

New Hampshire Library Association Spring Conference

Legal Interviewing

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Legal Interviewing

Agenda

- Competency Requirements
- Developing a Selection Model for the Job
- Conducting Successful Interviews
- Behavioral Interviewing Strategies
- Steps to an Effective Interview
- Legal Implications
- Americans with Disabilities Act
- Effectively Checking References
- Candidate Evaluations
- Developing the Job Offer
- Tips and Warnings



Competency Requirements

What specific knowledge and skills are needed to perform this job well?

- Educational Background
- Work Experience
- Minimum and Desirable Qualifications
- Essential Functions of the Job

Developing a Selection Model for the Job

- What works for the organization
- What is needed for this position
- Skills/cultural fit
- Write it down!

Conducting Successful Interviews

- PREPARE!!
- Review job description
- List key responsibilities and tasks
- Training and experience needed
- Personal attributes
- Write questions down ahead of time
- Document the Interview – Your questions and applicant responses



Behavioral Interviewing Strategies

*The most accurate predictor of future performance
is past performance.*

STAR Interviewing Technique for Behavioral Questions

Situation or Task	Describe situation or task -Give details
Action taken	Describe the action taken
Results achieved	What happened? What was accomplished?



Examples of Behavior Based Interviewing Questions

What did you do in your last job in order to be effective with your organization and planning?

Describe the worst customer you have had and tell me how you dealt with him or her.

What did you do in your last job to contribute toward a teamwork environment? Be specific.

Describe a time when you felt it was necessary to change your actions in order to respond to the needs of another person.

Give me an example of a time when you were able to communicate successfully with another person, even when that individual may not have personally liked you.



Typical Questions Asked in a Selection Interview

Right or Wrong?

Opening Questions

- ✖ Tell me about yourself. - *Wrong. Ask about the job, not the candidate.*
- ✖ Why are you here?
- ✓ How did you become interested in our organization?
- ✓ In what way has your education and training prepared you for this job?
- ✖ Tell me about your previous work experiences. *Too broad*
- ✖ What do you see as your principal strengths? Weaknesses?
- ✖ What is your long-term career objective?
- ✓ Where do you see yourself in 5 to 10 years? *Better than above*
- ✖ After you get this job, if you do, how would you start out? What would be your plan?
- ✖ What disappointments did you have in your previous jobs?
- ✖ Tell me a little about your outside activities. What do you like to do for fun and recreation?

Steps to an Effective Interview

Pre-interview review (job and candidate)

Prepare self and set the stage:

- Open, objective attitude
- Listing readiness
- Quiet appropriate place
- Seating arrangement

Establish rapport – put applicant at ease

Explain purpose and set agenda

Ask open ended questions – Who? What? When? Where? Why?

Behavioral Questions

Describe the job and the company

Invite questions – allow applicant to add information

Conclude interview, explain steps that follow

Thank the applicant

Document the interview

Complete candidate evaluation worksheet



Document the Interview

- Write questions down ahead of time
- Questions directly related to job requirements
- Ask every applicant same questions
- Write down responses

Legal Implications of Interviewing

- Title VII of the Civil Rights Act of 1964
- Employment selection process must be job related
- Eliminate discriminatory hiring practices against those denied equal employment opportunity in the past on the basis of race, color, ~~relation~~, sex, age, national origin or handicap.
religion
- Protected classes include blacks, Asians, Indians, females, Vietnam Veterans, physically disabled, those over age of 40, individuals with Spanish surnames, and various religious groups.
- Protected classes have legal recourse against employment practices which tend to exclude them.



Avoid These Types of Questions

Where were you born?

Where were your spouse or parents born?

Will you submit proof of age by supplying birth certificate?

What is the name of your church or parish, temple?

What religious holidays do you observe?

Have you ever been arrested for any crime?

What is your marital status?

What is your wife's maiden name?

What are the full names of your brothers and sisters?

What is your Social Security number?

What political or religious organizations are you a member of?

How many children do you have?

What child care arrangements do you have in place?

Do you have a car?

Do you have any physical problems that might prevent you from doing this job?

What does your spouse do for a living?

How much does your spouse earn?

Have you ever been divorced?

Do you plan to have children?

Asking the applicant any questions that specifically pertain to feminine physiology or health.

Do Not Ask About...

