

# VOLUNTEER POLICY A040

06/01/2009

## PURPOSE

This policy is designed to enable the University to accept volunteers, reduce volunteer risk and protect the interests of the University, its volunteers, and the community it serves.

## DEFINITIONS

**University**      Uncompensated individuals who perform services directly related to the business of the University for their benefit, to support the humanitarian, charitable or public service activities of the University

**Volunteers**     volunteer, or to gain experience in specific endeavors. To qualify as a University volunteer, an individual must be willing to provide service according to the procedures in this policy. An individual who provides services to an entity other than the University that may be related to the University, such as the Alumni Association, will not be considered a University volunteer.

## POLICY

### Responsibilities and Rights of the University Volunteer

University volunteers are expected to abide by the University policies and procedures and external regulations that govern their actions, including but not limited to those relating to ethical behavior, safety, confidentiality, protected health information, computer use, financial responsibility, and drug use.

University volunteers are not covered by the Fair Labor Standard Act and are not considered employees for any purpose. Therefore, they are not eligible for compensation or any University benefits except for workers' compensation benefits as a result of this volunteer association.

### Who May Volunteer

Anyone, including retirees, students, alumni, or others may provide volunteer services to the University, with the following restrictions:

A non-University student who is younger than sixteen years old may only become a University volunteer for service as part of an approved school program pursuant to a contract between the University and the school, and only with parental consent (see [Selecting and Engaging a Volunteer](#)). Individuals under the age of fifteen may not become University volunteers.

An individual under the age of eighteen must obtain parental consent to volunteer (see [Volunteer Service Parental Consent & Agreement Form](#)).

A current employee may not become a University volunteer at the University in any capacity in which he or she is employed at the University, or which is essentially similar to or related to the individual's regular work at the University. A current employee may only volunteer for special events, such as United Way events, Commencement, and the like.

It is important to determine that a person is performing services of a volunteer and will not be considered an employee under the Fair Labor Standard Act. A determination by the Department of Labor that a person's service was that of an employee's will result in the time of service being compensable.

Foreign participants are not eligible for volunteer services but may be eligible for a 3-month observership. Please see the University of Miami Observership Policy found at <http://www.miami.edu/internationalservices>.

### **Services Not Requiring a Volunteer Agreement**

The following one-time activities are generally considered low-risk, and do not require a completed Volunteer Agreement.

- Commencement volunteer
- Phone-a-thon volunteer

### **Services Requiring a Volunteer Agreement**

- Laboratory Work
- Professional services, such as those performed by accountants, architects, engineers
- Services involving travel of any kind
- Services involving working with animals
- Services requiring access to confidential information
- Services involving working with minors, patients, human research subjects
- Advisory council participants
- Gallery program guides
- Public speakers

### **Prohibited Activities**

University volunteers cannot replace employee positions or impair the employment of a University position. Volunteers' services are generally limited to humanitarian, charitable or public services.

University volunteers are also prohibited from performing the following activities:

- Operating heavy equipment including vehicles
- Working with stored energy (e.g. steam, electricity, hydraulics)
- Activity considered inappropriate for any employee
- Entering into any contract on behalf of the University
- Serving in any capacity aboard a University's research vessel
- Working with infectious or potentially infectious agents, including human blood

## PROCEDURE

When selecting and engaging a volunteer, it is the department or unit's responsibility to be certain the individual has adequate experience, qualifications, and training for the task he or she will be required to perform. The following procedures are required to engage a volunteer.

1. Departments or Units wishing to engage a volunteer must complete a description of the duties and services to be performed by a volunteer and submit to the appropriate contact office (listed below) for review.
2. Determine if a Volunteer Agreement is necessary (see "Services Not Requiring a Volunteer Agreement," "Services Requiring a Volunteer Agreement," and the "Prohibited Activities" sections). Individuals eighteen and over must complete the [Volunteer Service Agreement & Release Form](#) if appropriate prior to beginning their service. Individuals under eighteen must have their parents complete the [Parental Consent & Agreement Form](#) prior to beginning their service.
3. Each potential University volunteer (or their parent) must complete a Volunteer Service Application (see the "[Forms](#)" section for document).
4. Ascertain whether the individual is at least eighteen years of age by reviewing appropriate proof of age presented by the volunteer. If individual is under eighteen years of age then the [Parental Consent & Agreement Form](#) must be completed. Additionally, if the individual is under sixteen years of age, the appropriate affiliation contract with their school must be executed by the Vice President for Business Services of the University.
5. Criminal background checks and appropriate training (such as hazardous materials training) must be completed for all volunteers prior to their beginning service at the University. Please complete the [Volunteer Service Background Search Form](#).
6. Forward a copy of all completed forms and description of service to the Office of Risk Management and the appropriate contact office listed below. Once individual and service are approved send the volunteer to obtain the appropriate campus identification badge.
7. Retain all forms completed as well as copies of any attachments, for a period of three years from the date of the University volunteer's separation.
8. If the individual is a returning volunteer but the break in their service is greater than one year, all [applicable forms](#) and processes described above must be completed once again.
9. If the individual is a current volunteer but their duties are changed, all [applicable forms](#) and process described above must be completed once again.

**Note:** For some University volunteers, it may not be appropriate to follow some of the steps above (e.g., advisory council members, trustees, reunion chairs). Please contact the Department of Risk Management for guidance.

### Dismissal

A University Volunteer's term of service may be terminated at any time and without prior notice.

**Contact Offices**

| Volunteer Affiliation  | Contact Office                                 |
|--|--|
| UM Undergraduate or High School (Summer Only) Students Seeking Research Work | Office of Undergrad Research<br>(305) 284-5058 |
| University of Miami Hospitals & Clinics                                      | Volunteer Services UMHC<br>(305) 243-3663      |
| Anne Bates Leach Eye Hospital  | Volunteer Services ABLEH<br>(305) 326-6097     |
| Coral Gables Campus  | Coral Gables Human Resources<br>(305) 284-3798 |
| Rosenstiel Campus  | Dean's Office<br>(305) 421-4000                |
| Medical School Campus  | Office of Faculty Affairs<br>(305) 243-6551    |