

Beware of invasive questions

By Eli Amdur

Q: What do you do when there are questions on an employment application that really invade your privacy?

Get out of there as fast as you can, that's what you do. Unless you're applying to a defense contractor or other firm that deals in sensitive information – which, in this case we've determined you're not – this is outrageous.

Readers, this question comes from someone with whom I had a most interesting phone call which – after we hung up and he emailed me the actual application – I decided I had to tell you about. I was appalled, to put it mildly.

Get ready for this. Among the questions on this application was a section entitled "family history." It asked for father's occupation and employer, mother's occupation and employer, and spouse's name, occupation, employer and length of time there. Now, if that's not invasive enough, how about this? It went on to ask for spouse's parents' names, city of residence, occupations and employers.

I was blown away when I saw this, but left open the possibility that, perhaps, the world had changed without asking my permission, so I called a few friends of mine: an HR manager, a recruiter, and a lawyer.

Check. They were equally surprised. So now, with my reality check, I'm comfortable in telling you what I felt initially: this is an egregious example of nerve, arrogance, privacy invasion, and – if anything improper is done with the information requested – possibly a violation of a law or two. Worse, and just below the surface of the law, this is potential back-door discrimination just ready to happen.

By the way (if that's not enough), further down the application it asks if you illegally use drugs, if so, what, and if you have ever been a party to the sale of any illegal drug. Then it asks for last occurrence. Anyone ever hear of our fifth amendment rights?

There's no doubt for the need for caution on the part of an employer, and I'm the first to endorse that, but this is really thin ice, which brings me back to my comment about anything improper being done with the information they're gathering.

My son just accepted a job – in the public sector, no less – where this kind of intrusion didn't even take place during the hiring process. It was only once he received the written offer letter that he also received a screening package which requires him to acknowledge that background, driving, credit, and criminal checks will be done. OK, fine. No problem. Every organization has the right to be careful in its hiring, and if you're earnest in your career development, I'd think you'd actually want to work for a company that does everything to build a great team.

But what justifies this reader's suspicion is that, in my son's case for example, the cover letter for the screening package clearly describes how and by whom the screening would be done, and then specifically stated that if the reports are satisfactory, that all information will be destroyed. It went on to describe a further process in the event that negative information arises, and again, how and by whom it would be handled.

Now that's the ethical way this should be done. But remember, none of that came up

until my son's new employer-to-be made the decision to include him as a member of the team. There would be no serious attempt to investigate anything about him until they were sure they were serious about him.

So step back and ask yourself, would you want to work for people who are this invasive and so early in the process? Are you that desperate for a job? Are you willing to give up that much of your sacred privacy just to get a paycheck? Are you comfortable with that information hanging around without the promise that it would be destroyed? Would you be comfortable working there at all?

This is, for those of us who have read George Orwell's "1984," or who have lived through times when it really looked like 1984 was happening, just too scary the way it invokes the "big brother is watching you" threat.

So my initial advice sticks: unless there is a justifiable reason – like the company being a defense or government contractor status (which they should clearly indicate ahead of time) – get out of there as fast as you can.

Now, all that said, let me tell you, dear readers, that that's exactly what this reader did. From what I can make of his account to me of the situation, his antennae went way up when he saw these questions, he stopped, thought about it, and decided he would not continue. Then – in a highly professional, polite, and respectful way – he approached the hiring manager (who was waiting for him to finish) and said that with all due respect he didn't see how some of this was relevant [translation: none of your business] and that he wished to be removed from consideration for the job.

Right on! And this speaks to so many other issues we've discussed in this column, like age discrimination, sloppy hiring practices, and under-employment. Don't let anyone push you around. Don't let the decision be theirs alone. You have as much – more, actually – to say about where you work than they do. And in this case, what you have to say is, "No, thank you."

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