

Enclosure 1

References

- a. Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000E-16).
- b. The Civil Rights Act of 1991 (P.L. 101-336) applicable to National Guard personnel.
- c. The Age Discrimination in Employment Act (ADEA) of 1967, as amended (29 U.S.C. § 633A).
- d. The Rehabilitation Act of 1973, as amended (29 U.S.C. 791 and 794a).
- e. The Equal Pay Act (EPA) of 1963 (29 U.S.C. 206 (d)).
- f. The Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101 *et seq.*, P.L. 101-336).
- g. The ADA Amendments Act (ADAAA) of 2008 (42 U.S.C. § 12101 *et seq.*, P.L. 110-325).
- h. The Genetic Information Nondiscrimination Act (GINA) of 2008 (P.L. 110-233).
- i. Title 29 of the Code of Federal Regulations; Parts 1613 and 1614, including revisions (29 C.F.R. Parts 1613 and 1614).
- j. Equal Employment Opportunity Commission (EEOC) Management Directive 110.
- k. Department of Defense (DoD) Directive 1440.1, DoD Civilian Equal Employment Opportunity (EEO) Program, as changed; and related case law and decisions and interpretation of EEOC, November 21, 2003.
- l. The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act).

Enclosure 2

Common Interviewing Mistakes

1. **Relying on First Impressions:** Interviewers tend to make rapid decisions about the qualifications of an applicant within the first few minutes of the interview based on minimal information. Interviewers should reserve their judgment until sufficient information on the applicant has been gathered.
2. **Negative Emphasis:** Unfavorable information tends to be more influential and memorable than favorable information. Interviewers should avoid focusing on negative information to the exclusion of positive information.
3. **Not Knowing the Job:** Interviewers who do not have a comprehensive understanding of the skills needed for the job often form their own opinion about what constitutes the best applicant. They use this personal impression to evaluate applicants. Therefore, it is important to make sure interviewers fully understand the requirements of the job.
4. **Pressure to Hire:** When interviewers believe they need to make a decision quickly, they tend to make decisions based on a limited sample of information, or on a small number of applicant interviews. Interviewers should adhere to the established interview procedure and timeline with each applicant to avoid making erroneous decisions.
5. **Contrast Effects:** The order in which the applicants are interviewed can affect the ratings given to applicants. While making ratings, interviewers should refrain from comparing and contrasting applicants to those who have been previously interviewed.
6. **Nonverbal Behavior:** Interviewers should base their evaluation of the applicant on the applicant's past performance and current behavior as it relates to the interview and *not* just on how the applicant acts during the interview.

Common Rating Errors

1. **Rater Bias:** Allowing prejudices about certain groups of people or personalities to interfere with being able to fairly evaluate an applicant's performance. Interviewers should limit their consideration of non-performance related factors when making judgments.
2. **Halo/Horns Effect:** A tendency to allow applicants favorable (Halo) or unfavorable (Horns) qualities to overshadow the overall perception of them and to not consider other pertinent information. Employment selections based upon halo/horns effect increases

the possibility of selecting applicants who are incompatible with the position. Interviewers should focus on both favorable and unfavorable information disclosed during the interview.

3. **Central Tendency:** A tendency to rate an applicant at the middle of the rating scale (for example, giving all “3s” on a 5-point scale). When hesitating over making a high rating, interviewers should take into consideration that such a rating does not indicate perfect performance; it means demonstrating more of the competency than is generally exhibited. Similarly, when hesitating over a low rating, interviewers should take into consideration that it does not mean the applicant does not possess the competency; it means they did not demonstrate much of the competency in their interview responses.

4. **Leniency:** A tendency to give high ratings to all applicants, irrespective of their actual performance. There may be applicants who could benefit from further development in certain areas. Interviewers should allow their ratings to reflect these intra- and inter-individual differences.

5. **Strictness:** A tendency to give low ratings to all applicants, irrespective of their actual performance. There may be outstanding applicants whose demonstration of competencies warrants high ratings. Interviewers should allow their ratings to reflect these intra- and inter-individual differences.

6. **Similar to Me:** Giving higher than deserved ratings to applicants who appear similar to you. People have a natural tendency to prefer others who are similar in various ways to themselves. Interviewers should concentrate on the responses given by the applicant in making evaluations, rather than on the outward characteristics and the personality of the applicant.

Enclosure 3

Guidelines for Interview Questions

WHAT YOU CAN'T ASK	WHAT TO ASK INSTEAD
What is your native tongue?	What languages do you read, speak or write fluently?
How long have you lived here?	What is your current address and phone number? Do you have any alternative locations where you can be reached?
What religion do you practice?	What days are you available to work?
Which religious holidays do you observe?	Are you able to work with our required schedule?
Do you belong to a club or social organization?	Are you a member of a professional or trade group that is relevant to our industry?
How old are you?	Are you over the age of 18?
How much longer do you plan to work before you retire?	What are your long-term career goals?
Is this your maiden name?	Have you worked or earned a degree under another name?
Do you have or plan to have children?	Are you available to work overtime on occasion? Can you travel?
Can you get a babysitter on short notice for overtime or travel?	You'll be required to travel or work overtime on short notice. Is this a problem for you?
Do you have kids?	What is your experience with "x" age group?
Who is your closest relative to notify in case of an emergency?	In case of emergency, who should we notify?
What do your parents do for a living?	Tell me how you became interested in the "x" field/profession.
If you get pregnant, will you continue to work, and will you come back after maternity leave?	What are your long-term career goals?
We've always had a man/woman do this job. How do you think you will stack up?	How will you benefit the team?
How do you feel about supervising men/women?	Tell me about your previous experience managing teams.
What do you think of inter-office dating?	Have you ever been disciplined for your behavior at work?
Do you smoke or drink?	In the past, have you been disciplined for violating company policies forbidding the use of alcohol or tobacco products?
Do you take drugs?	Do you use illegal drugs?
How tall are you?	Are you able to reach items on a shelf that's five feet tall?
How much do you weigh?	Are you able to lift boxes weighing up to 50 pounds?
How many sick days did you take last year?	How many days of work did you miss last year?
Do you have any disabilities?	Are you able to perform the specific duties of this position?
Have you had any recent or past illnesses or operations?	Are you able to perform the essential functions of this job with or without reasonable accommodations?
How far is your commute?	Are you able to start work at 0630?
Have you ever been arrested?	Have you ever been convicted of "x" (fraud, theft and so on)