



INTERNSHIP DEVELOPMENT GUIDE

LOS MEDANOS
COLLEGE

Provided by the Los Medanos College, Workforce and Economic Development Department

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WHAT IS AN INTERNSHIP?

An internship is a form of work-based learning that integrates a student's academic experience with practical application and skills development in a professional setting. Characteristics that describe an internship are:

- The experience is a skilled or professional level assignment
- In the area of a student's vocational or academic major or field of interest
- Has a specific time frame, ex. 1 semester, 3 months 10 weeks
- May or may not lead to permanent employment
- Can be paid or unpaid
- Must be supervised

Internships are often offered by employers and companies, and can be developed if desired. Ideally, the faculty in the discipline and the employer should work together to create an internship that is authentic for both the student and the company. The *Los Medanos College Internship Development Request Form* can assist with this process.

EXAMPLES OF WELL-KNOWN INTERNSHIPS

- **Kohl's Information Technology Internship-** Nationwide
- **Target Pharmacy Internship-** Nationwide
- **Congressman Jerry McNerney Internship-** Antioch, CA
- **Shell Craft Internship-** Martinez, CA
- **Supervisor Federal Glover Internship-** Pittsburg, CA

There are many legal differences when developing a paid versus an unpaid internship. Fact Sheet 71 from The Federal Department of Labor is included in this handbook and will cover the federal laws around unpaid internships.

INTERNSHIP DEVELOPMENT REQUEST FORM

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Company Name: _____

Internship Title: _____

Intern Responsibilities: _____

Intern Hours (Days/Nights/Weekends?): _____

Major(s) Preferred: _____

Required Coursework Completed: _____

Required GPA: _____

Start Date/End Date: _____

Compensation: _____

Cooperative Work Experience Education (CWEE) is required for students participating in LMC Developed Internships.

EXAMPLE OF A COMPLETED INTERNSHIP DEVELOPMENT REQUEST FORM

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Company Name: Los Medanos Community Healthcare District (LMCHD)

Internship Title: I am the Community: We are the Community Project

Intern Responsibilities: The successful candidate(s) will help create a PSA surrounding “I am the Community: We are the Community”. The student(s) will videotape 5 or 6 youths and community resident’s interviewees who will answer questions or give statements in regards to how their community celebrates health and healthy living. From the video footage, a PSA will be created for presentations and YouTube.

Intern Hours (Days/Nights/Weekends?): Mondays, Tuesdays, and Thursdays for 3 hours. Approximately for 3 weeks, 40 to 50 hours.

Required Coursework Completed: Video Production, Multi-Media, Videography and/or Graphic Design

Required GPA: 3.0

Start Date/End Date: January 28, 2020 - June 22, 2020

Compensation: Up to \$500 for 50 hours

Cooperative Work Experience Education (CWEE) is required for students participating in LMC Developed Internships.

**U.S. Department of Labor
Wage and Hour Division**



Fact Sheet #71: Internship Programs Under The Fair Labor Standards Act

This fact sheet provides general information 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).¹

Background

The FLSA requires “for-profit” employers to pay employees for their work. Interns and students, however, may not be “employees” under the FLSA—in which case the FLSA does not require compensation for their work.

The Test for Unpaid Interns and Students

Courts have used the “primary beneficiary test” to determine whether an intern or student is, in fact, an employee under the FLSA.² In short, this test allows courts to examine the “economic reality” of the intern-employer relationship to determine which party is the “primary beneficiary” of the relationship. Courts have identified the following seven factors as part of the test:

1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa.
2. The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions.
3. The extent to which the internship is tied to the intern’s formal education program by integrated coursework or the receipt of academic credit.
4. The extent to which the internship accommodates the intern’s academic commitments by corresponding to the academic calendar.
5. The extent to which the internship’s duration is limited to the period in which the internship provides the intern with beneficial learning.
6. The extent to which the intern’s work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern.
7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.

¹ 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. WHD 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.

² E.g., *Benjamin v. B & H Educ., Inc.*, --- F.3d ---, 2017 WL 6460087, at *4-5 (9th Cir. Dec. 19, 2017); *Glatt v. Fox Searchlight Pictures, Inc.*, 811 F.3d 528, 536-37 (2d Cir. 2016); *Schumann v. Collier Anesthesia, P.A.*, 803 F.3d 1199, 1211-12 (11th Cir. 2015); see also *Walling v. Portland Terminal Co.*, 330 U.S. 148, 152-53 (1947); *Solis v. Laurelbrook Sanitarium & Sch., Inc.*, 642 F.3d 518, 529 (6th Cir. 2011).

Courts have described the “primary beneficiary test” as a flexible test, and no single factor is determinative. Accordingly, whether an intern or student is an employee under the FLSA necessarily depends on the unique circumstances of each case.

