



**STATE OF MONTANA  
DEPARTMENT OF CORRECTIONS  
POLICY DIRECTIVE**

Policy:	<b>DOC 1.3.17 STUDENT INTERNS</b>	
Chapter 3:	ADMINISTRATION AND MANAGEMENT	
Section 1:	Human Resources	
Effective Date:	November 8, 2007	Page 1 of 3 and Attachment
Revised:	May 7, 2020	
Signature:	/s/ Reginald D. Michael	

**I. POLICY**

The Department of Corrections maintains policies for recruitment and selection of student interns that provide fair and equitable access to Department work experience opportunities.

**II. APPLICABILITY**

All Department of Correction’s divisions, facilities and programs.

**III. DEFINITIONS**

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility or program operation and management.

Bona Fide Work – Work that would normally be performed by a paid employee.

Compensated – Intern receives pay for the hours worked.

External Posting – An advertisement of a job opening outside the Department of Corrections.

Hiring Authority – A staff member designated by the administrator to assume responsibility for overseeing the recruitment, selection, and supervision of the student intern.

Non-compensated – An intern who is unpaid and works solely for college credit or valuable work experience.

Student Intern – A person, hired by the Department for the purpose of gaining learning experience, who has been accepted in or is currently enrolled in an accredited school, college or university. Student Interns are not eligible for permanent status without a competitive hiring process; must be covered by the hiring agency’s workers’ compensation insurance; are not eligible to earn leave or holiday pay and may be discharged without cause. Student Interns may be eligible for group insurance benefits based on hours worked.

**IV. DEPARTMENT DIRECTIVES**

**A. General Requirements**

1. Student internships consist of a supervised and structured practical experience to enhance the interns’ understanding of the Department as well as establish future network partnerships.

2. The Department may provide student internships on a compensated basis with a competitive hiring process or non-compensated basis without a competitive hiring process. Should an internship position change from non-compensated to compensated, the incumbent intern must participate in a competitive selection process.

## **B. Recruitment**

1. Any candidate who wishes to apply for a student internship must complete the appropriate section of the [Intern Application/Proposal](#).
2. Interns must meet minimum qualifications for a position and are responsible for obtaining any necessary certification.
3. The hiring authority must complete a reference and criminal background check on selected applicants.
4. At the beginning of a student internship, the supervisor and intern will complete the [Intern Application/Proposal](#) to confirm whether the internship will be compensated or non-compensated. Non-compensated intern duties and responsibilities must be carefully outlined so there is no misunderstanding over whether the service performed is compensable under the Fair Labor Standards Act or includes bona fide work.
5. Interns will receive an orientation to the Department and the assigned division, facility, or program.
6. At the end of the internship, the supervisor will provide the intern with a written evaluation outlining strengths, , and recommendations for future improvement related to the goals and objectives identified at the beginning of the internship. The supervisor may forward a copy of the evaluation to the Human Resources (HR) and upon request from the supervisor the HR may conduct an exit interview with the intern.

## **C. Compensated Interns**

1. Divisions, facilities, or programs wanting to recruit a paid intern must have an FTE available or get approval from Administrative Services Division (ASD). ASD will submit a Budget Change Document (BCD) to the Governor's Budget Office with a completed FTE detail sheet.
2. The hiring authority must submit a signed letter from the Department director stating why the Department is in need of this paid position and send an "Authorization to Recruit Form" to the DOC budget office. The DOC budget office will submit the request to the Governor's budget office requesting a position be created for the intern.
3. Paid interns will be recruited externally in accordance with the *Montana Operations Manual, Recruitment and Selection Policy*.
4. Compensation will be based on the nature of the internship, the duties, and the individual's qualifications. The supervisor will establish the rate after consulting with the HR to ensure consistency.
5. All paid interns must fill out the new hire employment paperwork on their first day of work.

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#### **D. Non-compensated Interns**

1. A non-compensated internship position must meet the following criteria:
  - a. the position experience, though operational, is similar to that which would be obtained in a post-secondary institution of higher learning;
  - b. experience is for the benefit of the student;
  - c. intern does not displace an employee and is under supervision of a Department employee;
  - d. the Department derives no immediate advantage from the activities of the intern;
  - e. intern is not entitled to a job at the conclusion of the internship; and
  - f. supervisor and intern understand that the position is non-compensated.
2. The hiring authority must assure that interns under their supervision follow procedure to assure continuous Workers' Compensation coverage during the internship.

#### **V. CLOSING**

Provisions of this policy not required by statute will be followed unless the provisions conflict with negotiated labor contracts, which will take precedence to the extent applicable.

Questions concerning this policy should be directed to Human Resources.

#### **VI. REFERENCES**

- A. 2-18-101, MCA
- B. [Manager Fact Sheet: Student Intern Fact Sheet, March 2012; Department of Administration](#)
- C. 29 USC Chapter 8: Fair Labor Standards Act

#### **VII. ATTACHMENT**

[Intern Application/Proposal](#)