

**Internship Advice for Employers**  
**From Michael Marcotte, Faculty Internship Coordinator**  
**UNM Communication & Journalism Department**

Thanks for your interest in the C&J Department's Internship Program! Your well-structured, well-supervised intern opportunity gives a student a significant career start!

If you are still working out the purpose and design of your internship program, consider some online guidance for employers [like this from Internships.com](http://Internships.com). It's important the program be designed as an educational experience for the student.

**Begin with an "Internship Notice"**

When you've articulated the design of your internship program and you are ready to invite students to apply (Hint: recruit well in advance), email an "internship notice" to me at [mmarcotte@unm.edu](mailto:mmarcotte@unm.edu). Include work duties, target start and end dates (Note: spring and fall are 16-week semesters; summer is about 8-weeks), whether resume and work samples are needed, and your contact information. (See attached example of a typical notice.)

This recruitment info will be shared with our students (on bulletin boards, by email listserv and via Facebook) and may be sent to faculty to announce in class. Interested students will contact you directly. Your ensuing selection procedures are up to you.

**Internships for Credit**

Some employers insist students earn university credit for their internships; some don't. Please advise your student applicant if this is a requirement. Then if students choose to do the internship for credit, they must meet C&J requirements and register for the internship course.

[Internships are for 1, 2 or 3 credits. Students receive 1 credit for every 45 hours worked. A typical internship is 3 credits – about 135 work hours per semester. Please note this on the agreement.]

Our students should bring an agreement for you to sign. (The agreement is available on our website.) Use the agreement to discuss and detail the work arrangements with the intern. You and the student should both sign the agreement, then you should return it to the department where it will be signed by our program coordinator, Jessica Chavez. If transmitting electronically, please email [jflynn@unm.edu](mailto:jflynn@unm.edu). Jessica will ensure the student meets requirements for registration.

If you and the student agree the internship is NOT for credit, our department will not be a party to the agreement.

## **Paid or Unpaid**

Regardless of whether the student chooses to do an internship for credit, you may pay the intern according to your policy. We strongly encourage paid internships because they attract the most applicants, they create a more diverse talent pool, and they level the playing field for those students who may otherwise need the earnings of a part-time job.

If you are a for-profit business, we suggest you consult with a labor attorney about your program. Federal and state labor departments have policies for employers using unpaid interns. See the attached fact sheet.

## **Faculty Contact**

All students who do internships for credit will have me as C&J faculty sponsor. I monitor the internship from a distance, checking in with the student several times during the internship. I will award a “credit/no credit” decision at the end of the internship based on the student’s final packet of work samples, work log, a final paper and exit surveys. I typically do not meet with the employer, however, you should feel free to contact me at any time (email: [mmarcotte@unm.edu](mailto:mmarcotte@unm.edu); phone: (505) 289-0489).

## **Thanks!**

On behalf of the C&J Department, I appreciate your willingness to provide an educational experience for our talented students. I’m here to help with your planning, your recruitment, your supervision and management, or any other aspect of the program. Feel free to get in touch!

Michael Marcotte  
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Communication and Journalism Dept.  
University of New Mexico  
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## SAMPLE INTERNSHIP NOTICE

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**Title:** Public Relations/Communications/Social Media Intern  
**Department:** Marketing, Communications  
**Reports To:** Sr. Communications Manager  
**Schedule:** Varied, about 10 hours per week  
Start Date: negotiable End Date: negotiable

Our organization XXXXXXXXX is a private, not-for-profit corporation, looking for motivated, creative, and self-starting students to intern (**unpaid**). Public Relations / Journalism / Communications / Marketing majors are encouraged to apply.

Build your portfolio and resume while helping us serve clients in Albuquerque. The internship will give you the opportunity to gain a working knowledge of our service, give you valuable job experience and offer you a chance to hone your writing skills and develop local media contacts.

### **Your work assignments may include:**

- Writing for public relations and communications
- Assistance with media relation
- Media research
- Website editing
- Social Media research and planning

### **Our requirements:**

- Strong writing skills
- Ability to work independently
- Strong work ethic
- Capable verbal skills
- Excellent organizational skills
- Proficiency in Microsoft Word
- Ability to see projects / tasks through to completion

### **Send or email resume and cover letter to:**

Human Resources  
Corporation XXXXX  
Albuquerque, NM 87102  
E-mail: hrperson@xxxxx.org  
Phone: 505.121.3434  
EOE

## **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).<sup>1</sup>

### **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.<sup>2</sup> 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.

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<sup>1</sup> 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.

<sup>2</sup> 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](#)