HRM-001

Authorization and Engagement of Volunteers

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Policy Type University

Contact Office Property & Liability Risk Management (Office of)

Oversight Executive
Vice President and Chief Financial Officer Executive Vice President and Chief Operating Officer

Applies To Academic Division and the College at Wise.

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Reason for Policy

The University recognizes that volunteers are a valuable resource and can assist the University in its mission of teaching, research, public service, and health care. To reduce volunteer risk and protect the interests of the University, protocols have been established for the engagement of volunteers that clarify the nature of the working relationship and articulate when and how volunteers are authorized to perform activities on behalf of the University.

Definition of Terms

Sponsoring Manager

Description

The individual employed by the University of Virginia with overall responsibility for identifying, screening, placing, training, and supervising a volunteer.

Volunteer

Description

An individual permitted under specific conditions to perform agreed upon activities on behalf of the University, but not in an employment capacity and therefore is not entitled to compensation and employment benefits.

Policy Statement

University departments, Sponsoring Managers, and volunteers must adhere to the applicable provisions set forth below.

1. **General Requirements:**
   The University has established general requirements for the engagement of volunteers. Specifically:
   - Sponsoring Managers have overall responsibility for approving and engaging volunteers. In identifying potential volunteers, Sponsoring Managers must comply with the University's non-discrimination policy specified in HRM-009: Addressing Discrimination, Harassment, and Retaliation.
   - Sponsoring Managers must engage volunteers without promise, expectation, or receipt of compensation, including future employment, deferred payment, or any other financial benefit. Any volunteer services must be offered freely and without pressure or coercion, direct or implied from the University.
   - Volunteer engagements must conform to the requirements of all laws, regulations, and policies, including the Fair Labor Standards Act (FLSA) and any visa restrictions. In accordance with FLSA, volunteers typically serve on a part-time basis and may not displace regular employed workers. Departments may not use volunteer engagements to circumvent the University's hiring processes or requirements.
   - Volunteers are not employees and therefore are not eligible for any University employment benefits, including unemployment or workers' compensation benefits.
   - Sponsoring Managers are responsible for assuring the completion of all required documentation on each volunteer. The *Volunteer Terms of Service* (or alternate form that is approved in advance by the Office of Property & Liability Risk Management) must be signed by both the Sponsoring Manager and volunteer (and the parent/guardian of a minor volunteer as applicable), and must be retained in the department in accordance with policy IRM-017: Records Management.
   - Payment for services by volunteers is prohibited. However, the University may reimburse volunteers for actual and reasonable expenses incurred in connection with the volunteer activity, in accordance with FIN-004: Travel, Meals, and Entertainment Expenses Incurred on Behalf of the University. Volunteers may be provided certain nominal perquisites related to their service, such as admission to University events or other privileges, as approved by the Sponsoring Manager.
   - The Sponsoring Manager may terminate the volunteer engagement at any time without cause or prior notice.

2. **Prohibited Activities:**
   Volunteers are prohibited from performing certain activities while acting in their capacity as volunteers for the University. The Sponsoring Manager is responsible for verifying with the appropriate department to be sure any volunteer activity is permissible, and any questions or concerns should be addressed to the Office of Property & Liability Risk Management.

   Examples of prohibited activities volunteers may not perform include but are not limited to:
   - Conducting activities involving potential exposure to defined categories of hazardous materials or equipment which are governed by regulation, University policy or safety committees. (Refer to the Office of Environmental Health & Safety webpage for a listing of prohibited activities and additional guidance.)
   - Accessing Protected Health Information (PHI), except in accordance with all applicable policies and procedures.
   - Entering into any contract on behalf of the University.
   - Acting in a supervisory capacity over University employees.
   - Engaging in any activity that would be considered inappropriate for any University employee.

   (Note: The above list is not exhaustive and certain other restrictions imposed by individual departments may apply.)

3. **Screening:**
   The Sponsoring Manager must request or perform any screening (e.g., reference check, background check, driving records check) required by law or as appropriate for the nature and sensitivity of the activity to be performed by the volunteer. Background checks for volunteers should be aligned with the procedures and standards outlined in HRM-034: Background Checks, Screenings, and Ongoing Responsibility for Employees to Disclose Criminal Convictions.

