Key HR Processes: Identifying Talent

Thursday, January 15, 2015

9:00 a.m. – 11:00 a.m.

A seminar hosted by:

Tilson
1530 American Way
Suite 200
Greenwood, IN 46143
Ph: 317.885.3838

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AGENDA

Key HR Processes – Identifying Talent

8:30 – 9:00  Registration and Networking

9:00  Introduction

10:00 – 10:15  Break

11:00  Close
Biographies

**Tim O’Malley, SPHR**  
*Human Resource Manager*

Tim joined Tilson as an Account Manager in June of 2008. Since that time, Tim has worked in the role of Human Resource Specialist for Tilson prior to becoming Human Resource Manager. His primary responsibility is to manage the human resource support of all Tilson clients. Tim brings experience in working in all facets of human resources with concentration in the areas of employee relations, compliance, recruiting/retention, and, benefits administration.

Tim holds a Bachelor of Science degree in Business from Indiana University with a double major in Marketing and Human Resource Management. He is also a Senior Professional of Human Resources (SPHR).

With over 15 years of professional experience in progressive HR generalist roles, Tim has worked in the manufacturing/distribution, corporate wellness, and mass media industries.

**Beth Thompson**  
*Human Resource & Account Management Associate*

Beth Thompson is a Human Resource and Account Management Associate at Tilson. She is responsible for providing human resources services to multiple clients within various industries. In client service, she provides guidance and best practice advice on issues such as interpretation of employment policies, performance management, conflict resolution, employee coaching and discipline, and FMLA/Leave administration.

Prior to returning to Tilson in 2013, Beth worked as a Benefits Associate and an Accounting Associate with Tilson from 2008-2010., and from 2010-2012 she worked in a client service capacity and an HR Generalist capacity for two large employers in the Indy metro area.

Beth has earned her Bachelor’s Degree in Business Administration from Indiana Wesleyan University.
Key HR Processes – FIND

Identifying Talent

The First Key HR Process: FIND

Beth Thompson
Human Resources and Account Management

Tim O’Malley
Human Resources Manager
Housekeeping

- Breaks Review
- Please silence all cellular phones, or turn ringer to “vibrate” mode
- Restrooms are in the hallway, on either side of Tilson’s primary entrance
- Non-smoking campus
- Please refer to the map under the clock for emergency procedures
- Layout of Materials
- HRCI: CEUs, ensure sign-in & out
- Survey

Tilson Model

- Strategic HR
  - Policies & Procedures
  - Compensation Plan Design
  - Benefit Plan Design
  - Workforce Optimization

- Key HR Processes
  - Find/Recruit
  - Develop/Train
  - Direct
  - Motivate
  - Retain

- Transactional
  - Regulatory Compliance
  - Compensation Administration
  - Payroll
  - Benefit Claims Management
  - Employee Data Management
  - HROs/Fully-Integrated Technology
  - and much more
Most Organizations realize only a small Return on Investment (ROI) per employee. High Performance Organizations adopt the Management Systems necessary to maximize ROI per person.

Finding the Right People for the Right Job is Vital

"Hiring the best is your most important task."

~Steve Jobs
The First Key HR Process: FIND

- Job Description
- Candidate Search
- Interviews
- Candidate Assessments
  - Background Checks:
  - Profile Assessments
  - Drug Testing
- Candidate Offer

FIND: Job Description

- Before beginning a recruitment process, it is vital to have a job description as the starting point
- Assuming one exists, review it and modify as necessary.
  - Request feedback from an incumbent if possible.
- If one does not, use a questionnaire to create one
- Sets groundwork for advertisement, core competencies, hiring specifications, screening and interview questions
Review of handout packet items

- Job Description Questionnaire
  Job Description Questionnaire

- Sample Job Description
  Sample Job Description

Job Description Questionnaire
- General Purpose of Job
- Essential Duties and Responsibilities
- Supervisory Responsibility
- Education and/or Experience
- Language Skills
- Mathematical Skills
- Reasoning Ability
- Certificates, Licenses, Registrations
- Physical Demands
- Work Environment
- Additional Necessary Information
## FIND: Job Description

Sample Job Description
- Please review the completed job description in your packet materials

Questions?

