

ARE UNPAID INTERNSHIPS ILLEGAL?

Intern Bridge found last year that 18 percent of its 12,000 student internship survey participants reported working for a semester or a summer without being paid or earning academic credit. President Richard Bottner says that's a problem.

"That means that 18 percent of those internships were technically illegal," he says.

True?

Well, yes and no. Unpaid, noncredit internships received a lot of scrutiny back in 1996, when the federal Department of Labor issued six criteria under which they would be permitted under the Fair Labor Standards Act. According to that letter, an intern (learner/trainee, as they're called by DOL) may be unpaid if

- The training is similar to what would be received in a vocational school;
- The training is for the benefit of the student;
- The student does not displace a regular employee, but works under the close observation of an employee or supervisor;
- The employer provides training and derives no immediate benefit from the activities of the student;
- The student is not entitled to a job at the conclusion of the training period;
- The employer and the student understand that the student is not entitled to wages for the time spent training.

These regulations do not apply to non profit organizations, such as most associations. But experts say they are good guidelines to keep in mind if a group must offer an internship without pay. In that case, it should be strictly a learning experience, and care should be taken to ensure the internship isn't just a free way to get a summer's worth of labor.

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