

# Cuesta College Internship and Work Experience Programs: Labor and Employment FAQs

The Cuesta College Internship and Work Experience Programs are intended to give students real-world experience in their area of academic study. We connect all internships to curriculum so that students are able to learn hands-on in connection with their academic plan.

Our Internship and Work Experience Programs strengthen student learning, build effective work habits, and create career awareness. Our goal is to have students develop workplace competencies through internships and/or jobs.

While the Work Experience Program is not required for all Cuesta College students participating in our Internship Program, most of our interns will elect to participate in a Work Experience course and complete relevant course assignments. This allows students to gain college credit while participating in their internship.

Students participating in a Work Experience course must first secure a position, paid or unpaid, with a supervisor to receive college credit. Credit is earned based on 75 hours of paid work or 60 hours of unpaid internship/volunteer work per unit the student is enrolled.

Below are some frequently asked questions by employers with brief answers and resources.

## FREQUENTLY ASKED QUESTIONS (FAQs)

### **What is the definition of an “Internship”?**

The National Association of Colleges and Employers (NACE) defines an internship as follows:

*“An internship is a form of experiential learning that integrates knowledge and theory learned in the classroom with practical application and skills development in a professional setting. Internships give the students the opportunity to gain valuable applied experience and make connections in the professional fields they are considering for career paths; and give employers the opportunity to guide and evaluate talent.”*

Source: <https://www.nacweb.org/about-us/advocacy/position-statements/position-statement-us-internships/>

### **As an employer, what am I responsible for when accepting an intern?**

As an employer taking on an intern, we require that you mentor and guide the student throughout a contracted internship time frame. Providing supervision is crucial as workplace duties related to the student's area of study help align the student's curriculum with their internship experience. You will sign appropriate documentation outlining the employer and student responsibilities in connection with the internship.

For employers with students enrolled in a Work Experience course: Employers agree with the intent and purposes of Work Experience education and will sign a copy of the student's application. This will include agreed upon, job-oriented learning objectives. The class also includes an evaluation done of the student's work, which will be turned in to a Work Experience faculty advisor. The employer will also agree to have the student participate in a set number of workplace hours in accordance with the Work Experience course units their student has registered for.

Some other key employer responsibilities for an internship, with or without a Work Experience course, include the following:

- Providing necessary training, equipment, materials, and appropriate facilities at the worksite(s)
- Permitting and participating in worksite visits to develop measurable, new, or expanded job-oriented learning objectives
- Evaluating the student's approved, measurable job-oriented learning objectives
- Verifying the number of hours worked by the student

### **What is the definition of an employee? How do I know that my intern fits the definition of employment?**

Visit U.S. Department of Labor website for a complete definition of a legal employment relationship:  
<https://www.dol.gov/agencies/whd/fact-sheets/13-flsa-employment-relationship>

### **I am a "for-profit" employer. Do I have to pay an intern?**

There is general information provided by the U.S. Department of Labor 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).

Visit the U.S. Department of Labor website to take a test to determine if you need to pay an intern:  
<https://www.dol.gov/whd/regs/compliance/whdfs71.htm>

### **I am a "non-profit" employer. Do I have to pay an intern?**

As with "for-profit" employers, the U.S. Department of Labor provides general guidelines for payment of non-profit employees.

Visit the U.S. Department of Labor website for more information:  
<https://www.dol.gov/whd/regs/compliance/whdfs71.htm#2>

### **Do I need to provide Workman's Compensation for an intern?**

All California employers must provide workers' compensation benefits to their employees under California Labor Code Section 3700. This includes interns who are paid by the employer.

However, the U.S. Department of The FLSA exempts certain people who volunteer to perform services for a state or local government agency or who volunteer for humanitarian purposes.

This includes:

- Unpaid internships for public sector and non-profit charitable organizations, where the intern volunteers without expectation of compensation
- Individuals who volunteer their time, freely and without anticipation of compensation, for religious, charitable, civic, or humanitarian purposes to non-profit organizations.
- Individuals volunteering for non-profit food banks.

For more information on Workman's Compensation, visit the State of California Department of Industrial Relations: <https://www.dir.ca.gov/dwc/faqs.html>

Unpaid internships approved by SDCCD are covered by the SDCCD Workman's compensation plan.

### **Can I fire an intern?**

Cuesta College must be made aware of all employment concerns within both the Internship and Work Experience programs. If a student concern or issue arises, please contact the Work Experience Instructor or Job Developer.

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