

What to Really Expect (Or, I have a master's degree, now what?)

Applying

-Start looking at museum job listings as soon as you start graduate school--this will help you know what museums are looking for in potential employees, and help you make sure you're getting the experience that you need to be competitive.

-Start applying for post-grad school jobs early, at least a few months before you graduate. Many museums, especially federal ones, take months to hire!

-Do your out-of-class homework and build your network. Set up informational interviews with folks across the field at all levels, and think about the way that you want to present yourself. Check out resources at <http://t.co/mg2tJiaRqJ> to learn more.

-Do not expect acknowledgement of receipt of your job application. In fact, don't expect to be notified if you've been turned down for a position. You will never hear anything back on most of the job applications you submit.

-Most job listings will not state how much the position will be paid. If a job is full time, entry level, and not with a federal museum, don't expect it to pay more than \$35,000. In fact, it will probably pay less. (Make sure you have an idea of how much \$30k, \$35k, etc. comes out to in take-home pay after taxes and withholdings--it's less than you think!)

-"Entry level" can mean a variety of things. Read the job description closely to see if you're qualified. Yes, some job listings will state that a position is entry level, and then ask for 3-5 years of full-time experience.

-Got an interview? Awesome! One of the most important things you can do for yourself in an interview is to get a feel for the organization, department, and coworkers. A huge part of your happiness in a job will have less to do with the title or job description, and much more to do with the people you are working with and the internal politics of the institution.

The Job(s)

-There is a very good chance that you will be working multiple part-time jobs when you first graduate. You will probably be working weekends, and you will likely be working more than 5 days a week.

-Part-time jobs mean that you won't be getting health insurance through your employer. Luckily, the Affordable Care Act helps, but make sure to include that monthly cost in your budget once you're too old to be on your parents' insurance (if applicable).

-You will most likely not have your dream job right out of grad school, or even in your first 5 years after. You are not a failure--it is an incredibly competitive, vastly over-saturated job market in the museum field.

-Your first job(s) will probably not line up perfectly with what your focus or concentration was in graduate school. In fact, you might be spending a lot of your time working an information desk, filing, or doing data entry. Yes, you have a master's degree. No, this is not uncommon.

-You may need to take a job that is not in a museum--this is okay! In fact, if it's customer service related, or in a development department with another type of non-profit, this can be incredibly valuable experience!

-If you do take a job that is not at a museum, make sure you show that you are still interested and involved in the museum field--volunteer or pick up a weekend or evening job at a museum. Yes, you will be working more than 40 hours/week.

-"Other duties as assigned"--yes, you will have to remove the dead bird from inside the museum, deal with the overflowing toilet in the middle of a donor event, climb a ladder in a skirt/suit, deal with unreasonable visitors, and do it all with a smile.

-Your first job after graduate school will probably teach you more about what you *don't* want in a job than what you do. Don't feel trapped in a position if you're miserable--it's not uncommon to change jobs several times in your first couple of years. But don't keep bouncing from job to job for the long term--once you're a few years out of school, you should have a better idea of what jobs you're interested in, and plan on staying in a position for at least a few years.

-Offered a contract position? Great, but make sure you know what your tax responsibilities are. Is it a contract with a federal museum? Be aware of what happens to your position and your pay in the event of a government shutdown.

Loans and Other Budgeting Fun

-Start looking at what your post-grad school living expenses will be long before you graduate. Figure out what your monthly payments on your student loans are going to be, and how soon you have to start paying. It's not uncommon for your monthly loan payment to be almost as much as what you pay on rent, especially if you financed most of your grad school tuition and living expenses through loans.

-Working multiple jobs? Be careful with your tax withholding. Estimate combined income from your jobs carefully so you're not surprised come April.

-Start looking into income-based repayment plans (only available on federal loans, not on private loans through a bank), deferment, and other options *before you graduate*--these often involve paperwork and take far longer than you would think to process, so make sure to get the ball rolling early!