## FIND: Candidate Search

Methods for locating candidates
- Online (i.e. monster.com, careerbuilder.com)
  - Screening Questionnaire
- Social Media
- Industry Organizations
- Employee Referral
- Internal Job Posting
- Local Job Fairs

With each of these, need to determine how many rounds of screening will occur
What avenues for recruitment have you found to be the most successful?

What to look for in a resume

- Relevancy of prior positions
- Tenure in relevant prior positions
- Tenure in positions overall
- Education requirements
- Certification requirements
- Organization to resume (if relevant to position)
- Cover letter
- Spelling and grammar (if relevant to position)

PreScreen Questionnaire - Accounting Associate
FIND: Interview Discussion

How comfortable are you with interviewing?

What made your best interview the best?

Similarly, the worst?

What are the common traits of a bad interview?
FIND: Candidate Interviews

• Be prepared (i.e., plenty of time, quiet place)

• Have a pre-determined interview questionnaire

• Let the candidate do most of the talking; 80/20

• Use probing and open-ended questions

FIND: Candidate Interviews (Cont’d)

Behavioral Interviews

– Ask for specific examples

– Have the candidate tell you his/her role in the situation. What actions did they take?

– What was the final outcome?

The “Do & Don't” of Interviewing
FIND: Candidate Interviews

Open-ended Question Examples
- Give me a general overview of your current responsibilities.
- Think of a day when you had many things to do and describe how you scheduled your time.
- Tell me about your most challenging experience.
- What has been your experience with direct reports?
- Give me an example of a time you got really motivated at work.
- Describe a time when you made a mistake. What did you do?

FIND: Candidate Interviews

Probing Question Examples
- Can you give another example of this?
- What did you learn?
- What lead you to…
- What did everyone else do?
- What else can you remember about that?
- How did that make you feel?
- Tell me more…
- What was the outcome?
FIND: Candidate Assessments

- Profile Assessments
- Skill Assessments
- Background Checks
  - New EEOC Guidance issued April, 2012, urges companies to be cautious in excluding convicted individuals for positions if not job-related and necessary
- Drug Testing

FIND: Employment Offer

Standard employment offer should include the following:
- Position Title
- Wage
- Start Date
- Contingent upon completion of…..
- PTO agreed to or as outlined in handbook
- Benefits Waiting Period
- Any specific info that varies from policy
- Additional Benefits not otherwise outlined (i.e. parking)

Sample offer letter
FIND: Legislation

Legislative items to remember ....
THANK YOU
Handouts
Sample: Job Description Questionnaire

Job Title: _________________________
Department: _______________________
Reports To: _______________________
FLSA Status: _______________________

General Purpose of Job
Briefly describe the job's primary purpose or contribution to the department or organization.

Essential Duties and Responsibilities
List the job's essential or most important functions and responsibilities. Include all important aspects of the job -- whether performed daily, weekly, monthly, or annually; and any that occur at irregular intervals. (Continue this list on another sheet if necessary.)

Supervisory Responsibility
Does this job have supervisory responsibilities? ___Yes ___No
Are there subordinate supervisors reporting to this job? ___Yes ___No
If Yes, how many subordinate supervisors report to this job? _________

What are the names of the departments supervised by this job?

How many employees, in total, report to the subordinate supervisors? _______
Are there other non-supervisory employees who report directly to this job? ___Yes ___No
If yes, how many employees are directly supervised by this job? _______

Education and/or Experience
Select the level of education and/or experience needed to successfully accomplish the essential duties of this job.

___ Level 1: No prior experience or training.

___ Level 2: Less than high school education; or up to one month related experience or training; or equivalent combination of education and experience.

___ Level 3: High school diploma or general education degree (GED); or one to three months related experience and/or training; or equivalent combination of education and experience.

___ Level 4: One year certificate from college or technical school; or three to six months related experience and/or training; or equivalent combination of education and experience.
____ Level 5: Associate's degree (A. A.) or equivalent from two-year college or technical school; or six months to one year related experience and/or training; or equivalent combination of education and experience.

____ Level 6: Bachelor's degree (B. A.) from four-year college or university; or one to two years related experience and/or training; or equivalent combination of education and experience.

____ Level 7: Fifth year college or university program certificate; or two to four years related experience and/or training; or equivalent combination of education and experience.

