



**Office of Career Management
Documentation for Unpaid Internships**

Under the U.S. Dept. of Labor's (DOL) Fair Labor Standards Act (FLSA), interns must be paid at least minimum wage and overtime compensation for the services that they provide to "for-profit" private sector employers. Internships in the "for-profit" private sector will most often be viewed as employment, and thus, subject to the minimum wage and overtime provisions of the FLSA, unless **ALL** six criteria set forth in this document are satisfied.¹

1. The internship, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;
2. The internship experience is for the benefit of the intern;
3. The intern does not displace regular employees, but works under closer supervision of existing staff;
4. The employer that provides the training derives no immediate advantage from the activities of the intern; and on occasion its operations may actually be impeded;
5. The intern is not necessarily entitled to a job at the conclusion of the internship; and
6. The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.²

Please complete this form and sign where appropriate:

I, _____ (internship supervisor), an authorized representative for _____ ("employer") hereby affirm that the internship with our company meets **ALL** six criteria (listed above) of the DOL's test for unpaid interns and will continue to meet **ALL** six criteria for the duration of the internship. I further affirm that I have read and understood the entire U.S. Department of Labor, Wage & Hour Division Fact Sheet #71 (April 2010) regarding "Internship Programs Under the Fair Labor Standards Act." **I understand that if the intern is engaged in the operation of the employer's business or performs productive work, then the fact that the intern may be receiving some benefits in the form of a new skill or improved work habits will not exclude the intern from the FLSA's minimum wage and overtime requirements because the employer will benefit from the intern's work.** I also agree that this document does not constitute as legal advice from The Ohio State University, Fisher College of Business and that I will consult with an attorney in the event that employer has any questions regarding the FLSA.

Employer Signature: _____ **Date:** _____

I, _____ ("intern"), a student at The Ohio State University, Fisher College of Business, agree to work for _____ ("employer") as an unpaid intern.

Student Signature: _____ **Date:** _____

¹ U.S. Department of Labor, Wage & Hour Division Fact Sheet #71 (April 2010)

² Id.

Skills & Tasks Form- BA 2191

We expect that you will offer an internship that is educational by design and is intended to extend the student's classroom learning to practical applications. With that understanding please list ***four*** specific tasks that the intern will be assigned that will help them develop business related skills (for example: communication skills, analytical skills, teamwork skills, etc.). For each task please identify the skill you think will be developed.

1.

2.

3.

4.

Industry Specific Skills

Please identify specific tasks where students will:

Increase knowledge of industry/products (for example train on company's products/services; heightened awareness of external factors impacting the industry or company):

Develop career awareness of opportunities and career paths (for example increase knowledge of professional associations; receive performance feedback on specific behaviors; opportunities for personal discussions with employees about career paths):