-If you work for a non-profit or the government for 10 years, you can get your federal loans forgiven, but *only* if you have made every one of your payments for those 10 years on time!

Hooray, I have an internship/contract position/part-time job! What are my rights?

In general, it's a good plan to familiarize yourself with the Fair Labor Standards Act:

<http://www.dol.gov/whd/regs/compliance/hrg.htm>

Internships

If you find yourself at a *for-profit* institution, under the Fair Labor Standards Act you can only be an **unpaid intern** if:

1. The training, even though it includes actual operation of the facilities of the employer, is similar to what would be given in a vocational school or academic educational instruction
2. The training is for the benefit of the trainees.
3. The trainees do not displace regular employees, but work under their close observation.
4. The employer that provides the training derives no immediate advantage from the activities of the trainees, and on occasion the employer's operations may actually be impeded.
5. The trainees are not necessarily entitled to a job at the conclusion of the training period.
6. The employer and the trainees understand that the trainees are not entitled to wages for the time spent in training.
7. The internship is established for a fixed duration.

The rules are a little less clear for non-profit organizations. The Department of Labor makes a distinction between *volunteers*, performing part-time work for humanitarian causes without expectation of compensation, and *interns*, who are considered to be trainees. While DoL says that unpaid internships are technically legal at non-profits, you will want to discuss your responsibilities with your internship supervisor to ensure that the work you are doing is of benefit to you as well as to the organization.

Contractors

The Department of Labor is currently focusing heavily on “misclassification,” where employers call a worker a “contractor” when she should technically be an “employee.” As a contractor, many federal laws prohibiting discrimination do not apply, and benefits that would normally be given to employees do not need to be extended to contractors.

DoL has an Economic Realities test that is intended to determine whether the nature of your relationship is employer/employee or employer/contractor. These factors include:

- The extent to which the work performed is an integral part of the employer's business. (Could the company function without you?)
- Whether the worker's managerial skills affect his or her opportunity for profit or loss. (Are you supervising other staff members?)

- The relative investments in facilities and equipment by the worker and the employer. (Have you made an investment in the materials required to do your job?)
- The worker's skill and initiative. (Can you set your own wages and compete freely?)
- The permanency of the worker's relationship with the employer. (Are you working on a full-time long-term basis?)
- The nature and degree of control by the employer. (How much direction are you given?)

The IRS has a three-category system that helps determine whether you are a contractor or an employee, based on behavior, financial, and relationship criteria. Visit <https://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Independent-Contractor-Self-Employed-or-Employee> for more information.

If you are released from your job as a contractor, and your status as a contractor is questionable, consider applying for unemployment benefits.

Your state may define "employee" more broadly than the IRS or DoL. If you are harassed on the job, check your state and local laws to see if coverage under state discrimination laws applies to you.

As an independent contractor, you are responsible for your own taxes, including quarterly estimated taxes. You may also deduct your business expenses, however.

Part-Time Employees

The Fair Labor Standards Act does not distinguish between full-time and part-time work. These distinctions, such as how many hours you are working and whether benefits are given, are up to you and your employer to discuss. As a result, however, part-time employees are treated the same as full-time employees concerning minimum wage, recordkeeping, child labor, and Occupational Safety and Health Administration (OSHA) regulations.

Check with the state in which you are working to see how part-time employment is defined. These state laws may also provide guidance as to whether you are entitled to benefits as a part-time employee.

Overtime can be a sticky subject. Many companies will only pay part-time employees overtime based on a full-time employee's schedule; that is, if your normal work schedule is 20 hours a week and a full-time employee works 40 hours a week, the hours you work between 20 and 40 may be paid at the normal rate. Check with your employer when you start.

