

**CITY OF NEW BERN
ADMINISTRATIVE ORDERS
OF THE CITY MANAGER**

ADMISTRATIVE ORDER 2.2
INTERNSHIP POLICY
To: All City Employees
From: Mark Stephens, City Manager
Maintained By: Human Resources
Date: March 2017
New Policy

Purpose

The City of New Bern periodically employs interns for specific periods for students currently enrolled at an institution of higher education. The City's intern program (paid and unpaid) will be managed through the City's Human Resources Department in coordination with City departments and colleges/universities. The purpose of this policy is to outline responsibilities and to ensure such interns have a productive experience with the City.

Procedures

Qualifications

Any student currently enrolled at an institution of higher education is eligible to apply to the Internship Program by completing a City of New Bern employment application. Interns that are conditionally offered paid internship positions will have a criminal background check processed and will be required to pass a drug test prior to starting the internship.

Authorization For Paid Internships

Hiring managers who plan to add interns for specific assignments must complete a Personnel Transaction Notice (PTN). The proposed rate of pay must be minimum wage, unless otherwise approved by the City Manager. The intern will be subject to overtime provisions of the Fair Labor Standards Act (FLSA). The following must be included in the Comments section on the PTN: a) days/hours of work, b) duration of the expected work. PTNs must be routed to the Human Resources Department after department head approval has been obtained and prior to extending a conditional offer of employment to the intern.

Information Technology Division notification

The department employing the intern will contact the IT division to coordinate any needed workstation items, including telephone and internet capabilities, to ensure that the workstation is operational prior to the intern's start date.

Orientation

The intern will be provided with an abbreviated orientation program that will highlight City policies with which he or she will be expected to conform during the specific term of employment. This orientation will exclude any discussion of programs and policies, including many of the benefits plans, which do not apply to interns.

The department will be responsible for providing the intern with an in-depth review of key aspects of the position the intern will be engaged in, department functions and activities, and the interaction of these activities with the work the student worker will be performing.

Progress report

Due to the short-term assignment of interns, and in accordance with college/university reporting requirements for students, the department head will be responsible for providing a narrative report of the intern's assignments and progress at the close of each month the student is engaged. If the college/university requires narrative reports on a different schedule, the department head shall comply with this requirement. A copy of the progress report will be forwarded to the HR department for record-keeping and reporting purposes.

Final report and out-processing

In the week in which the intern's assignment comes to a close, the department head will provide a final progress report in addition to any report required by the educational institution the student attends. This report and a Personnel Transaction Notice should be forwarded to the Human Resources Department on the last day of the internship.

Authorization for Unpaid Internships


Federal guidelines by the U.S. Department of Labor (DOL) list six factors to use in determining whether an intern is an unpaid intern or a paid intern (employee) under the Fair Labor Standards Act (FLSA). If all of the following factors are met, then the worker is an unpaid intern, an employment relationship does not exist under the FLSA, and the act's minimum wage and overtime provisions do not apply to the worker:

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.

If any of the above criteria are not met, the intern is an employee (paid intern) and is not an unpaid intern.

The Department Head must submit an Authorization Form for Unpaid Internship (see Appendix A) to the Human Resources Department prior to the start of the internship.



Mark A. Stephens
City Manager

03/16/17

Date

APPENDIX A: AUTHORIZATION FOR UNPAID INTERNSHIP

Name: _____
(Last) (First) (Middle)

Address: _____

Phone Number: _____

Department/Division: _____

Start Date: _____ Expected End Date: _____

College/University Attending: _____

I certify that the following unpaid internship factors are met:

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.

Note: If any of the above criteria are not met, the intern is an employee (paid intern) and is not an unpaid intern.

Supervisor Signature

Date

Department Head Signature

Date

Director of Human Resources Signature

Date