International Student and Scholar Services





VOLUNTEERING VERSUS UNPAID EMPLOYMENT/INTERNSHIP

VOLUNTEERING

UNPAID EMPLOYMENT/INTERNSHIP

- ✓ Services are performed for a nonprofit organization for public service, religious or humanitarian objective
- ✓ No expectation of compensation whatsoever (including free housing, gift cards, food, stipend, expense reimbursement, etc.)
- ✓ The volunteer cannot displace a genuine employee
- ✓ Services provided by volunteer should not be the same services for which he or she was previously paid and/or expects to be hired and paid for in the future
- Services are offered freely and without coercion
- Examples of volunteering include volunteering at a homeless shelter, charitable food pantry, or American Red Cross

- ✓ Unpaid internship/employment can be for private sector, for-profit entity or non-profit
- ✓ Must relate to field of study
- ✓ No compensation is provided, including other types of compensation other than pay (e.g., free housing, gift cards, food, expense reimbursement, stipend, etc.)
- ✓ Training duties complement, rather than displace, the work of paid employees
- ✓ Unpaid employment/internship is tied to formal education program
- Unpaid employment/internship corresponds to academic calendar
- ✓ Intern is not entitled to a job at the conclusion of unpaid internship/employment
- ✓ Unpaid internship/employment experience is for the benefit of the intern, not the employer

According to the Department of Labor, a volunteer is an "individual who performs hours of service...for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered." We recommend you also take a look at the Department of Labor's test for Unpaid Interns and Students: DOL Test

Obtaining employment authorization for unpaid internships/employment is strongly recommended!

Working without authorization is a serious violation to your F-1 student status. ISSS is required to report this type of violation to the government and terminate your Sevis record/I-20. This means you would have to leave the U.S. immediately to avoid accumulating unlawful presence. Please #TalkToUs if you are unsure about how this could affect your status.

Email: international-office@sjsu.edu

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