Other Useful Facts About Your Rights in DC

- DC Minimum Wage (as of 08/23/15) is \$9.50
- Under DC or federal law, employers do not need to provide lunch or breaks. If they do provide breaks (usually fewer than 20 minutes each), the break must be paid.
- Employers do not need to provide vacation. On leaving employment, the employee must be paid the vacation they have accumulated.
- Employers must provide paid sick leave. If they allow sick leave to accrue, employers may need to pay the sick leave accumulated when the employee leaves. The employer may need to offer unpaid leave following the DC/Federal Family and Medical Leave Act.
- Employers cannot prohibit an employee from discussing their own or another employee's wages or retaliate against an employee for doing so (The Wage Transparency Act of 2014).
- Employers with 10+ employees cannot inquire about an employee's arrest record or criminal accusations; they only can inquire about criminal convictions after giving a conditional offer of employment (Fair Criminal Record Screening Amendment Act of 2014).
- Employers must provide parental leave, including 24 hours of unpaid leave over 1 year for the parent to attend school-related activities dependent on the parent providing 10 days notice to the employer.
- Severance pay is not required but is the employer's choice.
- Employers must reasonably accommodate employees whose work is affected by pregnancy, childbirth, breastfeeding, or a related condition (The Protecting Pregnant Workers Fairness Act of 2014).
- Employers must record the "precise time worked each day and each workweek" only for nonexempt employees; employers will only be required to pay exempt employees at least once per month. Mandatory written notices must be provided to the employee in a language other than English if the mayor has made a template in that language and the employer knows it to be the employee's primary language or the employee has requested the notice in that language (Wage Theft Prevention Clarification Temporary Amendment Act of 2015 (Temporary Amendment Act) and the Wage Theft Prevention Clarification Emergency Amendment Act of 2015 (Emergency Amendment Act)).
- For non-exempt employees, the employer must pay 1.5 times the regular rate for hours worked in one week exceeding 40 hours.
- What does it mean to be exempt?
<http://labor-employment-law.lawyers.com/wage-and-hour-law/am-i-an-exempt-employee-or-nonexempt-employee.html>
- An employee with a handgun license may carry a handgun in their workspace, if it is private commercial property, unless the employer has indicated a ban through clear signage or personal communication with the employee.
- In sum: know the policies and contract related to your specific workplace!

Resources Online and in the Community

General Employment Law

- DoL's Handy Reference Guide to FLSA: <http://www.dol.gov/whd/regs/compliance/hrg.htm>
- My Employment Lawyer: <http://www.myemploymentlawyer.com/>
- IRS on contractors:

<https://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Independent-Contractor-Self-Employed-or-Employee>

DC Employment Law

- Employment Law Handbook:
<http://www.employmentlawhandbook.com/wage-and-hour-laws/state-wage-and-hour-laws/district-of-columbia/>
- Law 360: <http://www.law360.com/articles/623194/a-look-at-new-labor-laws-in-dc>
- Business and Legal Resources:
<http://www.blr.com/Compensation/Compensation/Exempt-Employees-in-District-of-Columbia>
- Employment Justice Center: <http://www.dcejc.org/>

Internships

- Intern Labor Rights: <http://www.internlaborrights.com/>

Grad school and after

- NCPH, The Public History Navigator: bit.ly/PHNavigator

Getting ready for informational interviews

- A User's Guide to Humanities Without Walls (particularly slides 24+):
<http://www.humanitieswithoutwalls.illinois.edu/assets/downloads/pre-doctoral/handouts/UserGuidetoHWW.pdf>

I just need somebody to talk to.

- Us! Lean on your mentors from tonight's program.
- Reach out on Twitter to #museumworkersspeak or @museumworkers.
- Join us for:
 - #drinkingaboutmuseums (occasional Mondays at Sixth Engine)
 - The DMV Museum Educators meetup (not just for educators! Last Wednesday of the month at 6:30 pm at Teatism Penn Quarter)
 - The DC #museumworkersspeak monthly meetup (third Wednesday at 6:30 pm at the Octagon)

Good luck, go forth, be bold, and know we are always here for you.

In love and solidarity,
DC #museumworkersspeak