

HEARST CLASS CERT. DENIAL MAY DRY UP FLOOD OF INTERN SUITS

News

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John Thompson, a partner in the Atlanta office and editor of the firm's *Wage & Hour Laws Blog*, provided commentary for the May 9 *Law360* article "[Hearst Class Cert. Denial May Dry Up Flood Of Intern Suits.](#)" The article cited a recent ruling denying class certification to unpaid interns bringing state wage law claims in a high-profile lawsuit against Hearst Corporation. Some say it may stem the tide of litigation over internship programs. But John cautioned that employers using interns must still structure their programs carefully to avoid getting hit with costly suits. "It's good for Hearst, of course, but it doesn't preclude a collective action by all of these folks if they decide to opt-in under the FLSA. The larger thing for employers to keep in mind is that despite this bit of good news for one employer, it seems clear that there is a rapidly growing trend toward lawsuits by unpaid interns." That means that employers must still think long and hard about whether they want to use interns in the first place. "Even if the employer wins the lawsuit, it still has had to devote resources to its defense. I don't see this recent Hearst ruling, which only had to do with class certification on state law claims, as meaning employers should consider this to have blown over."