

## Legal Interview Questions

The main objective of an interview is to obtain additional information in order to select the best candidate for the job. THE BEST FIT is defined by the smallest gap between candidate's talents, on the one hand, and the job requirements and organizational culture, on the other hand.

### An interviewer should ask the same questions to all candidates

- Employers are allowed to ask questions about an applicant's ability to perform the essential duties related to the job.

#### As an example:

- During an interview for an opening for a receptionist position and after the duties, responsibilities, and job requirements have been thoroughly described, the interviewer may ask: "Do you have the ability to receive, sort, and distribute mail and deliveries?" (See 4.2 Inclusive Job Description: Receptionist or other similar questions specifically related to the essential duties of a specific job.)

**Bear in mind that additional specific requirements/restrictions to all protected groups may apply depending on what jurisdiction you reside in; consult a lawyer or the relevant human rights authority if you have any concerns. The law will vary from province to province. The law seeks to accommodate all stakeholders.**

### Same questions to all candidates

- Employers should not ask an applicant any disability-related questions without prompting. However, if an applicant raises such an issue, the employer should be prepared to respond and indicate that it can and will accommodate the employee to the point of undue hardship.

#### As an example:

- An applicant discloses that he is not able to stand or sit for extended periods of time and asks the interviewer what accommodations are available. The interviewer may ask further questions to explore possible accommodations within the workplace and further confirms the employer's responsibility to accommodate up to the point of undue hardship.

In doing so, the employer indicates a willingness to identify and implement the needed quality accommodations as it applies to all protected groups: minorities, women, aboriginals, and people with disabilities.

The phrase "undue hardship" implies that the employer has an obligation to incur at least some hardship when accommodating employees whether or not they belong to a protected group.

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