

Paid And Unpaid Interns Gain Additional Protections Under New York City Human Rights Law

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**Koryn M.
McHone**
Of Counsel

Attention employers - the use of interns remains a hot topic in the legal realm, as protections for interns continue to grow. In fact, just this week, New York City Mayor Bill de Blasio signed off on a New York City Council bill bringing interns under the umbrella of protections against workplace discrimination afforded by the city's human rights laws (in addition to those protections already afforded to such individuals). Specifically, [the legislation](#), adds a new subdivision (Section 8-102) to the city's administrative code and is ordered to take effect within sixty days of enactment. An "intern" under this subdivision can be paid or unpaid and is defined as: an individual who performs work for an employer on a temporary basis whose work: (a) provides training or supplements training given in an educational environment such that the employability of the individual performing the work may be enhanced; (b) provides experience for the benefit of the individual performing the work; and (c) is performed under the close supervision of existing staff. The term shall include such individuals without regard to whether the employer pays them a salary or wage.

This legislation, which was first introduced in March of this year, gained approval quickly and arises just months after a New York federal district court dismissed sexual harassment claims lodged by an unpaid intern under the New York City Human Rights Law, finding the intern not to have been an employee under said law because she had received no remuneration for her services. *Wang v. Phoenix Satellite TV Us, Inc.*, No. 13-Civ-218, 2013 U.S. Dist. LEXIS 143627 (S.D. N.Y., Oct. 3, 2013). It serves as a valuable reminder that treatment of interns remains under scrutiny in a variety of areas of employment law; thus, employers should continue to consult with counsel as questions pertaining to intern relations arise.

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