- Arrest records
- Garnishment records
- Marital status
- Childcare arrangements
- Plans to have children
- Age
- Religious practices
- Family history
- Physical limitations/health



Americans With Disabilities Act

Focus on Ability, not Disability

Questions about applicant's ability to perform required job tasks

Needed accommodations to help person perform task

Undue hardship determination should not be made in an interview

Demonstrate ability if all applicants are asked to do so for same job

Questions That Cannot Be Asked

- Nature of the disability
- Severity of the disability
- Condition causing the disability
- Prognosis or expectation regarding the condition of the disability
- Whether the applicant will need treatment or special leave due to the disability
- Have you ever been injured on the job?
- Have you ever filed for Worker's Compensation insurance?
- Have you ever been hospitalized? For what condition?
- Have you ever been treated for a mental problem?
- How many sick days did you take on your last job?
- How is your health?
- Have you ever been treated for drug addiction or alcoholism?



Effectively Checking References

- Reference checks verify claims the candidate made during the interview process and fill in information gaps
- Check references when you are near the end of the recruiting process and close to making a decision
- Get the candidate's permission first!
- In checking references you have two goals:
 - ✓ Verify work experience; where, how long, last position held, and particular assignments
 - ✓ Learn about successes and failures, work habits, strengths, and weaknesses

Tips for Checking References

Use the telephone. Don't check references via letter.

Take time to establish rapport with the reference, make them comfortable sharing information.

Briefly describe the job for which the candidate has applied. Is this something for which the person is well suited?

Avoid using vague questions, ask open-ended questions, "What was Judy best at?", "What did her subordinates like most about her/least about her?"

Call references at lunch time, if you reach an Assistant or voicemail, leave a message.

Examples of Candidate Evaluation Form

Candidate Evaluation Form						
Job Title: _____			Department: _____			
Key Area Ratings (Poor) 1 to 5 (Excellent)						
Candidate Name	Education	Previous Experience	Skills & Knowledge	Personal Attributes	Previous Appraisal Or Rating	TOTAL
Talky McSezalot	5	5	5	4	4	23
	NOTES: Good experience in field, spoke knowledgably about subject matter, has required degree, has prior managerial experience.					
	NOTES:					
	NOTES:					

Candidate Evaluation Form				
Candidate: _____			Date/Time: _____	
Position: _____				
	Unacceptable	Questionable	Acceptable	Outstanding
Industry Experience				
Computer Experience				
Communication Skills				
Attitude/Interest in Position				
Appearance/Poise				
Other				
Overall Evaluation				
Comments:				
Interviewer:				

Developing the Job Offer

You have found the best person for the position, now it's time to make the job offer. Think of the job offer as an opportunity to welcome an employee to your company and set the tone for a good work relationship.

Things you'll need:

- Date and time you would like the person to start
- Name and title of the person the new employee will report to
- Rate of pay or range for the job including all forms of compensation for a salaried position like bonuses or incentives
- Information about the benefits for the position
- Job offers may be made by phone, in person, or in writing.
- A job offer is great news, make sure it sounds that way!
- "Congratulations, we are delighted to offer you the position of Administrative Assistant at Acme Frisbee Company! We would like you to start on Monday, June 6th at 9:00am"
- Offers can be made contingent upon passing an FCRA Background Check, drug test, and/or physical.
- Ask the person what questions they have about the job offer. For questions that you can't answer, tell the person when you will get back to them with the information.
- Negotiate the rate of pay if you are hiring for a salaried position. Employers usually make job offers at 80 to 90 percent of the maximum they are willing or able to pay.
- Thank the person and tell them you are looking forward to their first day of work. If the person turns down the offer, ask them why. Thank them and ask if you can keep in touch. You never know if they could be a candidate again in the future.



Any other strengths?

Fifty Behavior-Based Interview Questions

Are you looking for behavior-based interviewing questions? While the questions and behavior characteristics listed below are by no means comprehensive, it might be just the jump-start you're looking for. Try these:

If You're Looking For— Behaviors that Revolve Around Leadership

1. Tell me about a time when you accomplished something significant that wouldn't have happened if you had not been there to make it happen.
2. Tell me about a time when you were able to step into a situation, take charge, muster support, and achieve good results.
3. Describe for me a time when you may have been disappointed in your behavior.
4. Tell me about a time when you had to discipline or fire a friend.
5. Tell me about a time when you've had to develop leaders that reported to you.

If You're Looking For— Behaviors that Revolve Around Initiative and Follow-Through

1. Give me an example of a situation where you had to overcome major obstacles to achieve your objectives.
2. Tell me about a goal that you had set that took a long time to achieve or that you are still working toward.
3. Tell me about a time when you won (or lost) an important contract.
4. Tell me about a time when you used your political savvy to push a program through that you really believed in.
5. Tell me about a situation that you had significant impact on because of your follow-through.

