Avoiding Discrimination in Job Postings

When drafting a job posting, it is important to use words and phrases that do not imply, directly or indirectly, that you are not interested in candidates of a certain race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status.[1] A clear example of an inappropriate statement in a job posting would be "Seeking male candidate for ..."

There are, however, less obvious ways that the wording in a job posting can discriminate. It might happen when trying to make a joke, such as "We're looking for a few good men ..." Or it could happen when trying to describe a job requirement, such as stating that a driver's license is required. While there are a few positions on campus for which a driver's license is required, such as a bus driver, it is not required for the vast majority of positions and such a requirement would have the potential to discriminate on the basis of disability.

Below we identify some examples of terminology in job postings that might have a discriminatory effect and suggest alternate language.

If you have an issue or concern that is not addressed here, please contact the Office of Equity and Diversity for assistance.

National Origin:

A job posting cannot state that US citizenship or lawful permanent residence in the U.S. is required. More examples of inappropriate language are:
- Only U.S. Citizens
- Only U.S. Citizens or Green Card Holders
- H-1 B's Only
- Must have a U.S. Passport
- Must have a green card

If considered necessary, a unit can state that "Successful applicants will be asked to show proof that they can legally work in the US." There are extremely limited circumstances in which U.S. citizenship is required by law, regulation, executive order, or government contract. If you believe the job for which you are creating a posting falls in that category, please contact the Office of Equity and Diversity for assistance.

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[1] There are extremely limited circumstances when gender, national origin, age, or religion may be a bona fide occupational qualification. One example might be for a female attendant for a women's restroom. Please contact the Office of Equity and Diversity for assistance with such postings.

Age:

There are some instances in which the law requires that a person is of a certain age to work in a particular position. In those instances, it is acceptable to state an age requirement, such as "Applicants must be 18 or older." It is otherwise almost always inappropriate to imply that a position is for persons in a certain age group. For example, a posting that states the unit is looking for a "recent college graduate" potentially discriminates against older workers, because statistically most recent college graduates are in their twenties.

Other examples of problematic language include:

- Young and energetic (energetic on its own generally is not a problem)
- Athletic or athletically inclined
- Youthful
- No more than ___ year's experience
- Junior or senior, except as part of a job title
- Supplement your retirement income
- Great opportunity for student
- Mature person wanted (versus "person must demonstrate maturity")

In addition, a combination of words that imply a younger person is desired can also be of concern. For example, "Young-thinking, 'new wave' department looking for energetic person with fresh, innovative ideas and who can connect with youth" would be better and probably more accurately stated as "Cutting edge department looking for energetic person with innovative ideas to connect with target audience." In drafting job postings, focus on the desired quality, versus the anticipated age of the person who might bring that quality.

For example, rather than "athletic," describe the job duty to which that thought is connected, such as "leads groups in recreational sport activities."

Gender:

Job postings should avoid any mention of gender, even if the intention is to encourage an underrepresented group to apply. For example, a department with few women that wishes to encourage women to apply should not say "great opportunity for career woman" or "great opportunity for stay at home mom looking to re-enter the workforce."

Every job posting should include the required statement that "Monmouth University is deeply committed to the principles of equity, diversity, and inclusiveness and seeks to create a pluralistic community for all staff, faculty, and students. Monmouth University is an Affirmative Action/Equal Opportunity employer. Minorities, women, and individuals with disabilities are encouraged to apply."

In addition to avoiding any use of gender, it is also helpful to eliminate gender-specific job titles.
For example, one should use "police officer" rather than "policeman" and "skilled trades person" not "skilled tradesman."
A job posting should also never indicate that the position is intended for a person who is or is not married or who has/doesn't have/doesn't plan to have children.

Religion:

Job postings should not mention religion, except in those few rare instances when it is germane to the job, such as in hiring a chaplain. There are other terms, however, that can indirectly discriminate on the basis of religion, such as stating a preference for someone who is "clean shaven," since some men's faith requires them to maintain facial hair. The term "clean shaven" is also problematic because it indicates that a male candidate is preferred and may also tend to exclude African-American men who disproportionately are affected by a skin problem related to shaving.

A suggested alternative would be to focus on the reason the term "clean shaven" came to mind. For example, if the person will have to routinely wear safety equipment on their face and it is believed that facial hair will interfere with the operation of the equipment, it would be best to state that the candidate will routinely use the safety equipment at issue. If the finalist has facial hair, a discussion can ensue as to how/if the safety equipment can be properly fitted or any other possible alternatives.

Race/Color:

Job postings should not indicate a preference for persons of a particular race or color, even when a department seeks to do so in an effort to increase the racial diversity of its department. Every job posting should include the required statement that "Monmouth University is deeply committed to the principles of equity, diversity, and inclusiveness and seeks to create a pluralistic community for all staff, faculty, and students. Monmouth University is an Affirmative Action/Equal Opportunity employer. Minorities, women, and individuals with disabilities are encouraged to apply."

Disability:

It is not uncommon to see job postings that indicate that the position requires lifting, standing, climbing, etc. All of these words have the potential to discriminate against persons with disabilities who are capable of performing the tasks of the job, although not in the same manner it may be performed by another person. The chart below provides a list of common words that should be avoided as well as suggested alternatives:

Terms to Avoid	Suggested Alternative	Current Language	Suggested Language
carry, lift	move, transport, position, put, install, remove	must be able to lift 50 pounds	routinely moves audio/visual equipment weighing up to 50 pounds across campus for various classroom and event needs
able-bodied	none	seeking able-bodied individual to	focus instead on the task the person will have to perform
climb or balance	ascend/descend, work atop, traverse	occasionally climbs ladders to service lights	occasionally ascends/descends ladders to service lights
		constantly bending and	constantly positions self to

Terms to Avoid	Suggested Alternative	Current Language	Suggested Language
stoop, bend, kneel, crouch, crawl	position self to, move	crouching under desks to install computer equipment	install computer equipment, including under desks
stand or sit	stationary position	must be able to stand for	must be able to remain in a stationary position during entire shift
talk/hear	communicate, detect, converse with, discern, convey, express oneself, exchange information	the person in this position frequently talks to students about their financial concerns	this person in this position frequently communicates with students about their financial aid concerns
drive/driver's license	travel to	must have valid driver's license	no alternative language for driver's license unless it is required to perform the duties of the position, such as for a bus driver. Otherwise, a driver's license should not be required
		this position involves driving to various locations on and off campus to conduct assessments and deliver materials	this position involves traveling to various locations on and off campus to conduct assessments and deliver materials
walk	move, traverse	the person in this position occasionally walks throughout the building to access files	the person in this position occasionally moves throughout the building to access files
see/visually inspect	detect, determine, perceive, identify, recognize, judge, observe, inspect, estimate, assess	this position requires visually inspecting sites for safety	this position requires inspection of sites to detect safety concerns
taste/smell	detect, distinguish, determine		
feel/use fingers, to handle or feel or touch	operate, activate, use, prepare, inspect, place, detect, position		

Veteran Status:

Job postings should not imply a preference for veterans or that veterans are not welcome to apply. References to military service or experience are inappropriate, except where it is a position requirement (e.g., ROTC instructor).

Height/Weight:

Job postings should not list specific height or weight requirements or indicate a preference of a person of a particular height and weight, such as "must be able to fit [a specific machine or work area]" versus "will operate or work in [description or machine or work area]." Other examples of language to avoid include "slender build," "weight proportional or height" or "must be ___ or taller."

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