

Know Your Employment Rights: What Are Some Discriminatory Actions During the Hiring Process?

Video: <https://drcnh.org/videos/know-your-employment-rights-what-are-some-discriminatory-actions-during-the-hiring-process/>

Samuel: What are some actions that would be considered discrimination for an employer to take during the hiring process?

Jennifer: Yeah, that's a great question, because a lot of times the job interview or the application process are where you see a lot of discrimination. If somebody has trouble accessing an online application or getting themselves into a job or interview, if there's limited access to where they interview, all those things, you are entitled to reasonable accommodations so that you can do them and put yourself into the pool of qualified applicants to apply for that job. Now you still, as an individual applying for a job, need to have all the qualifications, the licenses, the skills, the experience, but you shouldn't be discriminated upon based on your disability. So some of the things that an employer, just by way of sort of example, can't ask you about medications you take or hospitalizations, or whether you receive any benefits, such as Workers' Compensation Benefits, or Social Security Disability benefits, or Social Security income. All those questions lead to knowing about your disability, which an employer can't ask you about during the hiring process. They can ask you if you can do the essential functions of the job, so if the job requires you to do something, they can ask you whether you can do that with or without a reasonable accommodation, but they shouldn't be asking you about whether you have a disability or whether you need any sort of accommodation.