

Metro | *Policies and procedures*

Subject Internships
Section Human Resources
Approved by Martha Bennett, Chief Operating Officer; MERC Commission

POLICY

Metro offers internships to promote community engagement and provide training opportunities for students and other members of the public. Internships may be paid or unpaid.

Applicable to

All departments.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.

Definitions

Internship: A training opportunity for the educational benefit of the intern. Internships may be paid or unpaid; however, unpaid internships must comply with legal requirements to ensure that an employment relationship is not created under state and federal wage and hour laws.

Guidelines

1. Metro departments may offer internships for students and/or other members of the public. Internships must provide educational experiences to the intern, and may be paid or unpaid.
2. Paid interns are employees of Metro and are subject to all applicable Metro personnel policies, work rules and procedures.
3. Unpaid interns are subject to Metro's personnel policies only where noted in the policies or otherwise provided by law. Unpaid interns may also be required to follow department procedures applicable to their work.
4. Interns are expected to meet the performance and conduct standards applicable to the internship opportunity and to fulfill their agreed commitments.

Procedures

1. A department may offer internship opportunities at the discretion of the Department Director in consultation with the Human Resources Department.

- a. Relevant considerations include the department's supervisory capacity, the availability of educational work assignments, and the potential benefits to Metro and its constituent communities, such as promoting interest in Metro and increasing the diversity of applicant pools for regular employment.
 - b. An internship may be offered in collaboration with a school or other partner organization as long as the collaboration is consistent with Metro's mission and the internship complies with applicable law and Metro policies.
 - c. The Department Director or other designated hiring manager will determine whether the internship will be paid or unpaid. For paid internships, the rate of pay will be determined in consultation with HR.
2. The hiring manager must consult with the HR Recruitment Analyst before offering an internship. Recruitment and selection of interns will typically be in accordance with Metro's Recruitment and Selection policy.
 - a. The HR Department may approve modified procedures if appropriate, consistent with applicable law. For example, modified procedures may be necessary to facilitate collaboration with a school or other partner organization.
 - b. Interns who are over 18 years old must receive a background check.
 - c. Unpaid interns must sign an Acknowledgment of Unpaid Internship form on or before the date the internship begins.
3. Unpaid internships must comply with state and federal legal requirements. By law, unpaid internships must meet the following criteria:
 - a. The internship must supplement training that would be given in an educational environment, even though it includes actual Metro operations;
 - b. The internship experience must be for the benefit of the intern;
 - c. The intern must not displace regular part-time or full-time employees;
 - d. The intern must work under close supervision of existing staff;
 - e. Metro should derive no immediate advantage from the intern's activities, and on occasion its operations may actually be impeded;
 - f. The intern is not entitled to a job at the conclusion of the internship (he or she may apply for future opportunities in accordance with regular procedures);
 - g. Metro and the intern agree in writing that the intern is not entitled to wages for the time spent in the internship.
4. Paid interns are subject to all applicable Metro personnel policies, work rules and procedures. Departments are responsible for ensuring that paid interns review Metro's personnel policies, consistent with policy review and acknowledgment requirements for all Metro employees.
5. Departments are responsible for providing unpaid interns with an opportunity to review all applicable policies, work rules and procedures, including but not limited to the following:
 - a. Americans with Disabilities Act policy;
 - b. Criminal Background Check policy;
 - c. Discrimination and Harassment policy;
 - d. Domestic Violence, Sexual Assault, Criminal Harassment and Stalking Protections;
 - e. Driving and Vehicle Use policy (if applicable);
 - f. Information Technology: Acceptable Use policy (if applicable);
 - g. Military Servicemembers and Families – Leave Rights and Accommodation policy;

- h. Religious Accommodation policy
 - i. Whistleblowing (Reporting Improper Conduct) policy;
 - j. Workplace Violence policy;
 - k. All safety rules and procedures applicable to the assignment;
 - l. All conduct and performance standards, procedures, and other information applicable to the assignment.
6. Metro is legally restricted from providing direct or indirect compensation to its unpaid interns. Supervisors must request review from the Office of Metro Attorney (OMA) before offering new discounts, privileges, or other benefits to unpaid interns.
 7. Supervisors are required to track unpaid interns' work hours and report this information to the HR Department Payroll Division no later than 10 calendar days after the end of each quarter for workers' compensation purposes.
 8. An intern may be removed from his or her assignment with or without notice for any lawful, non-discriminatory reason. Removal may be appropriate in the event of conduct or performance problems or changing operational needs. Supervisors of interns must consult with the HR Department and/or OMA before removing an intern.
 9. Interns may contact their supervisor or HR with any questions or concerns.

Responsibilities

Supervisors and Managers:

- Consult with the Department Director and HR Recruitment Analyst before offering an internship.
- Work with Information Services and Facilities staff to arrange appropriate work space, equipment, and network access for the intern.
- Manage internships in accordance with applicable law and Metro policies. Consult with HR and OMA as needed and/or as directed by this policy.
- Ensure that unpaid interns have signed an Acknowledgment of Unpaid Internship and submitted it to HR on or before the date the internship begins.
- Provide interns with all applicable policies and procedures.
- Track unpaid interns' work hours and report this information to the HR Department Payroll Division no later than 10 calendar days after the end of each quarter.

Human Resources Department:

- Advise staff and interns on policies as needed.
- Conduct appropriate background checks on potential interns.
- Obtain interns' signatures on Acknowledgment of Unpaid Internship forms and maintain files.
- Evaluate practices for consistency with the values and goals of the Metro Diversity Action Plan and advise hiring managers accordingly.

- Provide Equal Employment Opportunity disclosure and track demographics and other data as outlined in the Diversity Action Plan.

Interns:

- Sign and submit an Acknowledgment of Unpaid Internship on or before the first day of your internship.
- Comply with all applicable policies and procedures.
- Promptly advise your supervisor or his/her designee of any changes to your availability.
- Contact your supervisor or the HR Department with any questions or concerns.

References

Fair Labor Standards Act

Oregon House Bill 2669 (2013)

Americans with Disabilities Act policy

Criminal Background Check policy

Discrimination and Harassment policy

Domestic Violence, Sexual Assault, Criminal Harassment and Stalking Protections;

Driving and Vehicle Use policy

Information Technology: Acceptable Use policy

Military Servicemembers and Families – Leave Rights and Accommodation policy

Religious Accommodation policy

Whistleblowing (Reporting Improper Conduct) policy

Workplace Violence policy

Attachment

Acknowledgment of Unpaid Internship form



METRO

Acknowledgement of Unpaid Internship

To: Human Resources Department
Name of Intern: _____
Department: _____
Beginning Date of Internship: _____

I understand and agree to the following:

- a. As an unpaid intern, I am not entitled to wages or any other compensation for the time spent in this internship.
- b. I do not have an employment relationship or employment rights with Metro except as required by law.
- c. I am not entitled to a job at the conclusion of the internship. I may apply for future opportunities through Metro's regular recruitment and selection process.

Intern Signature

Date