



Another Court Adopts "Primary Beneficiary" Internship Analysis

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John Stapleton's [Wage and Hour Law Blog](#) post "Another Court Adopts "Primary Beneficiary" Internship Analysis" was picked up by *TLNT* on September 14, 2015.

Back in July, we reported that the New York-based 2nd U.S. Circuit Court of Appeals (with jurisdiction over Connecticut, New York, and Vermont) laid out seven non-exhaustive factors as part of a "primary beneficiary" analysis for evaluating whether unpaid interns are "employees" for purposes of the federal Fair Labor Standards Act.

In so doing, the 2nd Circuit refused to follow the test urged by the U.S. Department of Labor.

Just two months later, the Atlanta-based 11th Circuit U.S. Court of Appeals (with jurisdiction over Florida, Georgia, and Alabama) has followed suit. It too adopted the 2nd Circuit's approach and rejected the Labor Department's views as being inappropriate to an assessment of the "modern internship."

To read the full article, please visit [TLNT](#).

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