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Interview Preparation



TILSON E-Guide

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Interview Best Practices

Many factors influence what your hiring and interview process will look like, including your company type and size, your personal interviewing style, and the position in question. Regardless, there are some best practices that generally apply to most interviews. Below are suggestions to help facilitate an efficient interview process.

Before the Interview

Preparation is key:

- Review the job description and the candidate's resume, application and any other pertinent information before the interview.
- Have a standard list of questions and method of evaluation developed beforehand.
- If you are the hiring manager but do not work closely with the job or are not familiar with the skills required for the open position, talk to others on the team who understand the day-to-day process and needs for the role to gain better insight before interviewing.

During the Interview

Do not let nerves take over the interview; plan how you will conduct the interview and be aware of your own role in the interview conversation:

- Start with small talk, but do not let chattiness (especially nervous chatter) distract from the goal of the interview.
- Have an awareness of your own body language. If you are new to interviewing, you are probably nervous about the interview, too. Make sure you do not inadvertently send nonverbal messages that you are angry or closed down during the interview conversation.
- Ask the same questions of all candidates.
- Limit the use of questions that would require a "yes/no" response.
- Ask questions that are clear and specific. Make sure to ask each question one at a time and try not to have too many segments to one single question.
- Take notes; writing notes verbatim can help you remember better later. However, do not mark down the race, gender, etc., of a candidate, as these notes could be used against you in the event that you do not hire a candidate and are later charged with discrimination.
- Make sure to listen to the interviewee's full answer, without

interrupting. Use follow-up questions and silence to get more information from candidates.

- Resist filling lulls in the conversation. You may get more information out of a candidate if they resume talking.
- Avoid giving clues, either verbally or physically, as to how the candidate should respond or how answers are regarded. Consider touring the work area with the candidate. You can observe the interviewee's reaction to the workplace (e.g., a disappointed look

at your open office space), and a tour helps the candidate assess how well he or she sees himself working for your company.

- Close the interview by asking for questions, then asking the candidate if he or she is interested in the position now that he or she has learned more about the job and company during the interview. You may learn even more about a candidate and his or her fit for the role based on the questions he or she asks of you.

After the Interview

You likely won't have an instant answer, and certainly should not give one, when you part ways with the interviewee. Good follow-up practices will help you make the best hiring decision and keep the candidate informed of what is happening:

- Ask the receptionist and others who interacted with the candidate "unofficially" for their opinions—some individuals act very differently when they do not think they are being watched or evaluated.
- Follow up with your top candidates by conducting reference checks. Although references will often only confirm employment or the completion of a degree, sometimes you can gain good insight about a candidate.

- It is usually a good idea to wait at least one day before both making the decision and informing the candidate
- Follow up with the candidate, whether or not you decide to hire him or her. Try to inform all interviewed candidates of your decision as quickly as possible. Do not go into specifics about why a particular individual was not hired. Feel free to include statements such as, "While we were very impressed with your background and credentials, we regret to inform you..."

Virtual Interview Best Practices

While the above information is relevant to any type of interview, there are additional factors to consider when conducting a virtual interview. Below are suggestions to help facilitate an efficient virtual interview.

Before the Interview

Preparation is key:

- **Test technology ahead of time.** Technology that works smoothly can ease applicants' nerves and provide a strong impression of employers.
- **Establish dress expectations.** Which should apply to both interviewers and candidates. Depending on your organization and the role you are hiring for, this may be business professional or business casual, even for an interview conducted over video.
- **Confirm schedules with all interviewers and participants.** Virtual interviews may have multiple participants, often joining from different locations and varying time zones.
- **Send email invitations with a link to join the interview.**

During the Interview

Do not let nerves take over the interview; plan how you will conduct the interview and be aware of your own role in the interview conversation:

- Due to the nature of the virtual interview, candidates will not have the opportunity to view the professional and social aspects of the workplace. Consider discussing these topics. You can observe the interviewee's reaction to the workplace (e.g., disappointment when hearing about open office space). Discussing unique attributes of an organization helps the candidate assess how well he or she sees him or herself working at your organization.
- Virtual interviews allow an opportunity for employers to reinforce their brand. This can be through scripted dialogue, and by the way the interviewers respond to questions.
- Though completing an interview virtually, a high level of professionalism should be expected by all parties involved. Interviewers can set the tone for the interview by highlighting appropriate behaviors and establishing professional dialogue.

After the Interview

You likely won't have an instant answer, and certainly should not give one, when you part ways with the interviewee. Good follow-up practices will help you make the best hiring decision and keep the candidate informed of what is happening:

- Ask all involved with the interview process and others who interacted by phone, email, or video with the candidate “unofficially” for their opinion—some individuals act very differently when they do not think they are being watched or evaluated.



