

J-1 Student Intern: Agricultural Supplement

(required only for internships in agricultural fields)

NC State University, as the Internship Program Sponsor must certify (pursuant to CFR 22.62.423) that any student internship program in the field of agriculture meet all the requirements of the Fair Labor Standards Act, as amended (29 U.S.C. 201 *et seq.*) and the Migrant and Seasonal Agricultural Worker Protection Act, as amended (29 U.S.C. 1801 *et seq.*). These are not common.

The FLSA requires that the student intern will be paid at least the minimum wage and either be protected from or paid for overtime work (if they are paid at all – unpaid positions are possible). The minimum wage is currently set at **\$7.25/hr**. Wages may be prorated for less than 40 hour workweeks (minimum 32 hrs/wk). If housing is provided to the intern, we can also use a rate of \$500/month for housing allowance.

The MSPA Provisions cover the following requirements:

- Farm labor contractor registration: N/A
- Employment relationship: N/A
- Disclosure: participants must receive the terms and conditions of their employment
- Information and Recordkeeping: must maintain payroll records
- Wages, Supplies, and Working Arrangements: must pay all wages when due
- Safety and Health of Housing: housing must comply with all safety and health standards (must be inspected and display certification of occupancy)
- Transportation Safety: vehicles must be insured and operated by a licensed driver
- Employer Protections: must comply with any written agreements
- Enforcement: ESA/WHd may enter and inspect the premises for compliance

For more information and full details, please refer to the MSPA website or the factsheet at:

<http://www.dol.gov/compliance/laws/comp-msawpa.htm>

<http://www.dol.gov/esa/whd/regs/compliance/whdfs49.pdf>

Certification Statement

I certify that this student internship program offered through the College of Agriculture and Life Sciences at NC State University on the Raleigh campus and/or one or more of the NC State University extension sites in North Carolina is educational in nature, for the primary benefit of the student intern, and is not primarily an employment position or for any commercial benefit. This program is and will be compliant with all state and federal laws including the requirements established by FLSA and MSPA.

Program Coordinator or Site Supervisor Signature

Date

CALS Administration (Dean or Department Head) Signature

Date