Appendix A:

Test on the legality/appropriateness of different question

Look at the following interview questions below and decide whether they are ‘A’ (appropriate) or ‘I’ (Inappropriate).

1. Do you have children, and if so, what childcare arrangements do you have in place?
2. Are you married?
3. When did you graduate from medical school?
4. Do you have any physical disabilities that might prevent you from performing this role?
5. Which church/temple/mosque/synagogue do you attend?
6. How many days leave did you take last year?
7. You mentioned an interest in medical politics – did you vote for the current government?
8. Do you own your home or do you rent?
9. What do you do in your leisure time?
10. Would you be willing to relocate and move to this region?

Answers are listed overleaf
Answers:

1. Inappropriate. (Questions related to family status are prohibited by law, even if the candidate volunteers information about their family situation).

2. Inappropriate. (Questions related to marital status are prohibited by law).

3. Inappropriate. (Questions related to age, or requiring answers that might be used to determine age, are prohibited by law).

4. Inappropriate. Questions must focus on job related competencies, not disabilities. The occupational health review following the interview/job offer is the time for reviewing whether any health or disability issues might impact on the applicant’s ability to meet the demands of the job.

5. Inappropriate. (Questions related to religion are prohibited by law).

6. Inappropriate. (Questions on previous leave are illegal based on the Family and Medical Leave Act (FMLA)).

7. Inappropriate. (Asking candidates questions which requires them to reveal political affiliation are prohibited by law).

8. Inappropriate. (This question is not related to the candidate’s ability to meet the job requirements so should not be asked).

9. Inappropriate. (This question is not related to the candidate’s ability to meet the job requirements so should not be asked).

10. Appropriate. The geographical requirements should be clearly stated in the job description and so may not need to be asked at the interview. However, as long as all applicants are asked this question, it can be posed during the interview.