

# Manager Fact Sheet: Student Interns

March 2012

## Introduction:

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This fact sheet provides information and recommended best practices to state human resource professionals and managers considering hiring student interns.

## Definitions:

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A **Student Intern** is a person who is attending or has been accepted to an accredited school, college, or university and is hired directly by an agency into a student intern position.

Student interns are not eligible for earned leave benefits, holiday benefits, and group health insurance benefits. Student interns may participate in the retirement program if they work less than 960 hours per year. Student interns working more than 960 hours per year must join the retirement system.

Student interns are not eligible to achieve permanent status without a competitive selection process and may be discharged at anytime (2-18-101, MCA).

## History

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It is important to note there is no formal policy regarding student interns. A bill was passed in the 2005 legislature defining student intern in the context of state employment, pay, benefits, and other employee rights and responsibilities. Student interns were excluded from the definition of state employee.

## Frequently Asked Questions:

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### *Must I advertise a student intern position?*

No. However, we would recommend using a competitive process. A competitive selection process will ensure you select the right person with the right competencies for the internship. Remember, there is no charge to post student internships on the web or with accredited colleges or universities.

### *Do all internships provide college credit?*

It depends on the school and program. Some internships will provide college credit, while others serve as a valuable work experience for the intern.

### *Must I use FTE to hire a student intern?*

It depends. If the internship is unpaid, there is no need to use an FTE. However, if you will be paying the intern, you must have an FTE available to enter the intern's information into SABHRS. Typically interns will use .5 FTE if they are only working during the summer months. These position numbers are assigned through the budget office.

### *Do all student interns get paid?*

No. It depends on the type of internship and circumstances surrounding the internship. If you are not going to pay the intern, make sure the intern meets all the requirements of a trainee as defined in the Fair Labor Standards Act (FLSA) (Wage and Hour Opinion Letter, Jan. 6, 1996). For more information on trainees see:

[elaws - Fair Labor Standards Act Advisor](#)

*If the internship is paid, what is a reasonable rate?*

Since intern positions are not classified, there is not a defined pay schedule. Consider the complexity of the work in conjunction with your agency's internal equity issues.

***If the internship is paid, how is their time reported?***

They should follow the same procedures as regular employees in your agency for submitting time.

***When should agencies start their planning process for student interns?***

It's a good idea to start planning three to four months prior to the end of the school year. Start the communication within your agency management so they can determine the need, funding, and process for hiring a student intern.

***Are student interns paid for holidays, sick time, and vacation time?***

No. They are not considered employees and therefore are not eligible for these benefits.

***Are student interns covered under workers' compensation?***

It depends. Absent a contractual agreement to the contrary, student interns are covered by the agency's workers' compensation insurance whether the internship is paid or unpaid.

A contractual agreement with the Montana University System should state that the university is required to comply with the provisions of the Montana Workers' Compensation Act and is responsible for workers' compensation insurance coverage for student interns. Proof of current workers' compensation insurance coverage is required prior to the start of work by all student interns.

***How long can the student intern work?***

The student intern designation was created to eliminate the 90-day restriction of a short term worker. Student interns may come to work for an agency during summer vacations, school breaks and after-school hours provided they meet the definition of a student intern.

***If I hire the student intern as a result of a competitive selection process, can I transfer them into a permanent position?***

No. Student interns must compete for the permanent position to gain permanent status and meet the definition of an employee.

**Conclusion:**

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Student interns can be a valuable addition to your workforce. It gives your agency an opportunity to showcase your organization and gives the intern the opportunity to "try out" state employment, gain valuable work experience, and possibly class credit. Consider student interns for special projects that will enhance your organization's mission.

Statistics regarding workforce demographics indicate there will be far fewer people to fill vacancies in the future. Montana state government provides a wonderful opportunity for a sustainable career with excellent benefits.

*Alternative accessible formats of this Fact Sheet will be provided on request. Persons who need an alternative format should contact the State Human Resources Division, Department of Administration, 125 N. Roberts St., PO Box 200127, Helena, MT 59620-0127. Telephone 406-444-3871. Those using a TTY may call through the Montana Relay Service at 711.*