

MASS CLEAN ENERGY CENTER **JOB READINESS ACTIVITY · ILLEGAL INTERVIEW QUESTIONS**

Illegal Interview Questions

Contextualized ESOL Support Activity

ACTIVITYCritical Thinking,
Resilience**45**

minutes

ILLEGAL INTERVIEW QUESTIONS

ACTIVITY OVERVIEW

Objective	Students will be able to identify illegal interview questions and be prepared for how to respond.
Durable Skill	Critical Thinking, Resilience
When to Use	When students are preparing to interview. Best when done after the Job Readiness Activity on Types of Interview Questions.
Activity Type	Individual work, Pairs work, Large group discussion
Time Needed	45 minutes

STUDENT MATERIALS

- Handout 1: Illegal Interview Questions and Topics

Instructor Preparation**Activity Location**

- Classroom

Material Preparation

- Review student handout. Make one copy per student.
- For background, review the articles below:
 - [Illegal Interview Questions an Employer Cannot Ask](#)
 - [8 Inappropriate Interview Questions and How to Tackle Them Like a Pro](#)

- [Illegal Job Interview Questions and How to Respond to Them](#)

ACTIVITY DIRECTIONS

1. If the activity, Types of Interview Questions has been introduced, note that they were introduced to illegal questions in that activity. Explain that because employers are not allowed to discriminate based on a wide variety of factors (e.g., race, ethnicity), they are not allowed to ask about most of these identities. However, that does not stop them from assigning identities based on visual perception or directly asking about identities.
2. Lead a brief discussion by asking:
 - If you've had a paid or volunteer job, what is your experience with employers directly asking about your identities and/or assigning identities to you?
3. Tell students they are going to learn more about what is illegal to ask a job candidate during an interview. Review the points below:
 - It is illegal to ask a candidate questions about their:
 - Age or genetic information
 - Birthplace, country of origin, or citizenship
 - Disability
 - Gender, sex, or sexual orientation
 - Marital status, family, or pregnancy
 - Race, color, or ethnicity
 - Religion
4. Explain they will review some common illegal interview questions. Tell students they will have time later to practice responding to illegal interview questions. Review the questions below:
 - What arrangements are you able to make for childcare/ eldercare while you work?
 - Do you plan to have children?
 - When did you graduate from high school?
 - Are you a U.S. Citizen?
 - Are you married?
 - What does your spouse do for a living?
 - Where did you live when you were growing up?
 - Will you need to take personal time for particular religious holidays?
 - Are you comfortable working for a female boss?
 - There is a large disparity between your age and those of the position's coworkers. Is this a problem for you?
 - How long do you plan to work until you retire?
 - Have you experienced any serious illnesses in the past year?
 - What is your salary history? (Illegal in parts of the U.S. – California; Delaware; Massachusetts; New York City; Oregon; Puerto Rico; and Philadelphia)
5. Tell students there are ways to respond to illegal questions:
 - a. Gracefully avoid the question and steer the question elsewhere.

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- b. Keep your answers short, broad, and general.
 - c. Redirect a question to your interviewer.
 - d. Ask the interviewer why the question is relevant to the job.
 6. Ask students to offer some of their own responses if they have had to answer these questions in the past.
 7. Next, individually have students craft their response to 1-2 of the following illegal questions.
 - When did you graduate from high school?
 - Will you need to take personal time for particular religious holidays?
 - Are you comfortable working for a female boss?
 - Are you a U.S. citizen?
 8. Then have students form pairs to share their answers and get feedback.
 9. As a class, lead a discussion using the following guiding questions:
 - How did that go?
 - How might you navigate the power dynamics in the moment? Specifically, a hiring manager asking a student one of these questions is in a position of power over whether or not the student gets the job.
 10. Say, "It is important to know your rights and practice your responses so you feel comfortable and confident in the moment."
 11. Distribute and review Handout 1: Illegal Interview Questions and Topics.
 12. Wrap-up by noting that:
 - There are larger movements to educate employers on illegal interview questions, respecting the shared identities of others (i.e., using the correct pronouns), and understanding and checking their biases and assumptions based on someone's shared or ascribed identities.
 - Remind them that it is important to think about whether and how they choose to express their identities in the workplace. It is also important to be prepared to respond to employers who ask illegal interview questions about their identity. They can and should assess the interviewer the same way the interviewer assesses them.

POST-ACTIVITY RECOMMENDATIONS

Recommend that students pair up with a partner and read one of the articles below and then practice asking each other the interview questions. This prepares students to have answers ready if any illegal interview questions are asked.

- [8 Inappropriate Interview Questions and How to Tackle Them Like a Pro](#)
- [Illegal Job Interview Questions and How to Respond to Them](#)

Adapted from Chicago Jobs Council, Career Readiness Curriculum, 2023

ESOL Strategy Note

Before reviewing the list of illegal questions in step 4, preview a few of the more idiomatic phrases (e.g., “eldercare,” “disparity,” “U.S. Citizen”) so multilingual learners can focus on identifying which questions are illegal rather than decoding unfamiliar vocabulary at the same time.

Before students draft responses in step 7, model one full response aloud using one of the four strategies from step 5 (e.g., redirecting the question), so students have a concrete example of tone and phrasing to draw on rather than having to invent a diplomatic response from scratch.