

KAREN E. FELSTED, CPA

Karen E. Felsted, CPA, DVM, CVPM
435 Lowell Lane
Richardson, TX 75080
(972) 705-9271
(972) 705-9302 fax
kefelsted@aol.com

This document is provided for general informational purposes only and should not be considered as legal advice. Laws change frequently and vary between states, therefore, nothing below should be used as a substitute for competent professional advice.

Effective, and Suitable Pre-Employment Inquiries (Information provided by Allison Sumrow of People Solutions, Inc.)

Subject	Acceptable Inquiries	Unacceptable Inquiries
Name	"Have you ever worked for this company under another name?" "Is any additional information related to change of name, use of an assumed name, or nickname necessary to enable a check on your work records?"	"What is your maiden name?" "Have you ever used another name?" "Mr. Mrs., Miss, or Ms.?" "Has your name been changed by marriage or court order?" Inquiries about the applicant's name that would indicate lineage, ancestry, national origin or descent. Inquiries into previous name of applicant where it has been changed by court order, marriage or otherwise.
Residence	Place of residence Inquiry into the length of current and previous address.	"Do you own or rent your own home?" Specific inquiry into foreign residence. Names or relationships of persons with whom applicant resides.
Age	Statement that employment is subject to verification that applicant meets legal age requirements.	"How old are you?" "When were you born?" Dates of attendance or completion of elementary or high school Questions which tend to ask an applicant to reveal directly or indirectly his or her age
Marital Status and Family	Statement of company policy regarding work assignments of employees who are related. Inquiries as to whether the applicant can meet specified work schedules or has activities, commitments or responsibilities that may hinder the meeting of work attendance requirements. Inquiries as to the duration to stay on the job or anticipated absences which are asked of males and females alike.	"Are you married, single, divorced, widowed or separated?" Name or other information about spouse (although this is permissible after hire for an emergency contact.) "What are the names and ages of your children, if any?" "What provisions will you make for child care?" "Are you expecting?" or "Are you pregnant?" Future childbearing plans "How does your husband/wife feel about you taking this job?"

Relatives	Name of applicant's relative already employed by the company	Name or address of any relative of applicant
Sex	Only where such inquiry is based upon a bona fide occupational qualification	Sex of applicant

Subject	Acceptable Inquiries	Unacceptable Inquiries
Religion	Statement of regular days, hours or shifts to be worked	Questions regarding applicant's religion. "Does your religion prevent you from working weekends and holidays?"
Race or color, physical description	Statement that photograph may be required after hire	Requirement applicant to submit a photograph at any time prior to hire, or request that the applicant, at his or her option, submit a photograph. Race or color of applicant. Inquiries regarding applicant's complexion, or color of skin Questions as to the applicant's height or weight
Birthplace, national origin or ancestry	"Are you authorized to work and remain in the US?" Foreign languages applicant reads, speaks, or writes, if job-related.	Birthplace or applicant Birthplace of applicant's parents, spouse, or other close relatives. "What is your mother/native language?" Inquiry into how applicant acquired ability to read, write or speak a foreign language.
Non Work Activities	Inquiry into applicant's membership in organizations which the applicant considers relevant to his or her ability to perform the job for which applied.	"List all clubs, societies and organizations to which you belong."
Prior Experience and Military Experience	Questions regarding military experience in the US Armed Forces or in a State Militia or service in a particular branch of the US Army, Navy, etc. Type of education received in conjunction with military service	Type of discharge. Questions regarding service in a foreign military.
Physical Condition, Handicaps	"Are you able to perform the position for which you have applied in a reasonable and safe manner?" Statement that a physical is required for some jobs involving lifting or other particular job requirements. Ask an applicant to demonstrate their ability to perform the physical aspects of the job. "All applicants are required to undergo a drug screening as a condition of employment. Have you any objections?"	"Do you have any physical disabilities or handicaps?" "Do you have now, or have you ever had, a drug or alcohol problem?" Questions regarding the applicant's general medical condition, state of health, or illnesses. Questions regarding receipt of Worker's Compensation Inquiries into whether a person has AIDS. Any pre-employment inquiry on medical history or previous medical conditions. "Do you use drugs?"

Subject	Acceptable Inquiries	Unacceptable Inquiries
Education	Inquiry into applicant's academic, vocational or professional education and the public and private schools attended. Inquiry into language skills such as reading, speaking, and writing foreign languages, if required for the job.	Dates of attendance or completion of elementary or high school. Inquiry into the nationality, racial or religious affiliation of a school.
Citizenship	"Do you have the legal right to work and remain in the US?" Statement that the applicant will be required to submit proof regarding his/her identity and employment eligibility upon hire, in accordance with applicable immigration requirements.	"Of what country are you a citizen?" Whether applicant, parents or spouse are naturalized or native-born US citizens. Date when applicant, parents or spouse acquired US citizenship.
References	Names of persons willing to provide professional and /or character references for the applicant. "By whom were you referred for a position here?"	Requirement of the submission of a religious reference. Request references from applicant's relatives.
Arrest, Criminal Record	"Have you ever been convicted of a crime?" (This question must be accompanied in most jurisdictions by a statement on the employment application that a conviction will not necessarily disqualify the applicant from the job for which applied.) Inquiry into actual convictions which relate reasonably to fitness to perform a particular job.	Arrest record. "Have you ever been arrested?" To ask or check into a person's arrest, court or conviction record if not substantially related to functions and responsibilities of the prospective employment.
Personal Finances	None	Questions about wage garnishments, personal bankruptcy. Questions regarding home or car ownership.
Other	Notice to applicants that any misstatement or omissions of material facts in the application may be cause for dismissal.	Any inquiry that is not job-related or necessary for determining a candidate's eligibility for employment