

# **EMPLOYMENT INQUIRIES**

## **WHAT CAN EMPLOYERS ASK APPLICANTS AND EMPLOYEES?**

The Department of Fair Employment and Housing has developed this guide to provide employers with guidance relating to inquiries that can be made to applicants and employees.

The California Fair Employment and Housing Act (FEHA) prohibits any non-job-related inquiries of applicants or employees, either verbally or through the use of an application form, that express, directly or indirectly a limitation, specification or discrimination as to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, or sexual orientation, or any intent to make such a limitation, specification, or discrimination.

## EMPLOYMENT INQUIRIES

ACCEPTABLE	SUBJECT	UNACCEPTABLE
Name	<b>NAME</b>	<ul style="list-style-type: none"> <li>• Maiden name</li> </ul>
Place of residence	<b>RESIDENCE</b>	<ul style="list-style-type: none"> <li>• Questions regarding owning or renting.</li> </ul>
Statements that hire is subject to verification that applicants meet legal age requirements.	<b>AGE</b>	<ul style="list-style-type: none"> <li>• Age</li> <li>• Birth date</li> <li>• Date of attendance/completion of school</li> <li>• Questions which tend to identify applicants over 40</li> </ul>
Statements/inquiries regarding verification of legal right to work in the United States.	<b>BIRTHPLACE, CITIZENSHIP</b>	<ul style="list-style-type: none"> <li>• Birthplace of applicant or applicant's parents, spouse or other relatives.</li> <li>• Requirements that applicant produce naturalization or alien card prior too employment.</li> </ul>
Languages applicant reads, speaks or writes if use of language other than English is relevant to the job for which applicant is applying.	<b>NATIONAL ORIGIN</b>	<ul style="list-style-type: none"> <li>• Questions as to nationality, lineage, ancestry, national origin, descent or parentage of applicant, applicant's spouse, parent or relative.</li> </ul>
Statement by employer of regular days, hours, or shifts to be worked.	<b>RELIGION</b>	<ul style="list-style-type: none"> <li>• Questions regarding applicant's religion.</li> <li>• Religious days observed.</li> </ul>
Name and address of parent or guardian if applicant is a minor.	<b>SEX, MARITAL STATUS, FAMILY</b>	<ul style="list-style-type: none"> <li>• Questions to indicate applicant's sex, marital status, number/ages of children or depa0.480.008 r.81354.8135 1.8Z 2056</li> </ul>
Statement of company policy regarding work assignment of employees who are related.		