If analysis of these circumstances reveals that an intern or student is actually an employee, then he or she is entitled to both minimum wage and overtime pay under the FLSA. On the other hand, if the analysis confirms that the intern or student is not an employee, then he or she is not entitled to either minimum wage or overtime pay under the FLSA.

Where to Obtain Additional Information

This publication is for general information and is not a regulation. For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

U.S. Department of Labor
Frances Perkins Building
200 Constitution Avenue, NW
Washington, DC 20210

1-866-4-USWAGE
TTY: 1-866-487-9243
[Contact Us](#)

UNPAID INTERNSHIPS AND “THINGS TO KNOW”

Unpaid internships can be a great way for students to get real-world experience, and develop professionally.

If you are considering supporting or developing an unpaid or stipend-based internship, it is important to refer to Fact Sheet 71 from the Federal Department of Labor, as well as considering the following:

- **Interns that are unpaid are by legal definition “a burden to the employer, and the employer may gain no benefit”.**
- **Intern’s tasks must not simply advance the operations of the employer or be the work that a regular employee would routinely perform.**
- **Unpaid interns should have clear objectives or goals to accomplish/learn by the end of the internship.**
- **Interns must have a supervisor to guide and evaluate them, as well as a workspace while at the internship.**
- **Students should not be expected to use personal vehicles, phones or other property for business purposes, unless this use is reimbursed at an agreed rate.**
- **Interns should not be required to use personal contacts (phone, email and social media) for business development or for fulfilling other duties.**
- **Interns have all the same legal rights as employee to file claims of concern, ex; harassment, hostile work environment, etc.**
- **Volunteers and unpaid interns are not the same positions, and the position advertised should be clearly understood.**
- **If a stipend is given to the intern in lieu of an hourly wage, the stipend must be the equivalent of minimum wage or higher for the total hours worked.**

Cooperative Work Experience Education is the gold standard of internship management. Any work-based learning experience that meets Title IV requirements can be supported by CWEE through the enrollment of the intern into COOP-180.

*Adopted from the Department of Labor Fact Sheet 71, the UCLA Career Center Internship Guidelines and Council for the Advancement of Standards in Higher Education.

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Application of the Fair Labor Standards Act (FLSA) Internship Checklist

The information below is to help determine if interns and students working 'for profit' employers are entitled to minimum wages and overtime pay under the FLSA. Courts have used the "primary beneficiary test" to determine the economic reality of the intern/employer relationship to determine which party is the "primary beneficiary" of the relationship. Courts have determined the following 7 factors.

With respect to the individual student's placement at a business establishment, do all of the following criteria apply?

- 1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee – and vice versa. Yes No
2. The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions. Yes No
3. The extent to which the internship is tied to the intern's formal education program by integrated coursework or the receipt of academic credit. Yes No
4. The extent to which the internship accommodates the intern's academic commitments by corresponding to the academic calendar. Yes No
5. The extent to which the internship's duration is limited to the period in which the internship provides the intern with beneficial learning. Yes No
6. The extent to which the intern's work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern. Yes No
7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship. Yes No

Unpaid interns for public sector and no-profit organizations, where the intern volunteers without expectation of compensation, are generally permissible.

YES to all seven criteria

The individual student is NOT an employee within the meaning of the FLSA. Wages are optional.

NO to any seven criteria

The business must compensate the student worker both parties are jointly responsible for compliance.

Company Name:
Representative Signature:
Contact Email: Date:

COOPERATIVE WORK EXPERIENCE EDUCATION

What is the Cooperative Work Experience Education Program?

The Cooperative Work Experience Education (CWEE) Program at Los Medanos College grants transferrable college credit for what students learn and accomplish on the job. There are three types of participants; those who enroll in COOP-160, General Work Experience where their employment **does not** relate to their major, COOP-170, Occupational Work Experience where the student's employment **does** relate to their major and COOP-180, Occupational Work Experience *Internship* which is a short term (one or two semesters) often unpaid, for students who have finished some portion of course work in their major.

What qualifies as college-credit eligible learning?

Only worksite learning that is new, substantive and measurable can earn college credit. Your worksite objectives must be attainable by the close of the semester, and involve methods that are clear and concrete.

How much college credit can one earn?

Students may earn up to four units per semester, to a maximum of sixteen units. Each course may be repeated three times. The number of units earned is partly determined by the number of hours a student works on the job during the semester. One unit of credit will be earned for 75 hours worked on a paid job.

Units Earned for Paid Hours Worked

1 unit = 75 hours total	3 units = 225 hours total
2 units = 150 hours total	4 units = 300 hours total

Note: Volunteer (unpaid) employees earn one unit of credit for every 60 hours of work, as follows: 1 unit – 60 hours; 2 units – 120 hours; 3 units – 180 hours; 4 units – 240 hours

Why enroll in the Cooperative Work Experience Program?

The college credits students earn for their job through CWEE participation gives recognition to the learning that occurs in the workplace. CWEE also serves to enhance the communication between the student and worksite supervisor, helping to clarify on-the-job goals or objectives. Academic credit earned through CWEE can be used to satisfy elective unit's requirements towards a certificate, AA Degree or CSU System transfer. (See your counselor for further information).

