

CHAPTER 7
PREEMPLOYMENT INQUIRIES
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SUBCHAPTER 1. INQUIRIES

13:7-1.1 Examples of prohibited and acceptable inquiries

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Category	It is discriminatory to inquire about	Some Examples of Acceptable Inquiries
(a) Name	The fact of a change of name or the original of an applicant whose name has been changed;	Maiden name of a married woman applicant;
(b) Birthplace and residence	<ol style="list-style-type: none"> 1. Birthplace of applicant; 2. Birthplace of applicant's parents; 3. Requirement that applicant submit birth certificate, naturalization or baptismal record; 	<ol style="list-style-type: none"> 1. Applicant's place of residence and address of applicant's wife and children who are dependents; 2. Length of applicant's residence in New Jersey and/or city where the employer is located.
(c) Creed	<ol style="list-style-type: none"> 1. Private organizational affiliations of applicant; 2. Political affiliations of applicant; 	
(d) Religion	<ol style="list-style-type: none"> 1. Applicant's religious affiliation; 2. Church, parish, or religious holidays observed by applicant; 	
(e) Race or color	Applicant's race; color of applicant's skin, eyes, hair, and so forth;	General distinguishing physical characteristics, such as scars, or markings;
(f) Photographs	<ol style="list-style-type: none"> 1. Photographs with application; 2. Photographs after interview but before hiring; 	
(g) Age	<ol style="list-style-type: none"> 3. Date of birth or age of an applicant except when such information is needed for or to: <ol style="list-style-type: none"> i. Maintain apprenticeship requirements based upon a reasonable minimum age; ii. Satisfy the provisions of either State or Federal minimum age statutes; iii. Avoid interference with the operation of the terms and conditions and administration of any <i>bona fide</i> retirement, pension, employee benefit or insurance plan or program; 	

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(h) Citizenship	<ul style="list-style-type: none"> iv. Verify that applicant is above the minimum legal adult age (21 years) but without asking for a birth certificate; v. Age specifications or limitations in a newspaper employment advertisement which might bar workers under or over a certain age; <p>Any and all inquiries into whether applicant is now or intends to become a citizen of the U.S., or any other inquiry related to the aspect of citizenship; (See Dept. of Labor and Industry, Cruz, N.J., 1965.)</p>	
(i) National origin and ancestry	<ul style="list-style-type: none"> 1. Applicant's lineage, ancestry, national origin, descent, parentage, or nationality; 2. Nationality of applicant's parents or spouse; 	
(j) Language	<ul style="list-style-type: none"> 1. Applicant's mother tongue; 2. Language commonly used by applicant or in applicant's home; 3. How the applicant acquired ability to read, write, or speak a foreign language; 	<ul style="list-style-type: none"> 1. Language applicant speaks and/or writes fluently;
(k) Relatives	<p>Name and/or address of any relative of applicant other than spouse and children who are his dependents;</p>	<ul style="list-style-type: none"> 1. Names of applicant's spouse and dependent children; 2. Names of relatives already employed by their company; 3. Names of persons with whom applicant resides; 4. Name and address of person to be notified in case of accident or emergency; 5. Whether the applicant has ever worked for the same employer under a different name;
(l) Military experience	<ul style="list-style-type: none"> 1. Applicant's military experience in other than U.S. armed forces; 2. National Guard or Reserve units of applicant; 	<ul style="list-style-type: none"> 1. Military experience of applicant in the armed forces of the United States and dates and conditions of discharge;

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(m) Organizations	3. Draft classification or other eligibility for military service; 4. Applicant's whereabouts in 1914-18, 1941-45, or 1950-53; All clubs, social fraternities, societies, lodges, or organizations to which the applicant belongs, other than professional, trade, or service organizations; The name of applicant's pastor or religious leader;	2. Applicant's service in a particular branch of the armed forces; 3. Whether applicant has received any notice to report for duty in the armed forces; 1. Applicant's membership in any union or professional or trade organization; 2. Names of any service organizations of which applicant is a member; 1. Names of persons willing to provide professional and/or character reference for applicant; 2. Names of persons who suggested applicant apply for a position with the employer.
(n) References		