

UNPAID INTERN WORKSHEET

Intern Name: _____

Organization: _____

Prepared By: _____

Date: _____

Factors to Consider When Creating an Unpaid Intern Relationship

- An understanding exists between intern and employer that the internship is for the primary benefit of intern.
- Intern is clearly told, and understands, that there will be no compensation.
- Employer provides training to intern similar to that which would be given in an educational (vocational) environment.
- The internship is tied to intern's formal education, e.g., integrated coursework or academic credit.
- Employer accommodates intern's academic calendar when scheduling intern's "working" hours.
- Internship duration is limited to the amount of time intern receives beneficial learning.
- Intern's work complements, rather than displaces, the work of paid employees while the intern is being provided with educational training.
- An understanding exists between employer and intern that the internship does not entitle intern to a paid position at the conclusion of the internship.

Employer's Actions to AVOID When Creating an Unpaid Intern Relationship*

- Employer pays the unpaid intern any type of stipend or bonus.
- Intern is neither provided any vocational or educational training, nor receives any academic credit during the internship.
- Intern is asked to "work" during times that conflict with intern's academic schedule.
- The duration of the internship extends beyond intern's on-the-job training.
- Employer becomes dependent on intern to supplement, or to replace a normally-paid employee in its workforce.
- Intern is led to believe that they will receive a paid job at the conclusion of their internship.
- Employer does not memorialize in writing the understanding with intern that they have a voluntary intern relationship primarily for the intern's benefit, for no monetary compensation, with no expectation of a paid position at the completion of the internship - which may result in a later misunderstanding.

* Any one of these actions by an employer may result in the intern being classified as an "employee" by the Department of Labor, thus entitling the intern/employee to pay and other benefits provided under the Fair Labor Standards Act.