

Andrew Gordon Says Employers Cannot Afford to Ask These Inappropriate Questions During a Job Interview

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In the wake of recent news reports of a tech professional bragging on social media about deliberately discriminating against women job candidates, Hinshaw partner Andrew Gordon discussed in a recent *SHRM* article the liability risks of an interviewer asking inappropriate questions during a job interview.

Gordon said female candidates are often asked inappropriate questions that can be perceived as discriminatory and can result in a lawsuit against the employer:

“Women, in particular, have historically been subject to such illegal questions that, in many cases, are meant to uncover certain information about them that can be used not only to weed them out as potential employees, but, in some circumstances, for use to target them in the future in inappropriate ways.”

Gordon cited specific inappropriate interview questions, such as:

- Are you married?
- Do you have kids?
- Who is responsible for taking your kids to and from school?

Not only are these questions inappropriate, Gordon explained, they also are illegal and have nothing to do with the candidate’s qualifications for a position. They can also tarnish a business’s reputation and compromise its ability to recruit and retain talent.

“Employers need to be able to trust their designated interviewers,” Gordon said. “It is imperative that the people being charged with interviewing potential candidates have a basic understanding of what questions are appropriate and what questions are off-limits as well as the context behind why certain questions are problematic and potentially discriminatory.”

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Andrew M. Gordon

Partner in Charge of Ft. Lauderdale Office

📞 954-375-1182

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