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4.207 Volunteers

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Type of Policy <input checked="" type="checkbox"/> University <input type="checkbox"/> <i>Campus</i> <input type="checkbox"/> <i>Department/Unit</i> <input type="checkbox"/> Interim		Volunteers Policy 4.207	
Human Resource Policies		Effective date: February 9, 2012	
Policy History:	Approved by:	Resolution #	Date:
Approved	Chancellor	N/A	February 9, 2012
Revised			
Responsible Office:	Responsible Administrator:	Contact information:	Applies to:
Office of Human Resources	Director of University Human Resources	937-769-1375	All Volunteers

I. Introduction and Purpose

Volunteers sometimes seek to perform services directly related to the activities of the university for their own benefit, or professional development or to support the humanitarian, educational, charitable or public service activities of the university. The purpose of this policy is to establish uniform procedures for screening and engaging volunteers, to ensure that the volunteers' relationships with the university are clearly established and understood by both parties, and to reduce the risk and protect the interests of the university, its volunteers, and the community it serves.

II. Policy

- A. Volunteers perform AU services without promise, expectation or receipt of any compensation, future employment or any other tangible benefit including workers' compensation insurance for injuries or illness resulting from their volunteer activities.
- B. To ensure that individuals performing volunteer services are not employees for purpose of the Fair Labor Standards Act ("FLSA"), all of the following criteria must be satisfied:

1. Services must be intended to be voluntary and to be rendered without compensation or remuneration of any kind.
2. Services must constitute bona fide efforts of individuals to volunteer for a humanitarian or public service purpose or for the benefit of their professional experience.
3. The fact that individuals are employees elsewhere in the university does not mean they cannot volunteer in a capacity that differs from their employment. However, where employment relationships do exist, that relationship may not be waived; so, for example, employees cannot volunteer to do activities that are the same or similar to ones they perform in their job.
4. Ordinarily volunteers will not be utilized in ways that displace or replace regular employees in the performance of their normal duties.
5. Foreign nationals must have the appropriate visa and authorization to engage in volunteer activities. Persons waiting for H1B Visa approval with AU may not perform volunteer services.

III. Rights and Responsibilities

A. Rights and Responsibilities of Volunteers

1. Volunteers do not have an employment or independent contractor relationship with AU and, therefore, are not eligible for compensation or for any university benefits from this volunteer association.
2. University volunteers are expected to abide all university policies and procedures and all federal, state, and local laws and regulations that govern their actions including the federal Family Educational Rights and Privacy Act (FERPA). Additionally, volunteers must comply with all directives and instructions as communicated by the applicable department head or designee.
3. Because many offices handle a variety of proprietary and private information concerning colleagues, students, alumni, donors, and others associated with the university, protecting privacy and confidentiality is paramount. Volunteers shall not disclose or discuss any confidential information obtained from the university, school or departmental records, either during or after volunteer work with the university. Confidential information includes, but is not limited to, intellectual property, proprietary trade information, student records, payroll figures, personnel information, and donor information of any kind. Volunteers who have access to confidential or proprietary information must complete a confidentiality agreement prior to being engaged.

B. Payments to University Volunteers

Payments for volunteer services are not permitted under any circumstance. However, departments may reimburse volunteers for actual, pre-approved, reasonable expenses, following university guidelines for reimbursements excluding automobile mileage. Reimbursements must not substitute for compensation and cannot be linked to productivity.

C. End of Volunteer Assignment

AU and volunteers may end the volunteer service agreement at any time and without any notice.

D. Procedure for Engaging Volunteers

Departments seeking to utilize volunteers must abide by the following procedures before allowing the volunteer to begin services for AU:

1. All volunteers must complete a Volunteer Agreement Form # 4.207:01 and submit it to the Director of the Office of Human Resources (“HR”) either directly or through the engaging department.
2. HR will review each Volunteer Agreement Form to determine whether the proposed volunteer assignment is permissible under applicable laws and regulations.
3. If approved, HR will determine if it is necessary based on the volunteer assignment to conduct a background check as outlined in the Background Check Policy # 4.109. If a background check is not required, skip section 4 below.
4. If a background check is required, HR shall provide the prospective volunteer with the Background Check Waiver Form, which must be completed and returned prior to initiating the background check. The costs of performing background checks will be borne by the department requesting the volunteer, and will be performed in accordance with the Background Check Policy # 4.109.
5. Once the above processes have been successfully completed, HR will notify the applicable department head or designee when the volunteer is cleared to begin volunteering, and the department head or designee shall contact the volunteer and arrange a start date.

Policy Cross References

Background Check Policy	Policy # 4.109
Employee Code of Conduct	Policy # 4.601
Employee Code of Ethics	Policy # 4.603

Forms Cross Reference

Volunteer Agreement Form	Form # 4.207:01
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