

## Bits & Pieces – Part 3

Waldthausen & Associates, Inc. is a Retained Executive Search firm with the focus on recruiting managers that influence a company's result and earnings. The firm focuses on recruiting professional managers for US subsidiaries with parent companies located in central Europe.

### Department of Labor Updates Child Labor Regulations

The US Department of Labor (DOL) has released final regulations restricting the jobs minors may perform in the workplace. The regulations address such work hazards as cooking and baking, driving, roofing and working with explosives, compactors and paper balers. The final rules are effective as of March 15, 2005. Under the new regulations, 14- and 15-year-olds may not cook except with electric or gas grills and automated deep fryer baskets. Children under 17 may not drive on the job, while 17 year-olds may drive in some jobs if they have completed a driver education class, have a clean record, and a valid state license. Sixteen and 17-year-olds are prohibited from all roofing occupations and from operating or setting up power-driven paper-product machines, including paper balers and compactors. They may load materials into scrap paper balers and paper box compactors in certain circumstances, but no one under 18 may operate or unload balers or compactors. Final regulations are on the DOI's Web site: <http://www.dol.gov/esa/regs/fedreg/final/2004027182.htm> (Employers Resource Association)

### Working with Interns

Many companies are gearing up to recruit summer interns from local high schools, college and universities. Interns can be an excellent source of extra labor to help businesses during the summer months. Below are some tips to help you establish a positive internship experience for the company and the intern.

**Call schools now.** Start developing a relationship with local high schools, colleges and universities today. Talk with them about the type of students you expect to attract, the kinds of positions other companies are offering, and, of course, compensation. When it's time to construct your positions, you'll know the competition.

**Interview.** Each student will have different interests and career goals. Learn about their interests and goals so you can tailor a position that will provide the greatest satisfaction and fulfillment.

**Create meaningful work.** Make sure the position you offer is more than just busy work. Find out your intern's particular talents and abilities and capitalize on them. They'll be happier, and so will you.

**Establish mentors.** Before the intern arrives, identify someone in the department who is willing to help them learn what they need to know. Recruit your sponsors and mentors ahead of time.

**Clarify expectations.** What do you expect of the intern(s)? What can they expect from their supervisor(s)? From the company? From their coworkers?

Organizations that develop positive internship experiences can create a pipeline for valuable future employees. Hiring someone who already knows how to get things done in your organization will allow you to capitalize even more on the time invested in training them. For high school students, employers should make sure they comply with child labor laws that restrict work hours and job duties. (*Workforce Stability Alert*)

### Trainee or Employee? When to Pay Interns

**Question:** We are considering recruiting several college students for summer internships in one of our departments. Do we have to pay them?

**Answer:** In some cases, individuals working for an employer in a training capacity do not qualify as "employees" under the Fair Labor Standards Act (FLSA) and therefore do not have to be paid. Their activities and work completed during the internship will determine their employment status.

The following criteria are used to determine if the trainees or students are employees within the meaning of the FLSA. ALL of these criteria must be met in order to establish the internship as unpaid.

1. The training, even though it includes actual work done at the facilities of the employer, is similar to that which would be given in a vocational school. The learning experience encompasses a sequence of activities that build upon one another, increase in complexity, promote mastery of basic skills and are coordinated with education provided via the school-based learning component.
2. The training is for the benefit of the trainees or students.
3. The trainees or students do not displace regular employees. The placement of trainees or students does not result in the employer not hiring an employee it would otherwise hire and does not result in an employee working fewer hours than he or she would otherwise work.
4. The employer receives no immediate advantage from the activities of the trainees or students and, on occasion, may have operations impeded. Any productive work that the trainee performs would be offset by the burden to the employer from the training and supervision provided.
5. The trainees or students are not necessarily entitled to a job at the conclusion of the training period. This does not preclude employers from offering a position at the end of the training program.
6. The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training. (*The Management Association of Illinois*)

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