

Interns are routinely used in various departments of the Worcester Public Schools in a manner designed to provide the intern with an extension of educational experience through real-world work and content specific competencies. In most cases, internships may last several weeks or for a college semester.

When using interns, we follow Massachusetts law that requires all workers to be paid at least the state minimum wage unless an exception applies. There are five exceptions: (1) someone providing professional service; (2) agricultural or farm workers; (3) people being rehabilitated or trained under rehabilitation or training programs in charitable, educational or religious institutions; (4) members of religious orders; and (5) outside sales workers who don't make daily reports or visits to the office or plant of their employer. See M.G.L. c. 151, s. 2. If the intern doesn't fit into one of the exceptions, they must at least be paid the state minimum wage for the time working as an intern.

Under Massachusetts law, only training programs through charitable, educational or religious institutions can be unpaid. Even if the internship is through a charitable, educational or religious institution, it must be a true training program.

There is a list of six characteristics of a training program under federal law. These factors are used by the Massachusetts Division of Occupational Safety ("MDOS"), the entity which administers the Massachusetts minimum wage law, to determine if someone working with a charitable, educational or religious institution can be legally unpaid. These are the factors:

1. The internship is similar to the 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 the close supervision of the 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 intern understand that the intern is not entitled to wages for the time spent in the internship.

The second and fourth factors above call into focus what an unpaid internship is supposed to be all about. An internship is supposed to be about the intern's benefit and not about free work for the employer. Even if an internship is with a charitable, educational or religious institution, it must be to help and train the intern. If it is not, it must be a paid internship.

In several of the cases below, we meet the exemption because the internship directly applies to work associated with their required educational coursework. Some examples of these unpaid internships include:

- In the Child Study Department, for example, there were eight unpaid interns last year from Springfield College and Assumption College completing 450-600 hours of experiential work towards their degree requirements.

- In Human Resources, there have been college students for thirty hours up to one semester intervals for unpaid internships from College of the Holy Cross, Nichols College, Mt. Wachusett Community College, and Salters School relating to the coursework at their school.
- The School Nutrition Department typically has one or two unpaid nutrition/dietetic interns per year, typically from Framingham State University. The internship is a required component of their degree program.

The number of unpaid interns vary from year-to-year and fluctuate during the course of the year. These internships are generally coordinated between the local college and the sponsoring department directly.

The Worcester Public Schools Information Technology Department has a very strong paid internship program with an excellent track record. In all of these cases, the work of the interns goes beyond simple extension of coursework, but are used as part-time staff to supplement existing staff of the IT Department.

Many of the IT interns have gone on to full time work for the school system or for other major IT companies in the area. Eight previous interns are currently full time staff members of the WPS IT Department, including the Network Administrator, two Network Technicians, Systems Administrator, two Software Engineers, Online Media Specialist, and Quality Assurance Analyst. Interns in the IT department require very specialized training. In most cases, these students attend Worcester colleges and ultimately have stayed in Worcester working in the IT field.

The full time IT department has a very small staff, consisting of twenty staff members to support 3,800 employees and 25,000 students. That is one IT position per 1,300 users. The IT paid internship program supplements the existing staff, allowing an increased level of service. This could not be replicated with an unpaid internship program because the scope of their work would be so limited it would not serve as a benefit to the district. As with our other experiences, traditional unpaid interns are sourced through local universities. This revolves around at most a semester basis (working 20 hours or less per week) which is simply not enough time to train a college student to handle the complex tasks associated with working in the IT department. By the time an intern would be trained, they would be leaving at the end of the semester. The amount of time and effort training this intern would not pay off in the amount of work received by the district. The distinction between the unpaid internships above and the IT interns, is these positions are actually providing a valuable part time service to the district. Paid IT internship positions have existed within the district budget for the past eighteen years.

The following is FY15 budget for paid IT interns:

1 General Fund budget – full year	\$17,223
3 Grant Funded – full year	<u>\$51,669</u>
Total	\$68,892

There are no other paid interns in the WPS at this time.