ISSUES YOU CAN'T EXPLORE OF CANDIDATES IN A JOB INTERVIEW

1. **Have You Ever Been Convicted of a Crime?**

In 2017, California passed "ban the box" laws to reduce barriers to applicants in the pre-hiring stage. Now employers with more than five employees now must not

- include on any job application questions that seek the disclosure of an applicant's conviction history,

- ask about or consider the conviction history of an applicant until he/she has received a conditional offer, or

- consider, distribute, or disseminate information related to specified prior arrests, diversions, and convictions when conducting a conviction history background check.

2. **How Much Do You Currently Make?**

Beginning January 1, 2018, California employers must not ask job applicants for "salary history information" or rely on that information in deciding whether to offer a job and how much to pay. But if the applicant voluntarily discloses salary history, the employer may consider or rely on that information in setting salary so long as prior salary is not the *only* factor justifying any disparity in pay.

3. **National Origin/Ancestry**

California's prohibits questions regarding an applicant's national origin—regardless of their immigration status. You can, however, ask whether the applicant has a legal right to work in the United States, so long as you do not do so on a discriminatory basis.

4. **When Did You Graduate from School?**

Employers should stay away from questions that could reveal a candidate's age, like "What year did you graduate high or college school?"

5. **Are You Married?**

Any questions related to parenthood or marital status are off limits. Prohibited questions include whether an applicant is married, pregnant, or plans to be in the future. It's perfectly acceptable, however, to ask such questions after the candidate has been hired.

- To the extent feasible, prepare questions in advance, to help avoid drifting off into forbidden territory.

- Train job interviewers and HR personnel on what interview questions are illegal and improper.