____ Level 8: Master's degree (M. A.) or equivalent; or four to ten years related experience and/or training; or equivalent combination of education and experience.

____ Level 9: Doctoral degree (Ph. D.) or equivalent; or more than 10 years related experience and/or training; or equivalent combination of education and experience.

**Language Skills**

Select the level of language (ability to read, write, and speak) needed to successfully accomplish the essential duties of this job.

____ Level 1: Ability to read a limited number of two- and three-syllable words and to recognize similarities and differences between words and between series of numbers. Ability to print and speak simple sentences.

____ Level 2: Ability to read and comprehend simple instructions, short correspondence, and memos. Ability to write simple correspondence. Ability to effectively present information in one-on-one and small group situations to customers, clients, and other employees of the organization.

____ Level 3: Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before groups of customers or employees of organization.

____ Level 4: Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, clients, customers, and the general public.

____ Level 5: Ability to read, analyze, and interpret common scientific and technical journals, financial reports, and legal documents. Ability to respond to common inquiries or complaints from customers, regulatory agencies, or members of the business community. Ability to write speeches and articles for publication that conform to prescribed style and format. Ability to effectively present information to top management, public groups, and/or boards of directors.

____ Level 6: Ability to read, analyze, and interpret the most complex documents. Ability to respond effectively to the most sensitive inquiries or complaints. Ability to write speeches and articles using original or innovative techniques or style. Ability to make effective and persuasive speeches and presentations on controversial or complex topics to top management, public groups, and/or boards of directors.
Mathematical Skills
Select the level of mathematical skills and abilities needed to successfully accomplish the essential duties of this job.

_____ Level 1: Ability to add and subtract two digit numbers and to multiply and divide with 10’s and 100’s. Ability to perform these operations using units of American money and weight measurement, volume, and distance.

_____ Level 2: Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

_____ Level 3: Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry.

_____ Level 4: Ability to work with mathematical concepts such as probability and statistical inference, and fundamentals of plane and solid geometry and trigonometry. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.

_____ Level 5: Ability to apply advanced mathematical concepts such as exponents, logarithms, quadratic equations, and permutations. Ability to apply mathematical operations to such tasks as frequency distribution, determination of test reliability and validity, analysis of variance, correlation techniques, sampling theory, and factor analysis.

_____ Level 6: Ability to comprehend and apply principles of advanced calculus, modern algebra, and advanced statistical theory. Ability to work with concepts such as limits, rings, quadratic and differential equations, and proofs of theorems.

Reasoning Ability
Select the level of reasoning skills and abilities needed to successfully accomplish the essential duties of this job.

_____ Level 1: Ability to apply common sense understanding to carry out simple one- or two-step instructions. Ability to deal with standardized situations with only occasional or no variables.

_____ Level 2: Ability to apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Ability to deal with problems involving a few concrete variables in standardized situations.

_____ Level 3: Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

_____ Level 4: Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

_____ Level 5: Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.
Level 6: Ability to apply principles of logical or scientific thinking to a wide range of intellectual and practical problems. Ability to deal with nonverbal symbolism (formulas, scientific equations, graphs, musical notes, etc.,) in its most difficult phases. Ability to deal with a variety of abstract and concrete variables.

Certificates, Licenses, Registrations
List the licenses, certificates, or registrations that are required to perform the essential duties of this job.

Physical Demands
How much on-the-job time is spent in the following physical activities? Show the amount of time by checking the appropriate boxes below.

<table>
<thead>
<tr>
<th>Amount of Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
</tr>
<tr>
<td>Stand</td>
</tr>
<tr>
<td>Walk</td>
</tr>
<tr>
<td>Sit</td>
</tr>
<tr>
<td>Use hands to finger, handle, or feel</td>
</tr>
<tr>
<td>Reach with hands and arms</td>
</tr>
<tr>
<td>Climb or balance</td>
</tr>
<tr>
<td>Stoop, kneel, crouch, or crawl</td>
</tr>
<tr>
<td>Talk or hear</td>
</tr>
<tr>
<td>Taste or smell</td>
</tr>
</tbody>
</table>

Does this job require that weight be lifted or force be exerted? If so, how much and how often? Check the appropriate boxes below.

