

Question

TO: Senate

QUESTION FROM: Senator Erin Sobat

RESPONSE FROM: Senator Christopher Manfredi, Provost and Vice-Principal (Academic)

SUBJECT: Question Regarding University Regulation of Unpaid Internships

MEETING DATE: November 23, 2016

PREAMBLE: Whereas, numerous McGill units post and promote unpaid student internship opportunities, including but not limited to Faculty internship and career offices, University internship and career offices, and academic departments;

Whereas, these opportunities may be distributed through channels including, but not limited to, University websites, databases, emails, social media, posters, handbills, and events;

Whereas, according to Quebec's *Act Respecting Labour Standards*, unpaid internships or *stages* are illegal unless they meet the following criteria:

1. internships that are part of a program provided by an approved educational institution;
2. internships where the student is working for a non-profit organization with social or community purposes;
3. internships that are part of a programme of vocational training;

Whereas, some campus internship and job listings include disclaimers indicating that students are responsible for determining the legality and benefits of any internship opportunities.

QUESTION: What steps does the University currently take to regulate the posting and promotion of unpaid internship opportunities?

- a. What mechanisms or criteria are in place, either at the University or unit level, to ensure compliance of these opportunities with government regulations?
- b. How can community members report issues or concerns regarding unpaid internship postings?

RESPONSE:

Thank you for your question, Senator Sobat.

I would like to address an aspect of the preamble to your question, first. Internship and job postings do not include disclaimers making students solely responsible for determining the *legality* of an advertised position. It does remain the responsibility of students to ensure that they meet the appropriate eligibility requirements for off-campus employment if they are neither citizens nor permanent residents of Canada, and that any necessary permissions for posts in other countries are obtained. With respect to the benefits of an internship, the student is best placed to decide for himself or herself what sort of experience is desired but there are advisors available to help with decision making.

Currently, for example, the Internship Offices Network includes the following statement with its advertised internship opportunities:

By publishing these databases, neither McGill University nor the Internships Office is, in any way, endorsing the internship opportunities contained herein. These databases are provided simply as a resource to assist students in the process of exploring existing internship opportunities. Each individual student must explore on her/his own the strengths and weaknesses of each internship opportunity and the extent to which it might meet her/his needs.

The McGill Career Planning Service includes this statement:

The McGill Career Planning Service (CaPS) has prepared the information contained in this system from data supplied by our employers. Should you encounter any difficulties with these employers, or find inaccuracies, please contact the CaPS office immediately. CaPS reserve the right to decide which job advertisements we will post. Please note that certain individuals may offer you "special" employment and/or training services in return for a fee that may be charged to your credit card. They may ask you to sign a contract. Please do not accept these offers without first checking with the CaPS office. Anyone using the information obtained from or through this website shall do so at his or her own risk and shall be deemed to have waived and released the McGill Career Planning Service (CaPS) and McGill University of any and all causes of action at law or in equity, rights, and claims or damages or other relief as a result of such use.

We believe that outside-the-classroom experiences such as internships, stages, field courses or other activities, allow students to develop important skills and help them prepare for the job market. We believe that experiential learning is a hallmark of a 21st century education, and through the McGill Commitment, aim to provide as many such experiential opportunities as possible to all of its students.

To answer your question with respect to the regulation of postings:

To the best of our knowledge, internships offered through the University comply with Quebec Labour Standards Act. The Act excludes students from the definition of “employee” when they work during the school year “in an establishment selected by an educational institution pursuant to a job induction program approved by the Ministère de l'Éducation, du Loisir et du Sport or the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie”. This would include, for example, the stages that are core components of some of McGill's professional degree programs.

McGill internship offices also follow the Canadian Association of Career Educators and Employers (CACEE) Statement on Unpaid Internships as a guideline to vet placements that are not degree program requirements. The statement, available in full at the link below, recommends ten criteria by which to assess the legitimacy of unpaid internships:

1. The training is similar to field-specific or applied training that can be found at a post-secondary institution.
2. The training is for the benefit of the intern.
3. The organization providing the training derives little, if any, benefit from the activity of the intern while he or she is being trained.
4. The intern does not displace employees of the organization providing the training.
5. The intern is not accorded a right to become an employee of the organization providing the training.
6. The intern is advised that he or she will receive no remuneration for the time that he or she spends in training.
7. The skills and/or experience gained must be transferable to other employment settings.
8. There are clearly defined and articulated learning outcomes for the intern to realize by the conclusion of the internship.
9. Regular supervision is given by a professional pertinent to the internship.
10. Internships must be for a defined period of time.

http://www.cacee.com/CACEE_Statement_on_Unpaid_Internships.html

Anyone wishing to report a concern is invited to contact the Internship Offices Network (ION), the internship office within his or her Faculty, or the Office of the Deputy Provost, Student Life and Learning.
