



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

Policy No. DOC 1.3.17	Subject: STUDENT INTERNS
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 3 and Attachment
Section 3: Human Resources	Effective Date: Nov. 8, 2007
Signature: /s/ Mike Batista, Director	Revised: 10/09/2015

I. POLICY

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

II. APPLICABILITY

All divisions, facilities, and programs Department-owned and contracted, as specified in contract.

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 that has been accepted in or is currently enrolled in an accredited school, college or university; is not eligible for permanent status without a competitive hiring process; must be covered by the hiring agency's workers' compensation insurance; is not eligible to earn leave, holiday, and group insurance benefits; and may be discharged without cause.

IV. DEPARTMENT DIRECTIVES

A. General Requirements

1. The Department endeavors to provide shared learning experiences in functional areas that address an identified Department objective and satisfactorily meets the goals of a proposed student internship.
2. 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.
3. 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

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intern 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 the agreement; 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, concerns, 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 Office of Human Resources (OHR) and upon request from the supervisor the OHR will conduct an exit interview with the intern.

C. Compensated Interns

1. Divisions, facilities, or programs wishing to recruit a paid intern must have an FTE available or get approval from the Budget and Program Planning Bureau by submitting a budget change document (BCD) 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 Budget and Program Planning Bureau. The budget department will submit the request to the Governor's budget office requesting a position be created for the intern.
3. No position may be posted for a paid intern until an authorization to recruit form is submitted to and approved by the Budget and Program Planning Bureau.
4. Paid interns will be recruited externally in accordance with the *Montana Operations Manual, Recruitment and Selection Policy*.
5. Compensation will be based on the nature of the internship, the duties, and the individual's qualifications. The appropriate supervisor will establish the rate after consulting with the OHR to ensure equity and consistency.
6. 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 the Office of 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](#)