

The legal implications case study

[Law](#), [Criminal Justice](#)



MODULE 2 CASE: PERSUASIVE MEMOS

[INSERT YOUR NAME]

[INSERT YOUR INSTITUTION'S NAME]

Module 2 Case: Persuasive Memos

I have conducted an extensive research on the legal implications of internships and I have discovered that there is a legal difference between internships and employment. The Fair Labor Standards Act of 1938 explains the legal issues surrounding employment. The U. S Department of Labor has also set six conditions that must be met for an engagement to be considered an internship. As long as the company complies with the Act and these conditions, we can reap many benefits from an internship program such as having a pool of talent for future hires. We will also help students gain hands on experience as part of our corporate social responsibility.

The Fair Labor Standards Act states that employees must be paid at least a minimum wage, which currently stands at \$7. 25 per hour. While some companies pay their interns, most companies do not. This has created controversy because of the difficulty of distinguishing between unpaid employees and interns. In order to ensure legal clarity, the U. S Department of Labor introduced six criteria that define an unpaid intern.

- The training must be similar to that offered in vocational schools.
- The internship must benefit the student.
- The intern must not work in the place of a regular employee. They must work under the close supervision of such an employee.
- The employer must not derive an immediate benefit from the intern's work.

- The intern should not be entitled to a full time job after the internship.
- Both the employer and employee must be aware, from the beginning, that the engagement is an unpaid internship.

Creating the Internship Program

In my research, I came across the story of Nickerson PME's internship program. The Proprietor, Lisa Nickerson, talks about her company's year round internship program which offers hands on experience to students. She believes that many students would prefer to join such a program because of the exposure they get, despite there being no pay. We can model our internship program this way by ensuring that our interns' work gives them maximum exposure to a real life work setting. This will not only make our program competitive but also ensure legal compliance.

Ensuring Compliance

Despite the complexity of the Fair Labor Standards Act and the six criteria, it is possible to comply with these requirements. We can engage the services of an employment lawyer to give specific legal advice on compliance during and after the creation of our internship program.

Advantages of having an Internship Program

An internship program will ensure the availability of a pool of talent for future hires. This will ensure that the company retains talent as it expands. We can also choose who to retain and who to let go, based on their performance. An internship program will also help us to save on cost. It has also been observed that employees hired through an internship program are more

likely to be retained for longer.

We will also be exercising our corporate social responsibility by offering assistance to students who need hands on experience. This way, we can create an internship program that is beneficial to both us and the students. We should therefore start a year round internship program.

Summary

In writing this memo, I have followed the format of writing a memo as outlined by the Purdue Online Writing Lab. I have also followed Bowman's principles on writing letters that sell ideas. I have began the memo by presenting to Mr. Elders the legal aspect of internships, which should catch his attention since he was worried about the legal implications of internships. I have also ensured that the headings of the momo catch Mr. Elders' attention. I have then presented legal evidence supporting my position. I have also presented both sides of the issue of unpaid internships. I have gone further to persuade him step by step in order to reduce his resistance to the idea.

I have done my best to ensure that I present a memo that is free of errors, both gramatical and factual. This is because errors are likely to impede communication. I have also tried to appeal to Mr. Elders' interests by presenting the advantageous side of implementing the idea . I have discussed only facts that I am aware of to ensure credibility and increase the chances of Mr. Elders agreeing to my idea.

References

Beason, L. (2001, September). Ethos and Errors: How Business People React to Errors. Retrieved June 23, 2013, from <http://faculty.winthrop.edu/kosterj/WRIT465/samples/Beason.pdf>

Bowman, J. P. (2002, August 21). Writing Persuasive Messages. Retrieved June 23, 2013, from <http://homepages.wmich.edu/~bowman/c4eframe.html>

Damast, A. (2008, April 15). Should You Pay Your Student Intern? Retrieved June 23, 2013, from Bloomberg Businessweek: <http://www.businessweek.com/stories/2008-04-15/should-you-pay-your-student-intern>

Fisher, A. (2012, June 18). Summer intern or unpaid employee? Retrieved June 23, 2013, from http://money.cnn.com/2010/06/17/news/economy/summer_intern_unpaid_employee.fortune/index.htm

Internships.com. (2013). 10 Benefits of Starting an Intern Program.

Retrieved June 23, 2013, from <http://www.internships.com/employer/resources/setup/benefits>

Perkins, C., & Brizee, A. (2010, April 21). Audience and Purpose. Purdue OWL.

Retrieved June 23, 2013, <http://owl.english.purdue.edu/owl/resource/590/01/>

Perkins, C., & Brizee, A. (2010, April 21). Format. Purdue OWL. Retrieved June

23, 2013, from <http://owl.english.purdue.edu/owl/resource/590/03/>

Perkins, C., & Brizee, A. (2010, April 21). Parts of a Memo. Purdue OWL.

Retrieved June 23, 2013, from <http://owl.english.purdue.edu/owl/resource/590/02/>

Perkins, C., & Brizee, A. (2010, April 21). Sample Memo. Purdue OWL. Retrieved June 23, 2013, from <http://owl.english.purdue.edu/owl/resource/590/04/>

Reddy, S. (2010, November 1). Memo to all staff: Dump your trash. The Wall Street Journal. Retrieved June 23, 2013, from <http://online.wsj.com/article/SB10001424052702304316404575580534064250948.html>

U. S. Department of Labor. (2004, March). The Fair Labor Standards Act of 1938, as Amended. Retrieved June 23, 2013, from http://www.lawupdates.com/pdf/resources/employment/Fair_Labor_Standards_Act_of_1938,_as_amended.pdf