

Interviewing



A Verbal Minefield

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--INTERVIEWING--

A VERBAL MINEFIELD

THE EMPLOYMENT INTERVIEW

I. Goal

- A. The primary goal of the employment interview is to obtain information about job applicants that will assist in determining which applicant is best qualified for the open position.
- B. A secondary, but equally important, goal is to obtain this information without violating, *or appearing to violate*, requirements under Equal Employment Opportunity (EEO) legislation and to prevent giving the applicant the feeling that he or she would have a property interest in the job if selected.

II. Preparation

- A. Planning and preparation are key elements for effective interviewing.
- B. Steps in preparing for an interview include:
 - 1. Selecting a time and place for the interview that will minimize the possibility of interruptions;
 - 2. Determining how much time to devote to each interview;
 - 3. Knowing the specific requirements, duties and conditions of the job;
 - 4. Reviewing the application prior to the interview (NOTE: It is recommended that a standard application form be used rather than requesting resumes. Resumes often contain information that, according to EEO guidelines, should not be obtained prior to employment. Also, resumes may fail to contain information needed to determine qualifications.); and
 - 5. Determining what questions will be asked.

III. Interview Questions

- A. All questions should relate to the requirements for the job and the applicant's ability to perform the essential job functions.
- B. Questions which elicit answers that would directly or indirectly reveal an applicant's status in a protected category (race, color, national origin, religion, sex, age, genetics, or disability) under EEO legislation should not be asked unless necessary because of a bona fide occupational qualification (BFOQ). Examples of appropriate and inappropriate questions are given beginning on page 6 of this outline.

III. Interview Questions (continued)

1. Questions which are asked of one category of applicants (such as women or older individuals), but which are not asked of all other applicants, give the appearance of potential discrimination.
 2. Under the Americans with Disabilities Act Amendments Act Amendments Act (ADAAA), all inquiries into an applicant's medical background are prohibited.
- C. Since we want to learn as much as possible about the applicant's qualifications, open ended questions - those which require a detailed answer - should be asked rather than those which only require a "yes" or "no" answer.
- D. Leading questions - those which give an individual an indication of the response the employer wants to hear - should not be asked.

IV. The Interview

- A. The steps in beginning an interview normally include:
1. A few minutes of small talk to make the applicant feel comfortable but it is important to avoid comments or questions that could reveal information not acceptable under EEO standards;
 2. Telling the applicant of the interview procedure;
 3. Telling the applicant something about the employer; and
 4. Describing the job duties.
- B. During the "question and answer" phase of the interview, the interviewer's goals include:
1. Determining if the applicant meets the requirements for the job;
 2. Exploring any significant unaccounted for gaps in the applicant's work history;
 3. Determining the applicant's actual interest in the job; and
 4. Deciding the applicant's overall suitability for the job.
- C. Since we want to get as much information as we can about an applicant, the following tricks can be useful in keeping the applicant talking:
1. Head nodding;
 2. Encouraging words or phrases such as "yes", "that's interesting" and "go on";
 3. Silence - as though you are expecting the applicant to say more; and
 4. Repeating parts of the applicant's answer in a questioning tone indicating that you would like more information.

IV. The Interview (continued)

- D. If specific training, education, experience, certification or other job requirements are necessary, be sure to have specific evidence that the applicant meets the requirements rather than just accepting the applicant's word.
- E. During the interview, the interviewer should avoid distracting behaviors such as:
 - 1. Fooling with items on the desk;
 - 2. Looking out the window;
 - 3. Interrupting the applicant;
 - 4. Taking phone calls; or
 - 5. Making the applicant repeat answers because the interviewer was not listening.
- F. Note taking during the interview should be done unobtrusively as possible. If the interview is being recorded, the applicant should be told this.
- G. When closing the interview, the interviewer should:
 - 1. Thank the applicant for coming in;
 - 2. Ask if the applicant has any further questions; and
 - 3. Tell the applicant when a selection decision is expected to be made.

V. Evaluating the Interview

- A. Immediately after the interview, the interviewer should make notes about the applicant's strong points, weak points and overall suitability for the job.
- B. In evaluating an applicant, the interviewer should be aware of, and control, feelings which distort the evaluation, such as
 - 1. The "halo" and "horns" effect;
 - 2. Personal biases; and
 - 3. Personality traits not related to the job.

THE EXIT INTERVIEW

VI. Goal

- A. Exit interviews are normally conducted to find out the "real reason" an employee is leaving and to help in determining if anything can be done to make the workplace more desirable to attract and retain quality employees.
- B. The exit interview may also be a time to provide information and to take care of paperwork on such items as health insurance continuation under COBRA, paid leave due, and any other benefits for which the employee may be eligible.

VII. The Interview

- A. Conducting the interview prior to the employee's last day or employment is normally viewed as the better approach so the employee can focus on the interview instead of the final paycheck and what comes next in his or her life.
- B. It is recommended that exit interviews be conducted by someone other than the employee's immediate supervisor.
- C. The interviewer should be someone who is highly respected and liked within the organization and someone who is skilled in getting others to talk.
- D. To help ensure a successful interview, the interviewer should:
 - 1. Show understanding, but not necessarily agreement, with what the employee says;
 - 2. Avoid getting defensive because of statements some employees might make;
 - 3. Keep from getting caught up in any emotional extremes that certain employees may show;
 - 4. Avoid interrupting the employee;
 - 5. Ask open ended questions which require the employee to be specific and detailed in his or her answers; and
 - 6. Always be courteous and friendly toward the employee being interviewed.

