

PRE-EMPLOYMENT INQUIRY OR COMMENT GUIDE

Washington State law (RCW 49.60/WAC 162.12) prohibits pre-employment inquiries which unnecessarily reveal protected status. Below is a summary of prohibited inquiries relevant to a search committee member's role at WWU. The following information applies to any type of employment inquiry made of applicants particularly through pre-employment interviews and reference checks.

<u>Subject</u>	<u>Inquiries</u>	
AGE	Not allowed:	Any inquiry that implies a preference for persons under 40 years of age.
CONVICTIONS / ARRESTS	Not allowed:	Inquiries about arrests or convictions.
	What WWU does:	Human Resources conducts background checks for exempt and classified positions and will inform hiring authorities if there is a justified concern.
CITIZENSHIP	Not allowed:	Inquiries about citizenship.
	What WWU does:	The selected candidate will be required to show proof of eligibility to work in the U.S. prior to being hired. Faculty and exempt position announcements inform potential applicants that they must be eligible to work in the United States.
FAMILY	Not allowed:	Inquiries about spouse or partner, or their employment or salary, children, child care arrangements, or dependents.
	Allowed in Negotiation:	Whether applicant can meet a specific work schedule or has commitments that may prevent meeting work attendance requirements. Search chair may inform faculty candidates of WWU partner accommodation policy.
DISABILITY	Not allowed:	Inquiries about the nature, severity or extent of a disability or whether the applicant requires reasonable accommodation. Whether applicant has applied for or received worker's compensation. Also any inquiry that is not job related or consistent with business necessity.
	Allowed:	Whether an interviewee is able to perform the essential functions of the job with or without reasonable accommodation. Inquiries as to how the applicant could demonstrate or describe the performance of these specific job functions with or without reasonable accommodation. Please notify HR/EOS if such a question is going to be asked.
HEIGHT/WEIGHT	Not allowed	Any inquiry about interviewees' height or weight characteristics.
MARITAL STATUS	Not allowed:	Any inquiry which would reveal applicant's marital status.
	Allowed:	Refer to all female applicants as Ms. and all male applicants as Mr.
NAME	Not allowed:	Inquiries into original name that would divulge marital status, lineage, ancestry, national origin or descent.
NATIONAL ORIGIN:	Not allowed:	Inquiries into applicant's or applicant's family's lineage, ancestry, national origin, descent, birthplace, or mother tongue.
	Allowed:	Inquiries into the applicant's ability to read, write and speak foreign languages <u>only</u> if those are qualifications for the position.
ORGANIZATIONS	Not allowed:	Requiring applicants to list all organizations, clubs, societies, and lodges to which they belong.
	Allowed:	Inquiring about membership in job related organizations.

<u>Subject</u>	<u>Inquiries</u>
PREGNANCY	Not allowed: All questions as to pregnancy and medical history concerning pregnancy and related matters.
	Allowed: Inquiries related to the duration of stay on the job or anticipated absences which are made to ALL interviewees.
RACE/COLOR	Not allowed: Any inquiry concerning race or color of skin, hair, eyes, etc.
	What WWU does: AA cards, requesting voluntary race information, are mailed to applicants of exempt and faculty recruitments. AA information is a separate one-page sheet attached to classified application packets.
RELATIVES	Not allowed: Any inquiry regarding marital status, identity of one's spouse or partner or their occupation.
	Allowed: Administrators may ask names of a finalist's relatives already employed by WWU for administrative purposes.
RELIGION AND/ OR CREED	Not allowed: Inquiries about an applicant's religious preference, denomination or affiliations, church, synagogue, parish, pastor, rabbi, or religious holidays observed.
RESIDENCE	Not allowed: Names or relationship of persons with whom applicant resides or whether applicant owns or rents a home.
	What WWU does: WWU is allowed to obtain contact information.
SEX	Not allowed: Unless in the rare instance of a bona fide occupational qualification
SEXUAL ORIENTATION*	Not allowed: Any inquiry that would reveal an applicant's sexual orientation

VOLUNTEERED INFORMATION:

If an applicant or candidate volunteers any of the above information or if the information is received from a reference, the information must not be considered by the committee in the rating process.

Committee members should not solicit more information regarding any protected status listed above. Instead answer questions directly or make referrals to others not on the committee (ex. HR & EOS) who may be able to provide additional information sought by the candidate.

REMINDER REGARDING NOTE TAKING:

If taking notes about applicants during the screening process, avoid including words or comments that cover any of the above listed subjects. Notes should only include job related information.

**The Board of Trustees of Western Washington University prohibits discrimination based on sexual orientation.*