

Ministry of Labour

Ministère du Travail

**Employment Practices  
Branch**

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Monday, September 29, 2014

Dear Ms. Seaborn,

From April 1 to June 15, 2014, the Ministry of Labour conducted a proactive enforcement blitz in sectors known to hire a high proportion of interns. The purpose of the blitz was to promote compliance with the *Employment Standards Act, 2000*, as well as to educate employers and provide them with information materials.

As part of our program's ongoing commitment to share the results of our enforcement blitzes with key stakeholders in advance of their posting, I have attached a copy of the report to this correspondence for your information.

The results of this blitz will be posted on the ministry's website on Tuesday, September 30, 2014.

For more information on the Employment Standards Program's proactive enforcement efforts, please visit our proactive enforcement page at:

<http://www.labour.gov.on.ca/english/es/topics/proactiveinspections.php>

Sincerely,

*Original signed by*

Stephen McDonald  
(A) Director, Employment Standards

## Blitz results

### Employment Standards — Internships

The internship inspection blitz that ran from April 1 to June 15, 2014, was the fourth employment standards blitz conducted by the Ministry of Labour.

“Internship” is a term commonly used to describe a temporary work arrangement that involves a person working at a business in a beginner or junior position, who may or may not receive pay for that work.

Generally, if you perform work for another person or a company or other organization and you are not in business for yourself, you would be considered to be an employee, and therefore entitled to [Employment Standards Act, 2000](#) (ESA) rights such as the minimum wage.

There are some [exceptions](#), but they are very limited, and the fact that you are called an intern is not relevant to whether your internship should be paid or unpaid. There are also exemptions for secondary school students in co-op work experience programs for credit or programs approved by a college of applied arts and technology or a university.

During the blitz, employment standards officers visited workplaces in the Greater Toronto Area in sectors known to employ a high proportion of interns. The officers checked for contraventions of the ESA. In particular, they checked whether unpaid interns were present and, if so, whether they were employees under the ESA and entitled to be paid.

Examples of sectors visited include:

- advertising
- public relations
- computer systems design
- consulting services
- information services

## Results

56 inspections were completed:

- 8 employers had no internship programs
- 13 employers had internship positions that were all exempt.
- 5 employers had internship positions with no contraventions.

- 17 employers did not have active internship programs at the time of the inspection. Educational materials were provided to these employers for their future reference.
- 13 employers had internship positions with ESA contraventions.
- 37 compliance “tools” (e.g. Compliance Order and Order to Pay Wages) were issued.
- \$48,543 was assessed as owing to employees and the full amount has been recovered.
- The most common monetary violations were for:
  - Minimum wage
  - Vacation pay
  - Public holiday pay
- The most common non-monetary violations were for:
  - Wage Statements
  - Record keeping
  - Hours of work

## **Compliance enforcement summary**

An employment standards officer can issue a non-monetary Compliance Order if the officer finds that the employer has not complied with the ESA. The officer can order an employer or other person to comply with the ESA.

- 36 Compliance Orders were issued.

Where monetary contraventions are found and voluntary compliance was not achieved, an officer issues an Order to Pay Wages.

- 1 Order to Pay Wages was issued.