Co-op Work Experience Objectives/Agreement		LMC Instructor: Date: Employer :								
Student's Name: Social Security Number:										
Learning objectives which reflect new or expanded job responsibilities or levels of performance must be written by the student in consultation with the employment supervisor and the instructor. Objectives must be measurable and attainable by the close of the academic period. Minimum of one objective is required per unit of credit.										
Obj# 1 a) What you will attempt to accomplish?..... by when?										
b) How (what steps or methods) will you achieve it?										
c) How will this be evaluated? by whom?										
Obj# 2 a) What you will attempt to accomplish?..... by when?										
b) How (what steps or methods) will you achieve it?										
c) How will this be evaluated? by whom?										
Obj# 3 a) What you will attempt to accomplish?..... by when?										
b) How (what steps or methods) will you achieve it?										
c) How will this be evaluated? by whom?										
Obj# 4 a) What you will attempt to accomplish?..... by when?										
b) How (what steps or methods) will you achieve it?										
c) How will this be evaluated? by whom?										
AGREEMENT: The participants agree in the validity of the above objectives. Employer and Instructor will provide supervision/guidance to insure maximum educational benefit from this work experience, and will meet during semester to discuss/evaluate student's progress										
_____ Empl. Supervisor's Signature	_____ LMC Instructor's Signature	_____ Director, Work Exp. Educ.								
_____ Student's Signature										
Evaluation Of Objectives (Employment Supervisor's Use Only)		Instructor's Use Only								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 5px;">Obj #1</td> <td style="width: 25%; padding: 5px;">Obj #2</td> <td style="width: 25%; padding: 5px;">Obj #3</td> <td style="width: 25%; padding: 5px;">Obj #4</td> </tr> <tr> <td style="height: 40px;"></td> <td></td> <td></td> <td></td> </tr> </table>	Obj #1	Obj #2	Obj #3	Obj #4						
Obj #1	Obj #2	Obj #3	Obj #4							
Rating Scale (To Be Done at End of Semester)										
A= Far Exceeds Average Accomplishments C= Average Accomplishments B= Better than Average Accomplishment D= Limited Accomplishments										

Cooperative Work Experience Education & Internships

Employer Evaluation of Student Workplace Competencies

Los Medanos College, 2700 East Leland Rd, Pittsburg, CA 94565; Phone 925.473-7417

Student Name: _____

Student ID: _____

Company/Organization: _____

Student Job Title: _____

Rating Scale: 4 = Excellent (A); 3 = Above Average (B); 2 = Competent (C); 1 = Unsatisfactory (D); NA = Not Applicable

Workplace Competencies	4	3	2	1	NA	Comments
Professionalism/Work Ethic: Demonstrates personal accountability, effective work habits, e.g., punctuality, working productively with others, and time and workload management.						
Teamwork/Collaboration: Builds collaborative relationships with colleagues and customers; is able to work with diverse teams, negotiate, and manage conflicts.						
Oral/Written Communication: Articulates thoughts and ideas clearly and effectively; has public speaking skills. Writes clearly and effectively						
Critical Thinking/Problem Solving: Exercises sound reasoning and analytical thinking; uses knowledge, facts, and data to solve workplace problems; applies math and science concepts to problem-solving.						
Ethic/Socials Responsibilities: Demonstrates integrity and ethical behavior; acts responsibly with the interest of the larger community in mind.						
Information Technology Application: Selects and uses appropriate technology to accomplish a given task; applies computing skills to problem-solving.						
Self-Direction/Lifelong Learning: Is able to continuously acquire new knowledge and skills; monitors own learning needs; is able to learn from mistakes.						
Diversity: Learns from and works collaboratively with individuals representing diverse cultures, races, ages, genders, religions, lifestyles, and viewpoints.						
Creativity/Innovation: Demonstrates originality and inventiveness in work; communicates new ideas to others; integrates knowledge across different disciplines.						
Leadership: Leverages the strengths of others to achieve common goals; uses interpersonal skills to coach and develop others.						

Supervisor's Printed Name _____

Supervisor's Signature _____

Date _____

Instructor's Printed Name _____

Instructor's Signature _____

Date _____

Student's Printed Name _____

Student's Signature _____

Date _____

INTERNSHIP RESOURCES:

1. **CIWEA – College Internship and Work Experience Association**
www.ciwea.org
2. **College Central – LMC Job and Internship Posting Site**
www.collegecentral.com/losmedanos/
3. **CEIA Cooperative Education & Internship Association**
<http://www.ceiainc.org/>
4. **LinkedIn**
www.linkedin.com
5. **GlassDoor**
www.GlassDoor.com
6. **Internship.com**
www.Internship.com
7. **InternMatch.com**
www.InternMatch.com
8. **Idealist**
www.Idealist.org