<table>
<thead>
<tr>
<th>Amount of Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
</tr>
<tr>
<td>Up to 10 pounds</td>
</tr>
<tr>
<td>Up to 25 pounds</td>
</tr>
<tr>
<td>Up to 50 pounds</td>
</tr>
<tr>
<td>Up to 100 pounds</td>
</tr>
<tr>
<td>More than 100 pounds</td>
</tr>
</tbody>
</table>
Does this job have any special vision requirements? Check all that apply.

- [ ] Close vision (clear vision at 20 inches or less)
- [ ] Distance vision (clear vision at 20 feet or more)
- [ ] Color vision (ability to identify and distinguish colors)
- [ ] Peripheral vision (ability to observe an area that can be seen up and down or to the left and right while eyes are fixed on a given point)
- [ ] Depth perception (three-dimensional vision, ability to judge distances and spatial relationships)
- [ ] Ability to adjust focus (ability to adjust the eye to bring an object into sharp focus)
- [ ] No special vision requirements.

Make notes on the specific job duties that require the physical demands selected above.

**Work Environment**

How much exposure to the following environmental conditions does this job require? Show the amount of time by checking the appropriate boxes below.

<table>
<thead>
<tr>
<th>Amount of Time</th>
<th>None</th>
<th>Under 1/3</th>
<th>1/3 to 2/3</th>
<th>Over 2/3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wet or humid conditions (non-weather)</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Work near moving mechanical parts</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Work in high, precarious places</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Fumes or airborne particles</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Toxic or caustic chemicals</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Outdoor weather conditions</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Extreme cold (non-weather)</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Extreme heat (non-weather)</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Risk of electrical shock</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Work with explosives</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Risk of radiation</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
<tr>
<td>Vibration</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
<td>[ ]</td>
</tr>
</tbody>
</table>
How much noise is typical for the work environment of this job? Check the appropriate level below.

____ Very quiet (examples: forest trail, isolation booth for hearing test)
____ Quiet (examples: library, private office)
____ Moderate noise (examples: business office with computers and printers, light traffic)
____ Loud (examples: metal can manufacturing department, large earth-moving equipment)
____ Very loud (examples: jack hammer work, front row at rock concert)

Make notes on the specific job duties that are affected by the environmental conditions selected above.

Additional Information
Include any other information that will aid in the preparation of an accurate description of this job.

Questionnaire Prepared By:
Name: ___________________________ Date: _______________
Title: ___________________________

Basis for knowledge of job:
____ Hold job now
____ Supervise job
____ Other, explain:
Sample: Position Description

Position Title: Human Resource Associate  Drafted: December 2014

FLSA Classification: Non-Exempt

Supervisor’s Title: Account Management – Department Head or Representative

Schedule: 12 Month Position  Performance Review: Annual

Position Essential Functions and Responsibilities:

The Human Resource Associate is responsible for providing support to the account management team, as well as clients, and the facilitation and coordination of communication between departments and clients.

Essential Functions:

Essential functions include the following. Other duties may be assigned.

- Serves as a resource and support to the Account Managers as requested.
- Assists the Department Head/Representative with various duties, projects and initiatives as requested.
- Represents Department in Account Management queue and oversees queue coverage when not in queue.
- Researches and responds to Unemployment Claims with assistance from Account Managers as needed. Contacts clients for documentation needed in hearings. Represents Tilson in telephone unemployment hearings. Maintains unemployment claim and charges spreadsheet and provides monthly statistics to Department Head/Representative.
- Administers leave of absence documentation and tracking, including FMLA and non-FMLA, Workers’ Compensation, short-term and long-term disability tracking. Notifies employees when leave periods expire, and coordinates notification of other departments. Sends and collect paperwork and audits for completion.
- Follows up and tracks various policies and procedures, training, and leave of absences (ie. FMLA, Client Addendums, mandatory training completion log).
- Maintains and distributes department communication as requested within department, to other departments, or to external vendors and/or clients.
- Assists in researching, creating, and/or revising client policies, procedures, handbook addendums, job descriptions and other Human Resource items as requested.
- Maintains Client Distribution lists and coordinate all mass communications to clients.
- Assists in the hiring process for Tilson Corporate and/or clients; including, but not limited to:
  - Placing employment ads, conducting pre-screening interviews, and scheduling interviews at all stages of the interview process and at the direction of the Account Managers,
  - Coordinating candidate assessments, drug testing, background checks.
- Schedules various meetings, coordinates equipment needs, and provides other support in this process where needed
- Coordinates client satisfaction, employee satisfaction, and client transition survey creation, distribution, compilation, and completion. Generates results for Account Managers.
• Maintains supply of necessary department resources; including, but not limited to federal and state employment posters.
• Facilitate and participate in the New Hire Orientation and Employee Exit Process (ie. Exit Interviews, Termination letters, etc.) where appropriate.
• Assist Account Manager in the Investigation Process, or Dispute Resolution Process.
• Generate and maintain various HR reporting (i.e. annual EEO-1 Reporting, E-Verify compliance, special client requests, logs and databases).
• Collect data and reports for Client Renewal Process.
• May represent department in internal company and/or client presentations.

