

The Federal Anti-Discrimination Agency's research projects at a glance:

What employers (may) ask

Findings of a survey on inadmissible questions at job interviews

Overview of the survey

The survey investigates the extent to which applicants are sensitised to the inadmissibility of questions regarding the characteristics protected under Section 1 of the General Act on Equal Treatment (*Allgemeines Gleichbehandlungsgesetzes –AGG*) in job interviews, and whether they had ever faced such questions in the past. In addition, attitudes towards anonymised job application procedures were surveyed. The basis of the survey was just under 1,000 telephone interviews conducted with persons 15 years and over who had had at least one interview for a job or a training place in the previous five years. The survey was conducted from 15 November to 8 December 2017 by the Kantar EMNID polling institute.

Authors, year of publication and title of the survey

Federal Anti-Discrimination Agency (*Antidiskriminierungsstelle des Bundes*) 2018: What employers (may) ask. Findings of a survey on inadmissible questions at job interviews. Berlin.

Outcomes

Knowledge about the inadmissibility of questions on protected characteristics

- Many candidates are not sufficiently sensitised to the fact that questions by employers on, or in connection with, the characteristics protected under Section 1 AGG are fundamentally inadmissible.
- A clear majority of those surveyed considered questions on their age (86%), nationality or a (serious) disability (72% in either case) to be fundamentally admissible, even though such questions may only be posed in exceptional cases.
- Furthermore, almost four out of ten respondents (39%) considered asking a female candidate whether she was pregnant to be admissible, even though this is clearly prohibited and the candidate is not required to respond, nor to respond truthfully.

Personal experience with inadmissible questions at job interviews

It does not appear to be the case that questions about AGG characteristics are posed to a noteworthy degree at job interviews. However, in this respect, the results of the survey can only serve as a rough yardstick as it was not possible, in the context of the survey, to clarify how precisely the question had been posed in the concrete situation and whether, exceptionally, the employer had a justified interest in obtaining the information.

- In particular, the interviewees reported that they had been asked about their age (52%), their civil status (37%) or their nationality (28%) during job interviews – in other words, about characteristics that are more or less obvious or, frequently had already been mentioned in the written application documents.
- Six percent of the female interviewees had already been asked by potential employers, in the course of a job interview, whether they were pregnant.

Opinions on anonymised job application procedures

- So far, very few of those surveyed (6%) had had personal experience with anonymised job application procedures.
- However, such procedures were predominantly seen as positive:
 - A total of 86% of those interviewed agreed with the argument that, in the case of anonymised procedures, the knowledge and capabilities of the candidate are more likely to be at the forefront, rather than personal characteristics such as gender, age or origin.
 - On the other hand, the argument posited by critics, according to which enterprises need such personal information in order to find the best possible fit for the post, met with somewhat less agreement (59%).
- Furthermore, half of those surveyed (49%) admitted that, personally, the use of an anonymised application procedure would be an additional reason for them to apply for a job with a specific firm.

Need for action

- Applicants need more information about which questions are admissible in the context of a job interview and, therefore need not be answered, nor answered truthfully.
- In order to find out more, including whether, and above all, how precisely employers pose questions about AGG characteristics in job interviews, or discuss such characteristics, it would be necessary to conduct additional (qualitative) research.
- In addition, employers should review their selection procedure – and consequently also the procedure they follow during job interviews – to determine whether they are compliant with the statutory prohibition of discrimination. The Anti-Discrimination Agency's Equality Check, among other things, can provide guidance in this area.

The complete findings of the survey can be downloaded => [here](#), available only in German language.

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