



Office for Access and Equity

This document has been prepared to provide a summary of guidelines to reinforce the University's Nondiscrimination Statement and Academic Hiring guidelines. It is designed to help make the University's commitment to equal opportunity a reality for all. It is also intended to serve as a useful tool for departments and units in the interviewing process by identifying questions that are appropriate to ask and those that are not appropriate to ask during an interview.

CONFIDENTIALITY STATEMENT

During the search process, search committee members may have access to confidential information, including, but not limited to, personal information, education history, and employment history of applicants. This information and all discussions must remain confidential both during the search and after the completion of the search process. Search committee members may discuss this information only with other members of the committee, as well as with the hiring officer, the search committee chair, Human Resources, and the Office for Access and Equity. Members must not permit any unauthorized person to access documents in their possession that contain applicant or search information. Any printed application materials, including interview notes and scoring sheets must be maintained for three (3) years from the new hires start date.

NON DISCRIMINATION STATEMENT

The commitment of the University of Illinois at Chicago (UIC) to the most fundamental principles of academic freedom, equality of opportunity, and human dignity requires that decisions involving students and employees be based on individual merit and be free from invidious discrimination in all its forms.

"UIC will not engage in discrimination or harassment against any person because of race, color, religion, sex, national origin, ancestry, age, order of protection status, genetic information, marital status, disability, sexual orientation including gender identity, unfavorable discharge from the military or status as a protected veteran and will comply with all federal and state nondiscrimination, equal opportunity and affirmative action laws, orders and regulations. This nondiscrimination policy applies to admissions, employment, access to and treatment in the University's programs and activities."

LEGAL COMPLIANCE

A number of federal and state laws and regulations are applicable to ensure fair employment practices. Most of the items contained in the four-panel table in this brochure reflect several of the usually quoted laws. For your convenience, these laws and regulations are cited in part below.

EXECUTIVE ORDER 11246

Prohibits discrimination in employment - including hiring, upgrading, salaries, fringe benefits, training, and other conditions of employment - on the basis of race, color, religion, national origin or sex.

TITLE IX (of the Education Amendments of 1972)

"No person...shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance..."

TITLE II OF THE GENETIC INFORMATION NONDISCRIMINATION ACT (2008)

Prohibits discrimination against employees or applicants on the basis of genetic information.

ILLINOIS EQUAL PAY ACT

Prohibits employers with four or more employees from paying unequal wages to men and women for doing the same or substantially similar work, except if the wage difference is based upon a seniority system, a merit system, a system measuring earnings by quantity or quality of production, or factors other than gender.

TITLE VII (of the Civil Rights Act of 1964)

Prohibits discrimination on the basis of race, color, sex, national origin, and religion under any program or activity receiving federal financial assistance.

ILLINOISE HUMAN RIGHTS ACT

Prohibits discrimination in Illinois with respect to employment, financial credit, public accommodations, housing and sexual harassment, as well as sexual harassment in education.

EQUAL PAY ACT OF 1963

Prohibits discrimination in salaries – including almost all fringe benefits – on the basis of sex.

AGE DISCRIMINATION ACT OF 1967 (as amended in 1978)

It is unlawful to discriminate against employees or job applicants because of age when they are between the ages of 40 and 70.

AMERICANS WITH DISABILITIES ACT OF 1990

Prohibits employers from discriminating against applicants or employees with disabilities in regard to any employment practices or terms, conditions, and privileges of employment including: application, testing, hiring, assignments, evaluation, disciplinary actions, training, promotion, medical examinations, layoff/recall, termination, compensation, leave or benefits.

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

Protects service members from discrimination in the workplace based on their military service or affiliation.

**A BRIEF GUIDE TO WHAT YOU MAY AND MAY NOT ASK DURING THE
SCREENING AND HIRING PROCESS**

AREA OF INQUIRY	WHAT YOU MAY NOT ASK	WHAT YOU MAY ASK
NAME	Whether a person has worked under a different name, or questions which divulge marital status or ancestry.	Correct legal name.
ADDRESS/HOUSING	Any inquiry which may indicate ethnicity or national origin.	Place and length of current and previous address. Phone number or how he or she can be reached. Address may be requested so that the applicant can be contacted. Names of persons with whom applicant resides may be requested for compliance with the nepotism policy.
AGE	Questions which require giving age.	NOTHING before hiring.
SEX/SEXUAL ORIENTATION	Questions which would indicate sex unless job related. Questions regarding sexual orientation.	NOTHING
MARITAL STATUS	Whether person is married, single, separated, divorced or engaged.	NOTHING
FAMILY	About family planning, family size, children's ages, child care plans, spouse's employment or salary.	Freedom to travel if job required and ability to meet work schedule requirements. All applicants must be asked.

PREGNANCY	About medical history concerning pregnancy and related health matters.	Anticipated duration on, or absences from, the job. Same questions must be asked of males and females
HEIGHT/WEIGHT	Unless related to job requirements, laws indicate that unless employer proves otherwise, height and weight requirements are discriminatory.	For proof of ability to perform the job requirements.
DISABILITIES	Any pre-offer questions about disability.	Whether person can perform specific tasks with or without accommodation. Within certain limitations, the person can be asked to describe or demonstrate how tasks will be performed.
CITIZENSHIP	Whether a U.S. citizen.	Whether visa/immigration status prevents person from lawful employment.
RACE/ORIGIN/ RELIGION	About race, religion, ancestry, birthplace of applicant, parents or spouse.	Ability to speak, read or write English or a foreign language if job requires it.
PHOTOGRAPHS	Any requirement or suggestion that a photo be supplied or taken before hiring.	Statement that a photo may be required after hire for purposes of identification.
WORK SCHEDULE	Willingness to work any particular religious holiday.	Willingness to work required work schedule. If applicant has military reservist obligations.
EDUCATION	About education that is not related to job performance.	About training and experience related to job requirements.
REFERENCES	For references specifically from clergy or any other persons who might reflect race, color, religion, sex, national origin or ancestry, or disability.	For general and work references not relating to race, color, religion, sex, national origin, ancestry or disability.
MILITARY SERVICE	For military service records. About military service in the armed services of another country. About discharge type.	About service in U.S. armed forces. About branch of service, rank and any job-related experience.
SALARY LEVEL	What is the lowest salary you will accept?	Are you interested in the position at the level that has been budgeted?
ORGANIZATIONS	For a list of all clubs applicant belongs to or has belonged to.	About professional organizations or union membership and offices held.
CREDIT RATING	Anything, unless specifically job related.	NOTHING , unless specifically job related.
CRIMINAL RECORD	About arrests. About convictions, unless the information is related to job performance.	NOTHING , UIC may conduct background checks on all job candidates upon acceptance of a contingent offer.
DRUG AND ALCOHOL USE	Prior to offer of employment – cannot ask if applicant is a drug addict or an alcoholic, what medications they are currently taking, or if applicant has been in a rehabilitation program.	NOTHING
RELOCATION	Any question related to spouse's attitudes or other subject that is likely to be perceived by covered group members, especially women, as discriminatory.	Would you be willing to relocate?