

Internship Laws Across Canadian Jurisdictions



Internships remain a popular entry point into the workforce, but Canadian laws around interns are complex and vary widely between jurisdictions. The central compliance issue is whether interns are treated as "employees" (and therefore entitled to minimum wage and other protections) or whether they qualify for narrow exemptions (such as being part of a formal educational program).

This table summarizes the current rules across Canada.

Table: Internship Laws by Jurisdiction

Jurisdiction	Are Interns Employees?	Key Exemptions	Entitlements (if employee)	Notes / Special Rules
Federal (Canada Labour Code)	Yes – interns are employees unless part of a program approved by a recognized educational institution.	Internships forming part of a formal educational program.	Minimum wage, hours of work, holidays, leaves, health, & safety.	Since 2019, unpaid internships banned in federally regulated industries unless tied to education.
British Columbia	Yes, interns are employees unless exempt.	Practicums that are part of school, college, or university program.	All ESA rights, including minimum wage and vacation.	"Practicum" is narrowly defined – must be formal, not ad hoc.
Alberta	Yes, interns are employees unless exempt.	Formal educational practicums.	Minimum wage, hours of work, termination protections.	Distinguishes "student learner" from "employee" – but only for formal education.
Saskatchewan	Yes, interns treated as employees.	Work experience under a school or training program recognized by the government.	All ESA rights, including minimum wage.	Clear statutory exemption for bona fide educational programs.

Jurisdiction	Are Interns Employees?	Key Exemptions	Entitlements (if employee)	Notes / Special Rules
Manitoba	Yes, interns are employees.	Educational programs through school, college, or university.	ESA protections	Unpaid internships outside school (wage, hours, programs OT, leaves) prohibited.
Ontario	Yes, interns are employees unless exempt.	Secondary school work experience programs; (2) Post-secondary practicums; (3) ESA-defined trainees under strict six-part test.	Otherwise entitled to minimum wage, hours of work, public holidays, leaves.	Ontario's six-part "trainee test" is very narrow – most unpaid internships fail it.
Québec	Yes, interns are employees unless exempt.	School board programs; vocational training; recognized higher-ed practicums.	Labour Standards Act protections apply if not exempt.	2022 "Act respecting the regulation of work by children" also affects under-18 interns.
New Brunswick	Yes, interns are employees.	Exemption for educational practicums approved by schools.	Minimum wage, hours of work, termination protections.	Unpaid internships outside programs not permitted.
Nova Scotia	Yes, interns are employees.	Practicums as part of formal education.	ESA protections otherwise apply.	Human rights protections apply regardless of pay status.
Prince Edward Island	Yes, interns are employees.	Formal education practicums exempt.	ESA protections apply if not exempt.	Employment Standards Act makes no room for unpaid "volunteer" internships.
Newfoundland & Labrador	Yes, interns are employees.	Students in educational practicums.	Otherwise ESA protections apply.	Complaints about unpaid internships are enforceable through Labour Standards Division.
Northwest Territories	Yes, interns are employees.	Work integrated learning under school/college/university programs.	ESA protections apply.	Exemption wording mirrors Alberta/Manitoba.
Yukon	Yes, interns are employees.	Practicums in recognized educational programs.	ESA protections apply.	No special carve-outs for "trainees".
Nunavut	Yes, interns are employees.	Exempt if part of recognized educational program.	ESA protections otherwise apply.	Enforcement can be difficult in small/remote communities but law is clear.

Key Differences and Takeaways

1. Core Rule Across Canada:

Interns are considered **employees** and are entitled to pay and protections **unless they are part of a formal, school-sanctioned practicum or training program**.

2. **Federal Twist:**

Federally regulated employers (banks, telecoms, interprovincial transport, etc.) cannot take unpaid interns unless the internship is tied to education. This change was implemented in **2019 amendments** to the Canada Labour Code.

3. **Ontario's Special Test:**

Ontario is unique in having a **six-part test** under the Employment Standards Act to determine if someone is a "trainee" rather than an "employee." Very few internships pass this test, meaning most unpaid internships in Ontario are illegal unless tied to school.

4. **Québec Distinction:**

Québec has specific carve-outs for educational programs but otherwise applies labour standards robustly. Recent youth labour laws also limit the type and hours of work for interns under 18.

5. **Universality of Protection:**

In every province and territory, HR should assume that **if an intern is not tied to a school or recognized program, they must be paid at least minimum wage and given ESA protections.**

Summary

For HR and payroll managers, the safest compliance posture is simple: **treat all interns as employees** unless you have clear documentation proving the internship is part of a recognized educational program. Relying on unpaid internship models outside education exposes employers to **wage claims, human rights complaints, and reputational damage.**