



# Internships: Free or Fair Labor?

*To be paid or not to be paid? Ay, there's the rub.*

## The Tempest.

No doubt, internships are a significant means for students and job seekers to gain entry into the job market. (See "Internships: Test Drive the Real World") In a tough economy, with work experience and multiple internships almost a criterion for many recruiters, it's no surprise there are students and job seekers willing to pay companies to find them internships, even unpaid ones.

Which brings up the increasingly controversial issue: Should interns be paid or not?

There are financial, ethical, and legal factors to consider when pursuing an internship. First, ask yourself whether or not you can afford an unpaid internship, even just for the experience. Realize you'll still have living expenses during that time.

Second, be aware there are employers who equate interns with cheap or free labor, doling out menial duties instead of those intended to help you gain job-specific experience. Also, you are unlikely to receive any health and employment benefits usually given to employees. Know, too, there are employers who argue that they are already providing valuable work opportunities and that there is no shortage of willing interns.

Third, some employers insist that students be given college credit as a fair trade for pay. Your school, however, may not agree nor feel that internship's benefits translate into credits consistent with the school's academic standards. Plus, you end up paying for those and *any* college credits.

## Measure for Measure.

Enter the U.S. Department of Labor and the Fair Labor Standards Act. They list six criteria that help determine whether or not an intern qualifies as an unpaid trainee or as an employee entitled to minimum wage and overtime compensation. If all these requirements are not met, by law, for-profit companies must pay the intern. Be aware, not every employer is aware of nor understands the law, and the Labor Department has neither the time nor the resources to monitor every business.

Here, basically, are the current six requirements that must be met for an employer to consider you an unpaid intern/trainee:

- the training, even though it takes place at and involves the employer's site and facilities, must be similar to what you could pay for and receive elsewhere at a vocational or academic institution;
- the training is for *your* benefit;
- you do not displace regular employees, and you must be under professional supervision;
- the employer training you derives no immediate advantage from your activities; in fact, at times your training may even interfere with the company's operations;
- you understand that your training in no way guarantees you a job at the conclusion of the internship;
- both you and the employer understand and agree that you are not entitled to wages during the time of your training.

Depending upon your needs, you may end up choosing work experience over financial compensation, and simply accept that things won't always be as you like it.

## All's Well That Ends Well.

Since internships can play a crucial role in your job search, be sure to consult with your career center advisor for more information and to determine which internship is best for you. There are plenty of law-compliant firms that will provide the experience you need to enhance your résumé, as well as excellent internships that pay anywhere from minimum wage to \$25+ per hour. In the end, it's your choice. So to thine own self be true: You can always walk away and seek another opportunity.



## **i** n a nutshell:

Before accepting an internship, consider or determine the following:

- **If you will be paid or receive school-approved credit**
- **If you can afford not to be paid**
- **If the experience and duties will be relevant to your studies**
- **How many hours you will be expected to work**
- **Whether or not you will need to submit a report at the end**
- **That there are no job guarantees**
- **That other opportunities exist**

Ask for responsibilities that maximize your learning experience. And know your rights. After all, it's your time and, possibly, your dime.