



DISCRIMINATORY QUESTIONS

DISCRIMINATORY QUESTIONS

NOTE: This document is for information purposes only and is not an exhaustive list. Please check with your HR representative or the appropriate legal authority.

	Discriminatory Questions	Legal Questions	Notes
Age	<ul style="list-style-type: none"> How old are you? Are you near the retirement age? What is your birth date? When did you graduate? 	<ul style="list-style-type: none"> The minimum age requirement for this position is X years. Do you meet this criteria? 	A proof of age can only be requested after hiring.
Race / Color / Ethnicity	<ul style="list-style-type: none"> What is your race/ethnicity? What color is your hair, skin or eyes? Are you a member of a minority group? 	<ul style="list-style-type: none"> None 	A picture may be requested upon hiring for identification purposes.
Sex / Gender Identity / Sexual Orientation	<ul style="list-style-type: none"> This position requires a person who demonstrates predominantly male/female traits. Will this be a problem? What is your sexual orientation? 	<ul style="list-style-type: none"> None 	Asking for details of a person's first name in the hope of obtaining an indication of their gender is also illegal.
Civil and Family Status	<ul style="list-style-type: none"> Should I call you madam, mister or miss? Can your spouse be transferred? Do you have kids? Are you pregnant or planning to become pregnant in the next year? 	<ul style="list-style-type: none"> Would you be available to travel as part of your duties? Will you be able to work the required number of hours and, if necessary, work over time? Are you willing to relocate for the position? (If necessary.) 	It is customary to address a woman by calling her "madam", regardless of her marital status. Certain questions about marital status are avoided during the interview but may be asked upon hiring for benefit purposes.
Religion	<ul style="list-style-type: none"> What is your religious affiliation? What religious holidays do you observe? Are you a member of any clubs or social organizations? 	<ul style="list-style-type: none"> What days are you available to work? Can you work the days required in our schedule? Are you a member of a professional or trade group related to our industry or this position 	The employer must take into account the religious beliefs of employees. If the person finds it difficult to stick to a given work schedule because of their religious practices, the employer must try to adapt that person's schedule, unless the accommodation is excessive.

DISCRIMINATORY QUESTIONS

	Discriminatory Questions	Legal Questions	Notes
Nationality and Country of Origin	<ul style="list-style-type: none"> Are you an American/Canadian citizen? Where are you from or where were you born? Where are your parents from? What is the origin of your last name? Where do you live? Is English your first language? What is your native language? 	<ul style="list-style-type: none"> Are you legally entitled to work in the United States/ Canada? What languages can you read, speak or write fluently? (If proficiency in a particular language is required for the position). 	
Illness / Handicap / Disability Status	<ul style="list-style-type: none"> What is your medical history? Do you have any disabilities or health problems? Have you ever been diagnosed with a mental illness? Have you ever been to rehab or been diagnosed with alcohol or drug abuse? Do you take medication? 	<ul style="list-style-type: none"> The job has the following physical demands. Do you have any concerns? Are you able to perform the essential responsibilities of the job with or without reasonable accommodation? Do you have any conditions that may affect your ability to perform the job? 	<p>The employer must adapt the selection methods to any disabled person who requests it. An employer can only take a disability into account if it limits a person's ability to perform the essential tasks of the job. The employer must try to adapt the premises, equipment or organization of work for a person with certain limitations due to a disability, unless it is excessive.</p> <p>The employer must have the consent of the applicant to conduct pre-employment medical testing.</p>
Military	<ul style="list-style-type: none"> What type of military discharge have you received? Will you be deployed again? 	<ul style="list-style-type: none"> What type of training or education have you received in the military? 	Only if employment preference is given to veterans, in the name of the law.
Criminal Record (current or past)	<ul style="list-style-type: none"> Have you ever committed a crime? Have you ever been arrested? 	<ul style="list-style-type: none"> Have you ever been convicted of a felony? (If a felony would interfere with an applicant's ability to perform the job.) Are you willing to conduct a background check upon hiring? 	It is not advisable to ask about convictions and criminal records unless they are relevant to the duties of the position.