VIII. Questions

- A. Unlike the pre-employment interview, there is normally little liability exposure from the questions which are asked in an exit interview.
- B. The purpose of questions asked in the exit interview is to determine the real reason, which is frequently different than the stated reason, that an employee is resigning, and to find out the employee's feelings about the employer and about his or her job. (Examples of questions often asked in exit interviews are found on page 9 of this outline.)

IX. Distortions

- A. The circumstances under which an employee is leaving and his or her attitude toward the employee often distort the information gathered in an exit interview.
 - 1. The employee who has been fired will normally show some level of anger and often only makes negative statements about the employer.
 - 2. The employee who is resigning is likely to make only positive statements to keep from "burning any bridges".

IX. Distortions (continued)

- B. The skilled interviewer should be able to recognize when these distortions are occurring in an interview and attempt to dig below the surface to get information that will be valuable to the employer.

NOTE: This paper is provided for informational purposes only. Nothing in this paper is intended to be, nor should it be construed as, legal advice or guidance. Where legal assistance is needed, the services of a qualified attorney should be sought.

PRE-EMPLOYMENT QUESTIONS

(The following are examples of questions that are generally considered to be appropriate and inappropriate to ask during the pre-employment process. This list is only intended to provide guidance in what questions may be asked and should not be viewed as an all inclusive list of such questions. It must also be remembered that, as new legislation is passed and determinations are made in the courts, there may be changes in what questions are considered appropriate.)

National Origin

Appropriate:

None unless national origin is a bona fide occupational qualification (BFOQ).

Inappropriate:

What is your nationality? Were you born in the United States? What country are your parents from? Where were you born?

Race or Color

Appropriate:

None

Inappropriate:

What is your skin color? What is your race?

Religion

Appropriate:

None unless religion is a BFOQ.

Inappropriate:

Are you a Christian? What is your religious denomination? Do you attend church? What religious holidays do you observe?

Age

Appropriate:

Are you at least 18 years of age? If not what is your age?

Inappropriate:

How old are you? What is your date of birth?

Sex

Appropriate:

None unless sex is a BFOQ.

Inappropriate:

Are you male or female? Do you plan to have children? Do you practice birth control? Do you feel like that a woman can handle this job?

Disability

Appropriate:

None

Disability (continued)

Inappropriate:

Are you disabled? Have you ever been treated for any of the following injuries or illness (followed by a list)? Have you ever filed a workers' compensation claim? Have you ever had any mental or psychological problems? How long have you been in a wheelchair?

Marital Status

Appropriate:

None

Inappropriate:

Are you married? Do you preferred to be called Miss? Mrs? Ms? What is your spouse's name? Have you ever been divorced?

Arrest Record

Appropriate:

Have you ever been convicted of a felony? (NOTE: In most jobs, a felony conviction cannot be the sole basis for failure to hire.)

Inappropriate:

Have you ever been arrested?

Driver's License

Appropriate:

Do you have a current driver's license (if driver's license is required for performance of the job)?

Inappropriate:

Do you have a driver's license (where a driver's license is not required for the job)?

Citizenship

Appropriate:

Are you a citizen of the United States? If not a citizen, are you legally authorized to work in the United States?

Inappropriate:

Of what country are you a citizen? Are you a native born or naturalized U.S. citizen? Are your parents citizens?

Languages

Appropriate:

Do you speak Spanish (or other language required for the job)?

Inappropriate:

What foreign languages do you speak or write? How did you learn those languages? What is your native tongue?

Military Experience

Appropriate:

Have you served in the Armed Forces of the United States? If so, what were your duties?

Inappropriate:

Have you ever served in the Armed Forces of a country other than the United States. Have you ever received a discharge under less than honorable conditions?

Education

Appropriate:

Any questions pertaining to educational requirements that are truly a requirement for the job.

Inappropriate:

Any questions about an applicant's educational background that is not a true requirement for the job.

Photograph

Appropriate:

None

Inappropriate:

Any requirement that an individual provide a photograph before being hired.

Personal Characteristics

Appropriate:

None

Inappropriate:

What color are your eyes? What color is your hair? What is your height and weight?

Genetics

Appropriate:

None

Inappropriate:

Have you or any of your family members, born or unborn, had some sort of disease or disorder or received any bad news about this in the past?

Comments

Generally, any question that has direct bearing on an applicant's ability to do the job is acceptable. However, questions asked of only certain applicants, and not of all applicants, can make an otherwise valid inquiry appear to be discriminatory. For example, asking a person in a wheelchair how he or she would perform the duties of the job but not asking the question of other applicants. The key to staying out of trouble in the interview and selection process is to ask questions that pertain only to the job and avoid any questions that pry into an applicant's personal background.

Once an employee is hired, it may be necessary to obtain information for benefit programs or government reporting that should not be sought during the pre-employment process. This is okay but, before obtaining any such information, be sure that there is truly a need to have it and, once obtained, keep it separate from the employee's personnel file.

EXIT INTERVIEW QUESTIONS

(In conducting an exit interview, each employer should determine what it wants to accomplish by the exit interviews and develop questions accordingly. The following are examples of questions which might be used in exit interviews.)

1. Are there reasons other than the one you stated for your decision to leave at this time?
2. What made you originally decide to apply for employment with us?
3. How have things changed in your job and/or your department since you first started work?
4. What was the most positive thing about your employment with us?
4. What things do you feel could be done to make this a better place to work?
5. Did you feel that your job was important and played a significant role to the operation of your department?
6. Were there any problems that you brought to the attention of the employer that you feel were not satisfactorily resolved? If so, what were they?
7. How would you describe your working relationship with your supervisor and your coworkers?
8. Could something have been done to change your mind about resigning?