

HootSuite hammered online for unpaid internships

quoting Sundeep Gokhale

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Vancouver-based social media giant HootSuite is built to help others share online, but the company is garnering some viral attention itself after online postings accused them of violating B.C. law by not paying their interns.

There are more than 400 comments on a Reddit post titled "[Hootsuite is hiring unpaid Interns, this is illegal in B.C.](#)" since it was published Friday.

Similar accusations were posted on HootSuite's Facebook page Friday morning.

The Facebook post claims that [HootSuite is advertising multiple unpaid internships for recent graduates.](#)

"Here in B.C., the Employment Standards Act (ESA) says of internships, that in order for them to be exempt from the ESA, and thus exempt from minimum wage rules, they must be "hands-on" training that is required by the curriculum, and will result in a certificate or diploma," the post said.

The post continues to say it is illegal not to pay recent graduates for their work, unless the internship is part of a school curriculum.

HootSuite CEO Ryan Holmes said in a statement to Global News that after learning some of their internship postings may not be in compliance with local laws, they are reviewing the program.

"When we created the internship program, I believed we were doing the right thing by offering the opportunity for young people to add experience to their resume and join a Vancouver success story," Holmes said. "If we learn these internships are not compliant, we will fix it."

Holmes added that more than 50 per cent of HootSuite's interns have received full-time employment at the company following their internships. He said a legal review has revealed 15 HootSuite interns in the last year may be affected by the unpaid internship guidelines, and the company is examining their individual cases.

Are unpaid internships illegal in B.C.?

Labour lawyer at Sherrard Kuzz Sundeep Gokhale confirmed that in B.C. it is illegal for companies to hire unpaid interns who do work that benefits the company, unless it is a requirement for completion of a school program.

"The piece that employers often times violate is there is a difference between volunteering and somebody forgoing wages in order to gain an opportunity. Employers, however, often use internships as three month

interviews, which is completely illegal,” Gokhale said.

Gokhale explained that according to [B.C.’s Employment Standards Act](#), an internship is “on-the-job training offered by an employer to provide a person with practical experience.”

According to the ESA, if the duties performed by the intern are defined as work, they must be paid B.C.’s minimum wage of \$10.25 per hour.

“Work is broadly defined in the legislation and it means the labour or services an employee performs for an employer,” Gokhale said.

Gokhale said that many post-secondary institutions, such as Emily Carr University and the British Columbia Institute of Technology, have practicums worked into their curriculum, but anything outside of that is seen as work, and should be paid.

“A lot of employers will create what they believe are internships,” Gokhale said, adding that companies should seek legal advice before advertising for an unpaid position. “They are short term and employers will say they’re providing a learning experience. What we would say is that is called work.”

The problem with the law is that interns will rarely demand to be paid, or file complaints.

“It’s a growing area of concern as the economy and jobs become much more scarce and people graduate,” Gokhale said. “Employers need to be much more careful when they advertise opportunities as an internship and not get that confused with a practicum.”

The ESA is in place to prevent people from giving up their rights in order to get a job, even if they want to work for free, Gokhale said.

Social media backlash

The online backlash comes just days after HootSuite unveiled their new office, complete with nap rooms, wine and beer on tap, and a yoga room.

“I love how they got a sweetheart deal on new digs, which have yoga rooms and free beer but they exploit desperate university grads,” [a Facebook comment posted on their page read](#).

Other people posted about their experiences applying to HootSuite.

“Also, last year Hootsuite offered me the Intern Special. I was told that if I worked real hard and fit in with the team, they might be able to offer me a paid role (but no promises). However, since I’m an adult with a mortgage to pay... I turned it down,” one comment said.

Comments also showed support for unpaid internships at HootSuite.

“If I want to work for HootSuite for free why would you stop me? That’s my take. Call me a volunteer, whatever, but it’s not like it’s a secret that you’re applying for an unpaid job. It’s not like getting a degree immediately makes you relevant to the workforce, my degree taught me pretty much zero,” another comment read.

[The Canadian Association of Interns weighed in on the issue in a blog post Sunday.](#)

“HootSuite’s unpaid internships are almost certainly illegal in British Columbia. They do not appear to be part of a formal course of study leading to a certificate, diploma or degree and according to the original advertisement the intern is expected to work 40 hours per week. It looks like HootSuite’s unpaid interns would be able to [file a complaint under the BC Employment Standards Act](#) and seek the minimum wage they are entitled to for their work,” wrote Claire Seaborn.

HootSuite promptly issued a response on Facebook hours after the issue started garnering traction online, stating that they are aware of the concerns on social media and are taking them very seriously.

According to an update on the Reddit post, HootSuite then removed part of their internship guidelines, which said, “please note that HootSuite’s Internship program asks for a commitment of three months, Monday to Friday with core hours of 9 a.m. to 5 p.m. and that the role is unpaid.”

There are currently [eight postings for internships on the company’s website](#).

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