AGCAS GUIDELINES ON WORK EXPERIENCE AND THE MINIMUM WAGE

Guidelines on the minimum wage are available on the Department for Business Innovation & Skills (BIS) website:

http://graduatetalentpool.bis.gov.uk/cms/ShowPage/Home_page/What_are_my_responsibilities_/p!eFiimek

To facilitate the handling of vacancy information for students and recent graduates, some exemptions to the national minimum wage may apply, summarised below:

1. Students engaged in work experience as part of their higher education course, and where the placement does not exceed one year, are exempt.

2. “Voluntary workers” who provide their time and effort completely free and with no contractual arrangement. These workers must not receive payment or benefit in kind in return of the work they do. If the voluntary work is with a charity, voluntary organisation, school, hospital or other similar body, then they can receive reasonable expenses. This needs to be treated with care, as regular payments could affect their volunteer status.

3. Work shadowing, is exempt., where the placement consists entirely of work shadowing with no performed work.

4. Genuine volunteers who come and go as they please, and are under no obligation to perform activities according to instruction, are exempt. In this case the placement provider must not rely on the volunteer’s specific skills. The recommendation is that these sorts of placement are generally between two and four weeks in length.

Update (10 December 2009)

An Employment Tribunals decision on 20 November 2009 could have an impact on the widespread practice in some sectors of employing unpaid interns: http://www.bectu.org.uk/news/548. The case has now gone to appeal.