If You're Looking For – **Behaviors that Revolve Around Thinking and Problem-Solving**

1. Tell me about a time when you had to analyze facts quickly, define key issues, and respond immediately or develop a plan that produced good results.
2. If you had to do that activity over again, how would you do it differently?
3. Describe for me a situation where you may have missed an obvious solution to a problem.
4. Tell me about a time when you anticipated potential problems and developed preventative measures.
5. Tell me about a time when you surmounted a major obstacle.

If You're Looking For – **Behaviors that Revolve Around Communication**

1. Tell me about a time when you had to present a proposal to a person in authority and were able to do this successfully.
2. Tell me about a situation where you had to be persuasive and sell your idea to someone else.
3. Describe for me a situation where you persuaded team members to do things your way. Was it effective?
4. Tell me about a time when you were tolerant of an opinion that was different from yours.

If You're Looking For – **Behaviors that Revolve Around Working Effectively with Others**

1. Give me an example that would show that you've been able to develop and maintain productive relationships with others, though there were differing points of view.
2. Tell me about a time when you were able to motivate others to get the desired results.
3. Tell me about a difficult situation with a co-worker, and how you handled it.
4. Tell me about a time when you played an integral role in getting a team (or workgroup) back on track.

If You're Looking For – Behaviors that Revolve Around Work Quality

1. Tell me about a time when you wrote a report that was well received. What do you attribute that to?
2. Tell me about a time when you wrote a report that was not well received. What do you attribute that to?
3. Tell me about a specific project or program that you were involved with that resulted in improvement in a major work area.
4. Tell me about a time when you set your sights too high (or too low).

If You're Looking For – Behaviors that Revolve Around Creativity and Innovation

1. Tell me about a situation in which you were able to find a new and better way of doing something significant.
2. Tell me about a time when you were creative in solving a problem.
3. Describe a time when you were able to come up with new ideas that were key to the success of some activity or project.
4. Tell me about a time when you had to bring out the creativity in others.

If You're Looking For – Behaviors that Revolve Around Priority-Setting

1. Tell me about a time when you had to balance competing priorities and did so successfully.
2. Tell me about a time when you had to pick out the most important things in some activity and make sure that those got done.
3. Tell me about a time that you prioritized the elements of a complicated project.
4. Tell me about a time when you got bogged down in the details of a project.



If You're Looking For – **Behaviors that Revolve Around Decision Making**

1. Describe for me a time when you had to make an important decision with limited facts.
2. Tell me about a time when you were forced to make an unpopular decision.
3. Describe for me a time when you had to adapt to a difficult situation. What did you do?
4. Tell me about a time when you made a bad decision.
5. Tell me about a time when you hired (or fired) the wrong person.

If You're Looking For – **Behaviors that Revolve Around Ability to Work in Varying Conditions (Stress, Changing Deadlines, etc.)**

1. Tell me about a time when you worked effectively under pressure.
2. Tell me about a time when you were unable to complete a project on time.
3. Tell me about a time when you had to change work midstream because of changing organizational priorities.
4. Describe for me what you do to handle stressful situations.

If You're Looking For – **Behaviors that Revolve Around Delegation**

1. Tell me about a time when you delegated a project effectively.
2. Tell me about a time when you did a poor job of delegating.
3. Describe for me a time when you had to delegate to a person with a full workload, and how you went about doing it.

If You're Looking For – **Behaviors that Revolve Around Customer Service**

1. Tell me about a time when you had to deal with an irate customer.
2. Tell me about one or two customer-service related programs that you've done that you're particularly proud of.
3. Tell me about a time when you made a lasting, positive impression on a customer.

Interview Notes

Candidate: _____

Position: _____

Interviewed By: _____

Date/Time: _____

Question 1:

Response: _____

Question 2:

Response: _____

Question 3:

Response: _____

Question 4:

Response: _____

Interview Preparation Tool

Position: _____

Department: _____

Key Responsibilities & Tasks:	Associated Training and/or Experience
1.	1.
2.	2.
3.	3.
4.	4.
Personal Attributes to Look For:	

Key Areas to Explore:	Questions to Ask:	Notes:
Education	1. 2. 3.	
Previous Experience	1. 2. 3.	
Job Accomplishments	1. 2. 3.	
Skills & Knowledge	1. 2. 3.	
Personal Attributes	1. 2. 3.	
Previous Appraisal or Rating	1. 2. 3.	