Other General Functions:
• Assists with general Reception coverage as back-up.
• Assist Account Managers with other functions as needed.

Qualifications Requirements:
• Knowledge of basic HR laws; including, but not limited to FLSA, FMLA, ADA, Title VII of CRA of 1964, and ADEA
• Past experience supporting multiple managers/clients/staff
• Basic understanding of benefits

Education and/or Experience:
• Bachelors Degree desired, preferable with Human Resources as major emphasis.
• Minimum of 2 years of Human Resources experience
• Minimum of 2 years in a professional office setting.

Language Skills:
• English

Certificates, Licenses, Registration:
• PHR Certification is helpful, but not required.

Technical/Computer Skills:
• Must be proficient with MS Office (Excel, Outlook, PowerPoint, Word)

Other Skills and Abilities:
• Must be organized and able to prioritize work to meet deadlines.
• Must be able to adjust to continuous change, deal with ambiguity at times, and maintain a positive professional attitude.
• Must be able to analyze data and utilize logic.
• Above average attention to detail necessary to ensure all paperwork processed is complete, accurate and compliant with applicable policies and procedures.
• Excellent verbal and written communication skills.

This description is intended to describe the general content of and requirements for the performance of this position. It is not to be construed as an exhaustive statement of duties, responsibilities or requirements.
• High level of interpersonal skills to handle sensitive and confidential situations and documentation.
• Strong customer service skills and customer-oriented approach to job performance.
• Professional appearance and demeanor.
• Organization skills are critical.
• Ability to work on multiple projects simultaneously with frequent interruptions.
• Ability to meet the attendance requirements of the position.

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Frequent walking, standing, sitting within the work area.
- Lifting of up to 40 pounds.
- Ability to sit at a computer for long periods of time.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- The work environment is that of a fast-paced professional office with minimal to high noise levels.
- This position requires working independently, as well as part of a team.
- This position requires verbal and face-to-face contact with others on a daily basis.
- Frequent use of a computer is necessary.
- This position requires the use of all general office equipment.
- The position requires client information be maintained appropriately confidential.

Please read carefully and check one of the choices below:

_____ I have reviewed the job description above. I can perform all of the essential functions of the job.

_____ I have reviewed the job description above. I can perform all of the essential functions of the job with the following reasonable accommodations: (Please list on back side of this page.)

Print employee name: ____________________________________________

Employee Signature: ____________________________________________

Supervisor Signature ____________________________________________

Date: ______________________
Sample: Screening Form

Thank you for your interest in the Accounting Associate position at Tilson HR. To continue the application process, we have a few more questions. Please reply to careers@tilsonhr.com with the answers to these questions by noon EDT Monday, July 18th:

1. Please confirm your highest education level attained.
2. Have you attained any relevant certification?
3. Describe your ideal position within a company.
4. Describe your long term career aspirations.
5. Briefly describe your accounting experience (A/P, A/R, etc)
6. Describe your level of experience with the following (MS Office) products (Beginner, Intermediate, Advanced, or Expert):
   a. Excel
   b. Word
   c. Outlook
   d. PowerPoint
   e. Accounting Software (i.e. MAS 90, Peachtree)
7. Describe your level of comfort of working within strict deadlines.
8. Describe your current job duties
9. Why are you seeking employment?
10. What are your preferred amount of hours to work each week?
11. What is your preferred work schedule?
12. What is your minimum wage requirement?
13. Tilson has a business professional attire expectation. Would you be able to adhere to this expectation?
14. If selected, when would you be able to begin employment?
Interview Do’s & Don’ts