Effectively Utilize the Virtual Environment

Virtual interviewing does offer benefits, and employers can use an effective experience as a competitive advantage. By planning for the nuances of the virtual environment, employers can conduct successful interviews, and reap benefits such as reduced cost and additional flexibility along the way.

Best Practices for Using Technology

1. Selecting Video Platforms

If you are considering video interviews as part of your virtual interview process, be sure to choose a process and a video platform that will work for both you, the employer, and be comfortable for the candidate interviewing for the position. When selecting a video platform to use, considerations for employers include:

- **Subscription to service and pricing**—Your organization may have video conferencing tools that you already use, or that you have a corporate subscription for. During the COVID-19 pandemic, many platforms are offering free trials or discounted pricing.
- **Broadband requirements**—Most video tools do not require significant broadband requirements, but employers should be mindful to use a video tool that functions properly from home broadbands, particularly if multiple participants will be involved. For example, popular video-conference tool Zoom recommends a minimum of 1.2 Mbps (megabytes per second) of bandwidth to best use their software for high-definition video calls, according to their website.
- **Ease of use**—Employers should consider ease of use, both for those conducting the interview, and candidates. A video tool that is easy to sign into, operates smoothly and has an easy-to-use interface will help improve the interview experience for the candidate.

2. Managing Cybersecurity

As with any online engagement, cybersecurity should be kept in mind when conducting virtual interviews. Employers should ensure video interviews fall within their internal guidelines for cybersecurity, and related policies. Employers may also want to research security features of available virtual interview platforms. If creating or changing policies, employers should consult

with IT departments to discuss the feasibility of suggested policies and consult with legal counsel to ensure compliance.

3. Creating a Comfortable Environment

Employers should consider how they can make a candidate feel comfortable in the virtual environment. Unfortunately, candidates will miss the opportunity to engage in small talk and be greeted by individuals such as a recruiter or a receptionist. However, interview participants can make a candidate feel comfortable, by asking open-ended questions and constructing dialogue in a way that closely replicates an in-person interview but acknowledges the remote space.

Boost Employer Brand with a Great Virtual Process

In today's workplace, the use of phones, webpages, email and even video are common practices. Many of these tools will be used in your virtual interview process. By using interactive and easy-to-use tools, properly preparing and clearly communicating expectations regarding use of the virtual environment, you can use the virtual interview experience to boost your employer brand.

Legal Considerations for In-Person & Virtual Interviews

Employment practices, including the hiring and interview process, are subject to numerous laws, many of which protect against various types of discrimination. Noncompliance, whether accidental or intentional, can have serious consequences, including a drain on your time and finances, as well as hurting your company's reputation. The first step in your hiring process should be to develop a solid understanding of applicable laws.

Federal & State Laws

Before beginning your interviews, you should gain a basic understanding of the federal and state laws that affect the hiring process. Employers should be able to avoid the major legal pitfalls by understanding nondiscrimination laws and by ensuring that all hiring, and interview activities are kept strictly job-related.

The purpose of these laws is to prevent an employer from making employment or hiring decisions based on factors that are not job-related. They do not require that preference be given to an individual who is protected by one or more of the federal discrimination laws.

You should be familiar with the following federal employment laws:

Title VII of the Civil Rights Act of 1964

- Prohibits employers from discriminating against employees or applicants on the basis of sex, race, color, national origin and religion.
- Covers employers with 15 or more employees.

The Americans with Disabilities Act (ADA)

- Prohibits discrimination against an otherwise qualified individual on the basis of his or her disability or perceived disability, as defined by the ADA.
- Requires covered employers to provide reasonable accommodation(s) to qualified individuals—both candidates and employees—in order for them to perform essential job functions, unless such an accommodation would impose an undue hardship on the employer, as defined by the ADA
- Prohibits employers from making disability-related inquiries and from requiring medical examinations prior to making an offer.
- Covers employers with 15 or more employees.

The Age Discrimination in Employment Act (ADEA)

- Prohibits an employer from failing or refusing to hire, discharging or otherwise discriminating against any individual based on age (40 years and older).

- Covers employers with 20 or more employees.
- Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
- Prohibits discrimination against employees or applicants because of genetic information.
- Covers employers with 15 or more employees.

The Immigration Reform and Control Act (IRCA)

- Prohibits discrimination based on national origin or citizenship.
- Covers employers with four or more employees.
- NOTE: Employers should simply ask applicants whether they are lawfully able to work in the United States and if they will be able to submit the necessary documentation to complete the Form I-9.

