



## Work Experience Internship Labor and Employment FAQs

The San Diego Community College District offers a comprehensive Work Experience program at San Diego City, Mesa, and Miramar Colleges. Work Experience Education is a structured educational process that combines real-world work experiences with regular academic or vocational instruction and is an integral part of the community college curriculum.

Work Experience strengthens student learning and builds effective work habits and career awareness. Students receive college credit and develop workplace competencies through real-world experiences.

Students participating in Work Experience must first secure a position, paid or unpaid, with a supervisor to receive college credit. Credit is earned based on 54 hours of paid work or unpaid internship/volunteer work per one unit the student is enrolled.

Below are some frequently asked questions by employers and brief answers and resources.

### FREQUENTLY ASKED QUESTIONS (FAQs)

#### What is the definition of “Internship”?

The National Association of Colleges and Employers (NACE) defines an internship as: *“An internship is a form of experiential learning that integrates knowledge and theory learned in the classroom with practical application and skills development in a professional setting. Internships give the students the opportunity to gain valuable applied experience and make connections in the professional fields they are considering for career paths; and give employers the opportunity to guide and evaluate talent.”*

<https://www.naceweb.org/about-us/advocacy/position-statements/position-statement-us-internships/>



#### As an employer, what am I responsible for when accepting an intern?

Employers agree with the intent and purposes of Work Experience Education and will sign a copy of the student’s Application, which will include agreed upon job-oriented learning objectives.

Some other key employer responsibilities include: provide necessary supervision, training, equipment, materials, and appropriate facilities at the worksites; participate in site visits to develop measurable new or expanded job-oriented learning objectives; evaluate the student’s approved measurable job-oriented learning objectives; verify the number of hours worked by the student.

#### I am a “for-profit” employer; do I have to pay an intern?

There is general information provided by the U.S. Department of Labor to help determine whether interns and students working for “for-profit” employers are entitled to minimum wages and overtime pay under the Fair Labor Standards Act (FLSA).

Visit the U.S. Department of Labor website to take a test to determine if you need to pay an intern: <https://www.dol.gov/whd/regqs/compliance/whdfs71.htm>

## I am “non-profit” employer; do I have to pay an intern?



The FLSA exempts certain people who volunteer to perform services for a state or local government agency or who volunteer for humanitarian purposes for non-profit food banks. U.S. Department of Labor also recognizes an exception for individuals who volunteer their time, freely and without anticipation of compensation, for religious, charitable, civic, or humanitarian purposes to non-profit organizations.

Unpaid internships for public sector and non-profit charitable organizations, where the intern volunteers without expectation of compensation, are generally permissible.

Visit the U.S. Department of Labor website for more information:

<https://www.dol.gov/whd/regs/compliance/whdfs71.htm#2>

## Do I need to provide Workman’s Compensation for an intern?

- All California employers must provide workers’ compensation benefits to their employees under California Labor Code Section 3700. This includes interns who are paid by the employer.
  - For more information on the definition of an employee visit the U.S. Department of Labor website: <https://www.dol.gov/agencies/whd/fact-sheets/13-flsa-employment-relationship>
  - For more information on Workman’s Compensation visit the State of California, Department of Industrial Relations: <https://www.dir.ca.gov/dwc/faqs.html>
- Unpaid internships approved by SDCCD are covered by the SDCCD Workman’s compensation plan.

## Can I fire an intern?

If a student concern or issue arises, please contact the Work Experience Instructor or Coordinator.

SDCCD WORK EXPERIENCE CONTACT INFORMATION		
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### Citations:

“A DEFINITION AND CRITERIA TO ASSESS OPPORTUNITIES AND DETERMINE THE IMPLICATIONS FOR COMPENSATION.” *Position Statement: U.S. Internships*, National Association of Colleges and Employers, Aug. 2018, <https://www.naceweb.org/about-us/advocacy/position-statements/position-statement-us-internships/>.

Division of Workers' Compensation - Injured worker information. “Answers to Frequently Asked Questions about Workers' Compensation for Employers.” *State of California*, Department of Industrial Relations, June 2016, <https://www.dir.ca.gov/dwc/faqs.html>.

“Fact Sheet #71: Internship Programs Under The Fair Labor Standards Act.” *U.S. Department of Labor*, Wage and Hour Division, Jan. 2018, <https://www.dol.gov/agencies/whd/fact-sheets/71-flsa-internships>.

“Fact Sheet 13: Employment Relationship Under the Fair Labor Standards Act (FLSA).” *U.S. Department of Labor*, Wage and Hour Division, July 2018, <https://www.dol.gov/agencies/whd/fact-sheets/13-flsa-employment-relationship>.