Keep interviews focused on qualifications and actual job requirements. These examples help replace personal inquiries with useful, job-related questions. They are general U.S. guidance, not a legal clearance for every situation.

ASK ABOUT THE WORK

Topic	Avoid asking	Ask instead
Work authorization	“Are you a U.S. citizen?” or questions about birthplace.	“Are you legally authorized to work in the United States?” Use an HR-approved sponsorship question when relevant.
Schedule	“What religion are you?” or “Where do you worship?”	“The regular schedule is [days/hours]. Can you meet this schedule?” Route accommodation requests to HR.
Travel	“Do you have children?” or “Who will take care of your family?”	“This role involves [specific travel requirement]. Can you meet that requirement?”
Essential functions	“Do you have a disability?” or questions about diagnosis or medication.	“Can you perform the essential functions of this job, with or without reasonable accommodation?”
Role motivation	“When will you retire?” or “Are you planning to become pregnant?”	“What interests you about this role, and what skills would you like to develop?”

Describe genuine requirements consistently. Do not reject an applicant automatically because an accommodation is mentioned; follow your HR process. Avoid collecting personal information unrelated to the role.

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Keep the process job-related

Prepare questions before interviews and give interviewers a clear way to refer sensitive topics to HR.

PRACTICAL GUARDRAILS

1. **Focus on demonstrated skills.** Ask for relevant work examples, required qualifications, and the ability to perform the job. Do not use personal characteristics as a proxy for reliability or ability.

2. **Handle disability questions carefully.** Before a conditional offer, employers generally may not ask disability-related questions or require medical exams. Do not probe for a diagnosis or severity.

3. **Keep authorization checks consistent.** DOJ guidance generally allows questions about work authorization and future visa sponsorship. Do not demand citizenship details or a particular Form I-9 document.

4. **Use an approved process for other checks.** Salary history, criminal records, credit, testing, and accommodations can raise additional requirements. Have HR review the process for the relevant jurisdiction.

Sources checked November 3, 2026:
EEOC - Pre-Employment Inquiries and Disability
EEOC - Religious Affiliation or Beliefs
EEOC - Marital Status or Number of Children
U.S. DOJ - Immigrant and Employee Rights FAQs

Federal, state, and local requirements and limited exceptions can differ. Ask qualified employment counsel or HR to review questions and processes before use.

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