

UNIVERSITY of **HOUSTON** | **BAUER**
ROCKWELL CAREER CENTER

Unpaid Internship Supplemental Acknowledgement

The United States Department of Labor (DOL), has provided guidance to help determine whether interns must be paid the minimum wage and overtime under the Fair Labor Standards Act for the services they provide to private sector employers (DOL’s fact sheet on Internship Programs Under the Fair Labor Standards Act, <http://www.dol.gov/whd/regs/compliance/whdfs71.htm>). According to the DOL, internships in the private sector will most often be viewed as employment, and need to be paid, unless the test relating to trainees is met. In order to determine if an internship may be unpaid, six (6) criteria must be applied. According to the DOL, if all of the six (6) criteria below are met, an employment relationship does not exist under the FLSA, and the Act’s minimum wage and overtime provisions do not apply to the intern.

Please initial next to each one signifying your agreement that your internship meets each of the DOL criteria:

- _____ 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 close 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.

I understand that the Fair Labor Standards Act requires that I pay my workers at least a minimum wage if my internship does not meet all of the six criteria above.

Signed Name

Printed Name

Company

Date

Internship Position Title