The Fair Credit Reporting Act (FCRA)

- Requires strict notice and authorization provisions. For example, the written release and disclosure form, which the employer must obtain prior to running a consumer report, must be provided to the applicant as a stand-alone document and not attached to any other documents, such as an employment application.
- Covers employers that use a third-party agency to conduct background checks or consumer reports but it does not cover employers that conduct background checks in-house.

Pregnancy Discrimination Act of 1978 (PDA)

- Prohibits sex discrimination on the basis of pregnancy, childbirth or related medical conditions.

As you review the legal aspects of the hiring and interview process, keep in mind that the above list is neither an all-inclusive list nor a full discussion of employment discrimination issues. In addition to federal law, you should have a basic knowledge of any state-specific laws that affect hiring. It is a good idea to consult legal counsel for any questions regarding employment compliance.

Bona Fide Occupation Qualifications (BFOQs)

BFOQs are the qualifications necessary to meet the essential requirements of the job. Title VII of the Civil Rights Act allows an employer to discriminate on the basis of religion, sex, national origin or age in instances where religion, sex, national origin or age is a BFOQ. However, you need to be very careful when making a hiring decision based on BFOQs that could be deemed discriminatory.

The U.S. Supreme Court has interpreted BFOQ narrowly. For example, rationalizing a sex-based BFOQ on gender stereotypes or customer preferences for one gender over another is not a legitimate BFOQ. In addition, there is no BFOQ for race or color discrimination.

Protected Information and Classes

Information you can't use to make a hiring decision includes race, sex, age and disability. According to a CareerBuilder survey, 1 in 5 employers has inadvertently asked an illegal interview question. In order to stay on the right side of the law and avoid discrimination, you need to know how to navigate these topics, and what questions must be avoided.

Any question that directly or indirectly inquires about an individual's protected class status or a factor that is not job-related should not be asked. You should avoid inquiring about a candidate's age, gender, disability, race, sexual orientation, marital status, national origin, religion, finances, military discharge, union involvement, worker's comp claims and arrests.

If candidates offer private or protected information voluntarily, you should direct the conversation away from these topics and make sure that the information is not recorded or used as a factor for consideration.

Although, if a candidate has an obvious disability, you can and should discuss with the candidate whether he or she would be able to perform the essential functions of the position with or without any reasonable accommodation. It would not be permissible, however, to begin to inquire about the candidate's specific disability or medical condition.

Regarding religion, employers must accommodate an employee's sincerely held religious beliefs or practices unless the accommodation would impose an undue hardship, which is defined as more than a minimal burden on the operation of the business. A religious practice may be sincerely held by an individual even if it is newly adopted, not consistently observed or different from the commonly followed tenets of the individual's religion.

Background Checks

A background check may seem like a natural part of the hiring process but be careful about treading on shaky legal ground. "Ban-the-box" legislation is rapidly spreading, and new legislation is being passed in cities, municipalities and states across the nation.

Specific laws vary, but ban-the-box laws generally require removing any inquiry into past conviction records from the employment application. Employers with multiple locations in varying states or cities may want to adopt a universal application or include a disclaimer on the application for job candidates in jurisdictions with ban-the-box.

Remote-specific Considerations

Some specific laws and regulations can apply to the use of remote channels for interviews. Laws vary by state, and when planning practices for virtual interviews, employers should consult with local legal counsel. Below are a few areas to consider when conducting virtual interviews:

- **Disparate Impact.** When an employer requires a candidate to interview via video, there may be an assumption that they have access to a computer, internet, webcam, or any other necessary technology. It is imperative that employers are flexible and provide alternative interviewing options, so that applicants who do not have the appropriate access can still participate in the interview. Taking this into consideration can mitigate the risk of Disparate impact claims related to technology access.
- **Accommodations for Individuals with Disabilities.** Individuals with disabilities may experience technological issues that interfere with their ability to participate in a virtual interview. The Americans with Disabilities Act (ADA) may require employers to make accommodations for individuals who are unable to successfully participate in a video interview.
- **Adverse Employment Decisions.** When conducting virtual interviews, this gives employers insight into a candidate's personal life, such as home circumstances. Although it is not intended to gain access to this type of information is hard to avoid due to the nature of a video interview. Employers who consider the candidate's home life in the decision to not hire them are making an adverse employment decision. Employers should consider suggesting to candidates to use virtual backgrounds. This will eliminate their home scenery.
- **Recording of Interviews.** Many video conferencing platforms have the capability to record a discussion, so it can be viewed at a later time. Doing so may violate state privacy laws. Candidates may also record the interview themselves. If the employer did not conduct a proper interview, the candidate could share it online damaging the employer's reputation. Employers should consider asking the candidate to sign an agreement that they will not record or publish the interview anywhere. Employers should take the same stance by not recording the interview, as to not violate candidates' privacy rights.



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