

Volunteering vs Unpaid Internships

DISCLAIMER: GCC ISO provides this guide for general information only. Information in this document does not constitute legal advice. Because immigration rules and interpretations can change, U.S. Citizenship and Immigration Services (USCIS) and the Department of State (DOS) may modify eligibility requirements or interpretations at any time.

General

Many people think that if they are not paid, they are just “volunteering” and are not really working. This is not always true. The rules about work and volunteering can be complicated and involve both immigration and labor laws. It is your responsibility to understand the rules and laws that apply to what you do in the United States.

F-1 students who want to work off campus, whether paid or unpaid, must get permission first. Working without permission is a violation of your F-1 status [see [8 C.F.R. 214.1\(e\)](#)]. If you work without authorization, your SEVIS record is required to be terminated. You may be required to leave the United States, and you may have problems getting a visa or re-entering the US in the future. If your SEVIS record is ended because of unauthorized work, you cannot apply for reinstatement to F-1 status.

What is “employment”?

Under US immigration and work laws, “employment” means doing work or services *in exchange* for something of value. This can include money or other benefits like free housing, gifts, meals, or other non-cash benefits or services. If you receive something in exchange for your labor, it is employment, even if you are not paid money.

What is an “unpaid internship”?

Unpaid internships are different from volunteering. Internships can be paid or unpaid and are usually offered by private companies. Internships are related to your major or field of study. Whether a job qualifies as an unpaid internship depends on the details of the situation. The most critical test is that you must benefit more from the internship than the employer benefits from your labor. For more information, see the [U.S. Department of Labor’s Fact Sheet #71: Internship Programs Under the Fair Labor Standards Act](#).

If you are an enrolled student, you must receive Curricular Practical Training authorization to participate in an unpaid internship.

NOTE: Glendale Community College usually does not allow students to work for the college as unpaid interns. If a GCC faculty or staff member offers you an unpaid internship, your supervisor must contact Human Resources before you start. Human Resources will decide if the internship is allowed.

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What is “volunteering”?

A volunteer is someone who helps for community, charity, or humanitarian reasons and does not expect to be paid or receive anything in return (see [29 C.F.R. 553.101](#)). Under the Fair Labor Standards Act, people are not allowed to volunteer for for-profit companies. Volunteering is only allowed for certain types of organizations, such as charities or government groups. See the [US Department of Labor](#) page on volunteering for more guidance.

To be considered a volunteer, the work performed by the individual must meet the following criteria:

- There is no expectation of pay or other benefits;
- The volunteer cannot replace a paid employee;
- The volunteer cannot do the same work they were paid for before or expect to be paid for this work in the future; **and**
- The work must be done for a non-profit organization and serve the public, a religious group, or a humanitarian cause. Learn more about what is considered a [non-profit organization](#).

F-1 students do not need work permission for activities that meet the rules above. For example, helping serve meals at a homeless shelter is allowed and is not considered employment.

Why does the United States have these rules?

The US Department of Labor (DOL) exists to protect jobs for US workers and to prevent workers from being treated unfairly. The DOL has rules to make sure that real jobs are not done for free. Even if you and an employer agree to an unpaid job because you want work experience, the arrangement may still not be allowed under US law.

How do I obtain employment authorization?

On Campus Employment:

For more information about eligibility requirements and the application process, see the “On-Campus Employment” section of our [Working in the US guide](#).

Off-Campus Employment Directly Related to Your Major

Enrolled F-1 students may apply for **Curricular Practical Training** (CPT_ to take part in an internship or work experience related to their studies. CPT is meant to support your education. The work must be relevant to your major and you must earn units for your participation. For more information about eligibility requirements and the application process, see the “Off-Campus Employment” section of our [Working in the US guide](#).

Graduating Students may apply for **Optional Practical Training** (OPT). For more information, attend a required [OPT Workshop](#) and review the [Optional Practical Training: Quick Guide](#).

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Severe Economic Hardship Employment Authorization

Severe Economic Hardship Employment Authorization is special permission that allows some F-1 students to work off campus because of financial hardship. You may be eligible for this type of employment if:

- You have been in F-1 status for at least one full academic year;
- Are in good academic standing; **and**
- Can demonstrate to the US government that:
 - You must work because of serious money problems that were not your fault and happened after you became an F-1 student;
 - On-campus jobs are not available or do not provide enough income to meet your financial needs; *and*
 - The job will not affect your full-time enrollment or your studies.

See the [Severe Economic Hardship](#) guide for more information and requirements.