

# The Tests for Unpaid Interns and Students

Courts have identified the following seven factors as part of the test:

- **Expectation of Compensation.** Is it clear that there is none? Any implied or stated compensation makes the intern an employee.
- **Training:** Does the internship provide training comparable to any other educational environment?
- **Formal Education.** Is the internship tied to the intern's formal education, either through integrated coursework or academic credit?
- **Schedule:** Does the internship period correspond to the academic calendar?
- **Applicability:** Is the internship's duration limited to a period of beneficial learning?
- **Paid Work Product:** Does the intern's work complement, rather than replace, the work of paid employees?
- **Promise of work:** Is there no promise, understanding or entitlement to a paid job at the internship's conclusion?