

THE INTERNS STRIKE



BACK!

TIRED OF WORKING FOR FREE, YOUNG GRADUATES ARE SPEAKING OUT AND TAKING ACTION, GOING SO FAR AS TO SUE THE COMPANIES THEY FEEL HAVE TAKEN ADVANTAGE OF THEM. IS IT FAIR – OR EVEN LEGAL – NOT TO PAY INTERNS?

WORDS ANNEMARIE LUCK

back in the Nineties, when I was living in Port Elizabeth and studying for my honours degree in journalism, my dream career as a magazine writer seemed like a holy grail. Port Elizabeth never had much of a magazine industry – unless

you count *Blush*, which was produced in neighbouring town Jeffrey's Bay – and I was loathe to settle for a crime-reporting job at our local newspaper, *The Herald*. Nothing wrong with the paper; just that I wanted to be part of a glossy. So when I was told that, as part of my degree, I had

to complete a six-week internship (at *The Herald*, of course), I asked permission to split it into two parts, completing one half at the newspaper and the other at *Femina* magazine in Cape Town. My lecturer gave the nod and soon I was boarding the Greyhound to my exciting future. I was willing to do anything to make a success of that three-week internship. Granted, I wasn't exactly hard done by. My brother lived in Cape Town so I had a place to stay and a lift to work. I even got to meet Charlize Theron as she guest-edited the magazine while I was there. But my point is, I can understand an intern's ferocious desire to get a foot in the door, and what they are willing to put up with in order to prove themselves and, hopefully, secure a job.

But everyone knows a job at the end of an internship is never guaranteed. This is something Jay Williams* knows all about. Originally from Melbourne, Australia, he now lives in Tokyo, Japan, and is currently on his third journalism internship with no full-time job in sight. 'I am still undecided about the advantages of internships,' says Williams. 'While they have been beneficial, as I got to know the feel of a media organization, I have used up a lot of energy and time without any pay. I feel that if the internship doesn't result in employment, there should be some compensation in terms either of training or of pay.' And this is one of the salient points of the matter... If an intern is not getting paid, they should receive some sort of education or training. While there are plenty of internship programmes that do offer this sort of mentorship, there are just as many that entail working ridiculous hours, or performing menial tasks (which intern hasn't done at least one coffee run? Or Champagne run, if you have a more socially relaxed team).

Probably the most shocking story to emerge recently was the death of a 21-year-old German intern, Moritz Erhardt, after he'd worked three straight nights at The Bank of America in London. He was found dead in his shower in August and it is suspected that he suffered an epileptic fit from exhaustion. While the banking industry is known for its gruelling internships (since Erhardt's death, The Bank of America has pledged to reconsider its programme), graduates across all industries are facing similar conditions. The economic recession is making competition tougher than ever. Gaining experience is essential, which means an internship is a must. But if the internship is unpaid and interns do not have the luxury of financial support, what do they do? Take on a second job? Give up on their career goals and start flipping burgers to pay the bills?

Or do they fight back? Unpaid interns have been putting their collective foot down. They've been creating petitions, hosting campaigns and forming support/awareness groups. 'There's a lot of anger... We want to build a movement,' Mikey Franklin, co-founder of the new Fair Pay Campaign, told *The New York Times*. One former intern, Manchester photographer Alec Dudson, 29, has even started his own publication, unambiguously called *Intern* magazine. He hopes the title, which has been made possible through crowd-funding on Kickstarter.com, will give creative interns a platform but also encourage debate around the subject of unpaid internships. 'If you are in a situation where a given industry is only accessible to people who can afford to work for free, the landscape of that industry could be wildly different in 10 to 15 years,' Dudson told *The Daily Beast*. 'Is creativity something you can only possess when you

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are wealthy?' But perhaps the most bold and impactful strike-back so far has been by interns gutsy enough to take things to the courtroom. Two unpaid interns on the movie *Black Swan*, Eric Glatt and Alexander Footman, won their case against Fox Searchlight Pictures in June. A federal judge in New York ruled that the company broke the law by not paying Glatt and Footman the minimum wage. More than 15 other lawsuits have reportedly followed this one. In the UK, the law is a little more vague, as there is no definition of an 'intern', according to attorney Joanna Cowie, who wrote an article on the subject for Hrzone.com. Cowie explains that, if an intern qualifies as a 'worker', rather than

a 'volunteer', he or she will be entitled to receive at least the national minimum wage. In South Africa, the position is even more sketchy; there is no national minimum wage. Rather, a minimum wage is determined per sector. When asked whether it is legal in South Africa not to pay interns, Devin Fleisch, of Joubert, Galpin & Searle Attorneys in Port Elizabeth, says this is 'short of impossible to answer. Internships are referred to in most instances in SA as learnerships. There may very well be instances where learnerships are not paid.'

Lerato Bokako is a Cape Town-based junior features writer who recently completed a magazine internship during which she was only paid transport costs. She was lucky enough to be offered a full-time job by the company. 'Going to an unpaid job every day shows your level of dedication,' she says. 'Internships can be thought of as extended learning and, looking at it from that angle, it makes sense that you wouldn't get paid, because you don't get paid to study either. However, I also think that unpaid internships discriminate against those who can't afford to work for nothing.' In addition, in South Africa companies need to adhere to BEE regulations. Nina Daniel-Gruber, an executive creative director at Zoom Advertising, says, 'The reality is that the majority of black people in South Africa come from underprivileged backgrounds and cannot even afford a roof over their heads. Therefore I believe we have an obligation to pay interns.' At Zoom, interns work for three months and earn an average of R4 500 a month. For Rob Stokes, group CEO of Quirk, a digital-marketing agency with offices in London and South Africa, 'it's simple Economics 101: if you don't pay, you will be unlikely to attract the best because someone else will pay them.' However, even though Stokes operates an impressive graduate programme that offers a salary and formal training, he also believes that companies should not be forced to pay interns. 'If someone is willing to work for free and an employer is willing to train them, why would we want to prevent this? A flexible labour market creates jobs; it doesn't destroy them.' In the meantime, it seems graduates will need another skill: negotiation. In an article for *The Telegraph*, in the UK, student Siraj Ditoo explains how, while being interviewed for an unpaid internship at a technology start-up, he 'took a risk and suggested being paid travel and lunch expenses for the first two weeks and then, if I was adding value to the company, I should be paid accordingly'.

Of course, in the end, it might just come down to slogging it out. Says Stokes, 'Bottom line is that if you want something badly enough, you can make it happen through hard work – I believe this to be true of anyone.' **mc**

* Name has been changed.