

## Employer Responsibilities

Lake Erie College values its relationship with all employers of internship students. We see this as a true partnership in the education of our students. Because of this, it is important that our students have meaningful work assignments, closely related to their chosen field. The ultimate success of this program occurs when the student makes the connection between the classroom and the workplace, and the employer develops a pool of qualified graduates ready to accept positions of responsibility.

### **Employers will be successful in their use of internships if they adhere to the following procedures:**

- Each employer interested in participating in Lake Erie College's internship program must submit a detailed job description. This can be completed online at <http://www.lec.edu/career> by clicking on "Storm Career Network."
- To assist the office of Career Services & Internships (CS&I) in preparing students for interviews, any materials providing company history and information are welcome. The information will be shared with students in preparation for interviews with the organization.
- Once employers receive resumes from the CS&I, interviews should be scheduled as soon as possible. The office of CS&I can assist in this process by providing accommodations for on-campus interviewing.
- It is important that the employer provide feedback to the office of CS&I on students' response to calls and interview performance. The office of Career Services & Internships does not condone lack of response or inappropriate preparation for interviews from students.
- **Students may not begin their internship until all parties have signed the Internship Application & Agreement Form (Appendix B).** In the event that the employer prefers a different form, or has additional agreements for the student to complete, they should contact the office of Career Services & Internships.
- Negotiation of salary and benefits is left solely to the employer and the student. Lake Erie College will, in no way, attempt to influence negotiations.

Once the student begins his/her internship experience, it is the employer's responsibility to:

- Provide an orientation for the student covering the following areas:
  - Facility tour

- Worksite policies and procedures
  - The organizational structure
  - The corporate culture
  - Introduction to coworkers
- Provide the student with adequate workspace including a desk, chair, telephone, office supplies, and a computer (where appropriate).
  - Keep an eye on the intern. The employer should watch for signs that the intern is confused or bored. As often as silence means that an intern is busy, it could also mean that she/he is confused and shy about telling the employer. Paying attention early helps to head off problems and bad habits early on in the internship.
  - Make sure the intern has a mentor or supervisor to provide guidance. Make it someone who truly likes to teach, and the experience will be even better for everyone.
  - Be aware of the number of hours the student must complete at the job site to receive academic credit. **The employer is responsible for verifying the accuracy of all hours worked by the student.**
  - Insure that the student is not required to work more hours than is stipulated in the intern agreement.
  - Complete a **midterm evaluation** (Appendix D) at the midpoint of the academic semester and submit to the office of Career Services & Internships.
  - Communication is the most important aspect of the partnership between the employer, the student and the college. The office of Career Services & Internships requests immediate notification from the employer should the following situations occur:
    - Failure of a student to report for the assignment
    - Excessive absenteeism
    - Unexplained or continual tardiness
    - Improper dress
    - Uncooperative attitude
    - Insubordination or any other disciplinary issues

**Upon completion of the internship period, communication on the following topics is requested of the employer:**

- A **complete final evaluation** (Appendix G) of the student's performance. It is asked that this form be completed and submitted to the office of Career Services & Internships in a timely manner, as it affects the awarding of the student's final grade.

- Students may request a letter of recommendation. If it is within the company's policy to provide one, please do so.
- If the employer intends to make the student an offer for a permanent position, it should be communicated to the student at the earliest possible date. This will prevent uncertainty on the part of the student that may lead her/him to solicit other positions.

### **Dismissal Procedures**

While we hope there is never a need to sever the business relationship prior to the scheduled ending date, it is always a possibility. Prior to dismissing a student from her/his assignment, we ask that the following procedure be observed (The employer may feel free to supply us with a copy of the company procedure):

- Notify the office of Career Services & Internships of the difficulties surrounding the student assignment well in advance of the decision to dismiss.
- The director (and if appropriate the faculty sponsor) will meet with the employer and the student separately, then together if necessary.
- The employer should provide documentation of the student's actions leading to the dismissal. This is important in order to facilitate communication with the faculty sponsor in terms of the student's grade.
- If it is determined that the relationship cannot be saved, and this was not a good match, efforts will be made to provide the employer with another student.

We want all Lake Erie College students to represent themselves and the college well, in addition to providing the employer with much needed skills and a willingness to learn. This can only occur successfully if every member of the partnership works together.

### **Non-compete/Nondisclosure Agreements**

Organizations that want interns to sign **non-compete** or **non-disclosure** agreements should:

- Advise the office of Career Services & Internships, prior to posting the position announcement, that the internship is conditional upon signing a non-compete or non-disclosure agreement, and explain the purposes, intent and critical provisions of the agreement.
- Ensure that the non-compete agreement precisely defines the competitive activity that is to be restricted. It should be limited to the activity that would have a direct impact on the organization's business and provide the student with other options for employment. If there are no other options for employment during the non-compete period, the company should agree to pay the student a salary for the length of time it does not want the student to work for the competitor.

If the College finds the agreement to be acceptable, it is the responsibility of the employer to give the intern a reasonable period of time to review the documents, alone or with an attorney.

## **Legal Issues**

### **Do you have to pay interns?**

The U.S. Fair Labor Standards Act (FLSA), which applies to all companies that have at least two employees directly engaged in interstate commerce and annual sales of at least \$500,000, severely restricts an employer's ability to use unpaid interns or trainees. It does not limit an employer's ability to hire paid interns.

You don't have to pay interns who qualify as trainees. The U.S. Department of Labor has outlined six criteria for determining trainee status:

1. Interns cannot displace regular employees.
2. Interns are not guaranteed a job at the end of the internship (though you may choose to hire them at the end of the experience).
3. Interns are not entitled to wages during the internship.

4. Interns must receive training from your organization, even if it somewhat impedes the work process.
5. Interns must get hands-on experience with equipment and processes used in the industry in which they intern.
6. Interns' training must primarily benefit them, not the organization.

### **Workers' and Unemployment Compensation**

Workers' compensation boards have found that interns contribute enough to a company to make them employees. It is wise to cover interns under your workers' compensation policy even though it is not required. Student interns are not generally eligible for unemployment compensation at the end of the internship.

### **Keep in Mind**

Even if a student is working through a school program for which he or she is being "paid" in college credits, the student still has the right, under the FLSA, to be paid unless the employer is not deriving any immediate advantage by using him/her.

Paid interns make ideal workers—hungry to learn, eager to make a good impression and willing to perform a multitude of tasks. The relatively small amount of money employers spend on intern wages and benefits is a good investment, because it often produces future, long-term employees.

The employer should identify the specific terms and conditions of employment (e.g., dates of employment as an intern, including internship end date; compensation; organizational and/or reporting relationships; principle duties, tasks or responsibilities; working conditions; and any other expectations), and should discuss these with the prospective intern, so that there is no misunderstanding regarding the relationship.