General Interviewing Tips

- Try not to ask many (if any) yes/no questions.
- Ask questions that are clear and specific.
- Ask questions one at a time, and try not to have too many segments to one single question.
- Let the applicant answer all questions uninterrupted – ask any follow-up questions after s/he is finished answering the original question.
- Resist filling lulls in conversations – you may get more information out of a candidate if they resume talking.
- Avoid giving clues either verbally or physically as to how a candidate should respond, or how their answers are regarded.
- It’s usually a good idea (even when you think you’ve found the “perfect candidate”) to wait a day at the very least before both making the decision and informing the candidate.
- Develop the questions beforehand.
- Ask the same questions of all candidates.
- Try to inform all interviewed candidates of your decision as quickly as possible. You needn’t go into specifics about why a particular individual was not hired, and it can be a good idea to include statements such as, “While we were very impressed with your background and credentials, we regret to inform you…”

Illegal Interview Questions

Questions regarding...

- **An applicant’s race, religion, or national origin.** Any question which would provide information about membership in these protected groups should never be asked. Also, be very careful when asking about membership in organizations which would, by default, provide this information.

- **Pregnancy, an applicant’s desire to have children, or child care arrangements.** The Pregnancy Discrimination Act (PDA) prohibits employers from excluding pregnant women from employment.

- **Age, date of birth, or school graduation date.** People 40 years of age and older are protected from discrimination under the Age Discrimination in Employment Act (ADEA). However, the exception to these types of questions is that an employer is legally entitled to set minimum ages for hire.

- **Criminal arrests.** Questions regarding criminal convictions are permissible as long as the information relates to specific functions of the position. On the other hand, if information about criminal arrests is used in employment decisions, adverse impact discrimination will likely result as a disproportionate number of minorities are arrested compared to non-minorities.
- **Credit ratings.** Using credit ratings in employment decisions will also likely result in adverse impact discrimination.

- **Whether a person can work on Saturday or Sunday.** To prohibit discrimination on the basis of religion, employers are required to reasonably accommodate a person’s religious beliefs and practices – and this may well include allowing members of certain religions to have Saturday or Sunday off.

- **Medical status and disabilities.** While an employer is certainly not required to hire a disabled individual who cannot perform the essential functions of the job, the Americans with Disabilities Act (ADA) does prevent discrimination based solely on an individual’s disability, and the employer would be required to provide reasonable accommodation for an otherwise qualified candidate/employee. An acceptable question would be:
  
  - “Are you able to perform the essential functions of the job you are seeking with or without reasonable accommodation?.
  
  - Specific, follow-up questions pertaining to an individual’s disability cannot be asked until after a job offer has been extended and if the answer is that the candidate would need an accommodation, if it is reasonable (e.g., allowing a wheelchair bound candidate to work on the first floor) then the accommodation should be made.
Sample: Offer Letter

Dear Candidate

I am pleased to extend the following offer of employment and to welcome you to ________ Company. For the (Full-time; Part-time/ Salaried, Exempt; Hourly) position of XXXXX. Your (Annual/Hourly) rate of pay will be XXXXX, and your first date of employment will be XXXX. Your performance will be reviewed (Annually: Semi-Annually; Quarterly) on the basis of (calendar year; fiscal year; anniversary date). Your immediate supervisor will be XXXXXXX, whose position title is XXXXXXX.

In addition, ________ Company agrees to pay for the following benefits, effective the first of the month after sixty (60) days of employment, as described below:

- Substantial contribution toward your premiums for health, dental, and vision coverage
- $15,000 life insurance coverage

You are also eligible for the following benefits with an effective date as written:

- Optional plans, including flexible spending accounts, supplemental insurance policies, and various other benefits
- Generous paid time off benefits

This offer of employment is not a contract, guarantee or promise of employment and/or payment for a specific period of time, as your employment with ________ Company is strictly “at will” in accordance with Indiana law. In addition, this offer is contingent upon successful completion of a mandatory urine drug screen and criminal background check.

We look forward to you joining our team. If you would like more information concerning any of the above, please feel free to contact either XXXX or myself.

Congratulations and welcome to ________ Company!

Sincerely,

<<NAME>>
<<TITLE>>