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NGHI-HRO-E

25 October 2017

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Equal Employment Opportunity and Interviewing Practices

1. References. See Enclosure 1.
2. The purpose of this memorandum is to ensure that equal employment opportunity exists and is maintained within the Hawaii National Guard (HING) and to ensure the HING complies with all applicable equal employment opportunity laws, regulations, and procedures related to employment selection practices.
3. Title VII of the Civil Rights Act of 1964 prohibits discriminatory employment selection practices and makes it illegal to discriminate based upon race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age (40 or older), disability or genetic information during all stages of the employment selection process and afterward.
4. The Equal Pay Act of 1963 makes it illegal to pay different wages to men and women if they perform equal work in the same workplace.
5. The Age Discrimination in Employment Act of 1967 protects people who are 40 and older from discrimination because of age.
6. Title I of the Americans with Disabilities Act of 1990 makes it illegal to discriminate against a qualified person with a disability. The law also requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose undue hardship on the organization.
7. The Genetic Information Nondiscrimination Act of 2008 makes it illegal to discriminate against employees or applicants because of genetic information. Genetic information includes information about individual genetic tests, genetic tests of family members, as well as an individual's information about disease, disorder or disease of family members.
8. In accordance with federal law, hiring officials must adhere to the above mentioned laws during the employment interview and selection processes. This can be accomplished by structuring interviews in a manner in which applicants have equal opportunities to provide information and are assessed accurately and consistently. Hiring officials should ask applicants the same questions in the same order, evaluate applicants using a multi-point rating scale, and prior to conducting interviews, ensure all board members understand and agree on the acceptable/appropriate answers to interview questions.

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9. Interview questions should be:

- a. Reflective of competencies derived from a position analysis or position description.
- b. Realistic of the responsibilities of the job.
- c. Open-ended.
- d. Clear and concise.
- e. Appropriate for all applicants.
- f. Free of jargon.

10. It is incumbent upon hiring officials to be knowledgeable of biases and how biases can potentially influence employment selections. Enclosure 2, explains common interviewing mistakes and common rating errors. Enclosure 3, lists guidelines for interview questions.

11. This memorandum is effective immediately and will remain in effect until superseded or revoked.

12. Questions regarding this memorandum should be referred to the State Equal Employment Manager (SEEM), CPT Nathan Masunari at 808-672-1316 or nathan.k.masunari.mil@mail.mil.

- 3 Encls
1. References
2. Common Interviewing Mistakes
3. Guidelines for Interview Questions

LAURA J. SOARES
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Human Resources Officer

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