

## Tactful answers to illegal interview questions

### Tips on protecting your right to privacy without jeopardizing a job offer

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Answering penetrating job interview questions is tough. Handling those that invade your privacy is even tougher. Employers sometimes ask questions that are technically improper. Some of them don't know any better. Others make unlawful queries to get at a legitimate concern, such as dependability. How do you answer such questions in a way that meets your objective-to turn all employment interviews into job offers?

#### Pragmatism vs. idealism

When you're asked an improper question, you have three choices:

1. You can refuse to answer, and tell the employer you think the question is improper. You may feel better, but chances are you'll be back pounding the pavement tomorrow.
2. You can swallow your pride and your privacy and answer the question as asked. You may feel worse, but you'll still be in the running.
3. You can answer the legitimate concern that probably lies behind the wrongful question, and ignore the improper question itself-the best of both worlds.

It's important that you decide before starting an interview just how sensitive you are about prohibited topics, and how you intend to handle them if they come up. Decide NOW. The interview room isn't the place to make a quick choice. You're on strange turf where you may easily overreact. Make a list of sensitive questions that might come your way. Determine in advance which of the previous three options you'll use when responding. Rehearse different ways of answering so that your reply will come out smoothly and naturally.

#### Private matters

When prepping yourself for interviews, bear in mind that the employer wants to know if (1) you can do the job; (2) you will do it; and (3) ask questions that are most likely to invade your rights to privacy. For instance, suppose an interviewer asked a young married woman a question relating to family planning:

Q: Do you plan to have children?

A: I plan to pursue a career whether or not I decide to raise a family.

The interviewer may have a genuine concern about how long that candidate might remain on the job. But the question is improper at best and illegal in many states. The answer ignores the inappropriate question but answers the interviewer's concern.

Q: Are you aware that we've usually hired a more athletic person for this job because the pressure and fatigue of a lot of travel? (Read: not overweight.)

A: There's no task in your job description that I can't perform.



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## Tactful answers to illegal interview questions, cont.

As an applicant you have the right to reply, “That’s an illegal question and I won’t answer.” That reply may win you that battle, but will probably lose you the war. The answer given above side steps the question while giving the interviewer a response.

Be aware of end runs, particularly on age. The interviewer says, “Oh, I see that you attended Cornell. What years were you there?” The plain fact is that of all questions an employer might ask, the most publicized “no-no” is age. The interviewer simply can’t be offended by your turning aside an age-related question with a query such as, “Did someone else here graduate from there, too?” That answer will divert the interviewer from the subject and get the discussion back on track.

More questions - and your answers

Q: What’s your general state of health?

A: I’ll be glad to take a pre-employment exam by your company physician to be sure I’m able to handle the job. (The employer may be trying to uncover maladies ranging from AIDS to drug addiction. Your answer relieves those concerns without directly replying to the question.)

Q: Is your spouse employed?

A: Yes, and very supportive of my seeking employment here. (Some employers believe that people from dual-income families have less incentive to work, are less dependable, and, therefore, are less productive. You’ve skirted the illegal question, laid to rest the concern and avoided an unpleasant confrontation.)

Q: Have you ever been arrested other than for traffic violations?

A: There’s nothing I’ve ever done that would give your company any concern that I’d breach any trust that the job you have requires. (Some states allow questions about convictions, but not arrests. California forbids both. The interviewer may be concerned about employee dishonesty, hence the question. Your answer satisfies the concern without turning off the interviewer.)

Q: When was your last physical exam?

A: Two years ago. (This is an area in which you decide ahead of time whether to give a direct response to an inappropriate question, one that the employer may be using to learn about physical handicap. Since discrimination for handicaps is illegal, you’re on safe ground to answer directly.)

Q: What hobbies and sports do you have?

A: I collect stamps and coins, ski in the winter and sail with a friend on his boat in the summer. (Is the interviewer trying to find a pitcher for the company’s softball team? There’s no reason not to give a direct answer, although you’re looking for a job based on your business skills, not your sports ability.)

## Tactful answers to illegal interview questions, cont.

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Q: Do you own your own home, rent or live with your parents?

A: I'm not sure how this relates to the job. Can you explain? (The question is plainly discriminatory and against the law. Your answer doesn't offend and leaves the door open should the interviewer provide some relevancy, though that's unlikely. Some interviewers are simply nosy.)

### Final Thoughts

The secret of replying to questions that intrude on your rights to privacy, or even those that fall into a "gray" area, is to relate to your answers to job performance. When choosing how to answer improper questions, James Nunan, vice president of human resources at SCICON Systems, a software company in Palo Alto, Calif., says, "As an applicant, consider market demand. In Silicon Valley, our applicants are very secure in shopping their services. They can answer improper questions directly. I believe that most of today's managers ask illegal questions accidentally, not purposefully," he says. Donald Sweet, an outplacement counselor with Hawkins Associates Inc. in Summit, N.J., says that when interviewing, "You can say, as politely as possible, 'Can you tell me how that's pertinent to the discussion?'" Direct answers usually make better impressions. They also avoid showing up an interviewer with your superior knowledge of employment law.

