

Inviting an Unpaid Intern

Policy: Rensselaer Polytechnic Institute will maximize the benefits of an internship experience and ensure compliance with applicable federal, state, and local laws, and will distinguish uncompensated interns/trainees from employees. For a relationship to be classified as being an “unpaid intern”, the following criteria must all be present:

Intern – One who, as part of an academic program:

- (1) Performs services primarily for his or her own training benefit and
- (2) Does not displace a regular employee and
- (3) Produces little or nothing of value for the employer and
- (4) Understands that he or she is not entitled to a wage for the period of training; and
- (5) Is not entitled to a position when the training ends.

(Full text found here: <http://www.rpi.edu/dept/hr/policy/HRPolicySection300.pdf>, page 300-6)

Process Overview:

How to Request an Appointment for an Unpaid Intern

Before agreeing to sponsor an intern who is not part of a program sponsored by the Summer, Outreach and Advanced Professional Studies Office (SOAPS), the Portfolio (School or Division) must provide the Division of Human Resources (HR) with information regarding the proposed activities. HR will use this information to classify the relationship as an “Unpaid Intern” or as an “Employee”.

The supervising faculty or staff member will prepare a memo for their Portfolio Owner (typically the Dean or Vice President). The memo is expected to contain the following information.

- Name of the participant
- Name of the person who will supervise the intern
- Academic status and contact information for the school (e.g. Senior at Round Lake High School, Mr. Tom Jones, Math Teacher) and a description of the internship program, if any. If no formal program applies, please provide the student’s academic advisor or guidance counselor’s name and contact information.
- Description of the activities that the participant will undertake as part of the internship experience
- The location(s) of the student’s experience
- Dates (beginning and end, use specific dates, (e.g. January 12 – May 15, not “Spring”)
- Schedule (e.g. three (3) afternoons per week from approximately 3:00 p.m. - 5:00 p.m.)
- Acknowledgement that the activities meet the criteria of an unpaid internship, and that no work that is compensable under the Fair Labor Standards Act will be performed.

Submitting the Request and Response:

The Portfolio owner is expected to review and acknowledge the proposed appointment. If the Portfolio Owner supports the request, he or she will sign the request, and forward it to the Division of Human Resources. (Kathy McNamara, mcnamk@rpi.edu). In Ms. McNamara’s absence, please forward to hmail@rpi.edu. HR will respond with an approval of the classification as unpaid intern, or make a recommendation for another classification. Please allow two weeks of lead time when submitting your request.

Next Steps:

If the Division of Human Resources agrees that the relationship is appropriately classified as an Unpaid Intern, the department must provide the intern with an appointment letter. *See attached sample.*

Typically, unpaid interns do not engage in activities that require an ID card or an RCS account. If these items are needed, please work directly with the ID Desk (extension 6670) and the Help Desk (extension 7777) to learn about requirements and policies surrounding visitors and access.

If the Division of Human Resources feels that the relationship is not appropriately classified as an Unpaid Intern, the requestor will be directed to the appropriate alternate process.

Note: Activities of Unpaid Foreign National Visitors who are not on payroll should also meet the standards above. Contact the Office of International Students and Scholars Services for more information.

The Division of Human Resources
Rensselaer Polytechnic Institute

Contact Information: Kathy McNamara, Manager of Employment Operations at mcnamk@rpi.edu, (518)276-8426