

# **Paid vs. Unpaid Intern Requirements: Fact Sheet for Company Representatives**

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## **Requirements for all companies offering internships for academic credit through JPCatholic**

As listed on the [Memorandum of Understanding](#)

The company must:

1. Provide a John Paul the Great Catholic University (JPCatholic) Intern with a challenging and meaningful learning experience that will promote his/her professional development and achievement of learning outcomes.
2. Provide adequate supervision and guide the Intern through a minimum of 90 hours of work within the Quarter (usually 9+ hours per week for 10 weeks)
3. Determine if the Internship is a volunteer or paid position.
4. Communicate to the Intern the philosophy, policies, programs and services of the organization.
5. Define the organization's expectations of the Intern.
6. Integrate the Intern as a functioning participant in appropriate levels of organizational activities, projects and programs; and if a specific project could be assigned and evaluated.
7. Notify JPCatholic personnel of any changes in the intern's work status, schedule, or performance.
8. Respond to short, post-internship evaluation initiated by JPCatholic personnel.
9. Maintain general liability, professional liability, and worker's compensation insurance as required by law.

## Paid Interns

Interns who are paid at least California minimum wage for the duration of their internship can be classified as employees, and thus can complete work an employee would otherwise do.

However, for a paid student to be considered an intern (eligible to receive academic credit for their experience from JPCatholic), it must be a **significant learning experience** for the student that advances the goals of their degree. The student must be working with a supervisor at the company and will be overseen by a professor at JPCatholic to ensure that their internship is a significant learning experience that advances academic goals.

## Unpaid Interns

Students paid less than California minimum wage are considered unpaid interns, even if they receive a stipend.

### Non-Profit Companies

“Unpaid internships for public sector and non-profit charitable organizations, where the intern volunteers without expectation of compensation, are generally permissible.” (WHD)

- There must still be a written agreement that there won’t be any compensation (JPCatholic paperwork)

### For-Profit Companies

The FSLA requires for-profit companies to pay employees at least minimum wage for their work. In order for a student to be unpaid, they must be treated as a non-employee. The student, not the company, must be the **primary beneficiary** of the internship. If the company is primarily benefiting from the work the intern completes, the student will be classified as an employee and must be paid at least California minimum wage.

Tasks appropriate to unpaid internships at for-profit companies can include:

- Job shadowing
- Shadowing team meetings or client meetings
- Directly training with or receiving feedback from company representatives
- Practice exercises that benefit the student rather than the company, similar to an educational setting

Key factors needed to qualify as an unpaid internship:

- Written agreement that there won’t be any compensation (JPCatholic paperwork)
- Training similar to an educational setting rather than independent work
- Cannot take the place of a regular employee

Source: <https://www.dol.gov/agencies/whd/fact-sheets/71-flsa-internships>