

## The Test for Unpaid Interns

In certain circumstances, individuals who participate in “for-profit” private sector internships or training programs may do so without compensation.

The Supreme Court has held that the term “suffer or permit to work” cannot be interpreted so as to make a person whose work serves only his or her own interest an employee of another who provides aid or instruction.

This may apply to interns who receive training for their own educational benefit if the training meets certain criteria.

The determination of whether an internship or training program meets this exclusion depends upon all of the facts and circumstances of each such program.

The following six criteria must be applied when making this determination:

- 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.



# Youth Work Experiences & Internships at Your Business

# Thank you!

Thank you for opening your doors and taking the time to show a young adult what it is like to work in your industry and environment.

We realize that this is extra time for you and we value your willingness to help our younger workforce see what careers and opportunities are available to them.

## We hope that this information is helpful.

Please talk with our program staff who are working with you regarding any questions you may have that have not been answered.

You may also call  
**509.340.7800**  
and ask to speak to the Youth Services Manager.

For paid work experiences, one of the agencies at the Next Generation Zone (Career Path Services) holds a minor work permit to cover our participants 16 and 17 years of age. However, we need to make sure that they are following proper rules and procedures at your site that are put in place to keep them safe.

These include hours and schedules they are permitted to work and that they are not doing things such as handling power tools. Some of these procedures are laws set by state and federal agencies. Others are policies that our program has added for the safety of our participants.

## We want to make this as streamlined as possible for you.

That is why we have put together this brochure to cover some of the details of having a youth at your worksite.

Our #1 goal is always to keep our young adults safe. We want this to be a positive experience for them as well as for you.

Washington State Department of Labor & Industries, as well as the Federal Department of Labor has rules and guidelines specific to 16 and 17 year olds that we may be placing with you.

## Rules....

### Hours and Schedules Minors are Permitted to Work in Non-Agricultural Jobs

	Hours a Day	Hours a Week	Days a Week	Begin	Quit
<b>16-17 year-olds</b>					
School weeks	4 hours (8 hours Fri.-Sun.)	20 hours	6 days	7 a.m.	10 p.m. (Midnight Fri.-Sat.)
School weeks with a <a href="#">special variance</a>	6 hours (8 hours Fri.-Sun.)	28 hours	6 days	7 a.m.	10 p.m. (Midnight Fri.-Sat.)
Non-school weeks	8 hours	48 hours	6 days	5 a.m.	Midnight

## Meals & Breaks

Sixteen and seventeen year-old workers are entitled to an uninterrupted meal period of at least thirty minutes when working more than five hours a day. They are entitled to at least a ten minute paid rest break for each four hours worked and must receive a rest break at least every three hours.

## What work activities are teens prohibited from doing in non-agricultural jobs?

### Prohibited duties common to restaurants, delis, and grocery stores:

- \* Operating a meat slicer or powered bakery equipment.
- \* Regular driving of motor vehicles to make deliveries, such as pizza delivery (no driving on public roads for those 16 or under).
- \* Driving a forklift.
- \* Loading, operating, or unloading of paper balers and compactors.
- \* Work in freezers, meat coolers, and in preparing meats for sale.
- \* Slaughtering, meat packing, or food processing.

### Prohibited duties common to construction-related activities:

- \* Roofing - all work on or around a roof.
- \* Working at heights greater than 10 feet off the ground or floor level.
- \* Wrecking and demolition.
- \* Elevators, hoists, and cranes.
- \* Flagging.
- \* Trenching or excavating.
- \* Boilers or in engine rooms.
- \* Power-driven woodworking or earth-moving machines.

### Other prohibited duties:

- \* Manufacturing of brick, tile, and similar products.
- \* Jobs where exposures require the use of respiratory protection or hearing protection.
- \* Nurses' aide or nurses' assistant, unless the minor is in a state-certified training program.
- \* Jobs with possible exposure to bodily fluids, or radioactive and hazardous substances.