   - A background check is recommended if any of the following applies:
     - Contact with minors, students, patients or human subjects study participants
     - Access to confidential information or cash
     - Potential exposure to permitted hazardous materials or controlled substances
     - Laboratory research or animal care
     - Controlled access to University facilities
   - The University has established minimum screening and training requirements for volunteers who interact with individuals under the age of 18 as part of a covered program. (Refer to HRM-050: Protection of Minors and Reporting Abuse and the UVA Wise Protection of Minors and Reporting Abuse Policy for more detail.) Volunteers may not supervise or be responsible for minors unless within a covered program approved by the Office of Youth Protection or the UVA Wise Office for Advocacy and Opportunity.
   - Volunteers have a continuing obligation to disclose all criminal convictions to their Sponsoring Manager within five calendar days of the conviction.

   Contact UVA Human Resources with questions regarding screening requirements or process.

4. **Foreign Nationals:**
   Foreign nationals may serve as volunteers for the University if in accordance with all legal restrictions.

- Foreign nationals may not perform work as a volunteer that would normally be performed by a paid employee. All foreign nationals must have the appropriate visa and authorization to engage in volunteer activities; violations of visa status could result in significant consequences.
- Foreign nationals shall be allowed access to controlled technology and may participate in controlled activities (as defined in FIN-043: Managing Export and Sanction Compliance in Support of University Activities) to the extent necessary to perform their assigned duties, provided such access and participation is permitted by the regulations or authorized in an export license or other authorization issued by the appropriate regulatory agency.

Contact the Office of Immigration Services or the International Studies Office with questions regarding the engagement of a foreign national or their dependent as a volunteer. Contact the Office of Export Controls with questions regarding the applicability of export or sanction regulations.

5. **Minor Volunteers:**
   The University strongly discourages the use of minors as volunteers. Additional restrictions apply to engagements involving minor volunteers.

   - The Sponsoring Manager must provide supervision for minor volunteers at all times, and supervision must be aligned with HRM-050: Protection of Minors and Reporting Abuse and the UVA Wise Protection of Minors and Reporting Abuse Policy, as appropriate.
   - Engagement of volunteers under the age of 16 must be approved in writing by the Office of Property & Liability Risk Management.
   - Minors are prohibited from conducting activities involving potential exposure to defined categories of hazardous materials and/or equipment, depending on age and applicable federal, state, or University restrictions. (A list of prohibited activities and additional guidance can be found on the Office of Environmental Health & Safety webpage.) The Sponsoring Manager is responsible for verifying that the volunteer activities proposed for a minor are not prohibited.

   Contact the Office of Youth Protection or UVA Wise Office for Advocacy and Opportunity with questions regarding volunteer engagements involving a minor.

6. **Motor Vehicles:**
   The University strongly discourages volunteers from operating motor vehicles for the purpose of performing volunteer activities.

   - The use of University vehicles is to conduct University business and should be limited to University employees. A volunteer may only operate University vehicles when no University employee is available to perform the task. In such circumstances, the volunteer must be authorized to drive in accordance with PRM-014: Use and Management of University Vehicles.
   - Prior to use of any vehicle for University business by a volunteer, the Sponsoring Manager must request or perform a driving record check and verify a clean driving record. Any volunteer who operates a vehicle for University business has a continuing obligation to disclose any moving traffic violations to their Sponsoring Manager within five calendar days of the citation.

   Contact the Office of Property & Liability Risk Management with questions regarding use of motor vehicles by volunteers.

7. **Hazardous Materials and Equipment:**
   The University strongly discourages volunteers from conducting unnecessary activities involving potential exposure to hazardous materials and/or equipment.

   - Sponsoring Managers intending to engage volunteers in activities with potential exposure to hazardous materials (e.g., hazardous chemicals, biological agents, radioactive materials) and/or equipment (e.g., lasers, power-driven machinery) must first complete all required forms and obtain any required School approval.
   - Volunteers are prohibited from conducting activities involving potential exposure to (1) radioactive materials unless explicitly approved by the Radiation Safety Committee; and (2) biological agents requiring biosafety level 3 containment unless explicitly approved by the Institutional Biosafety Committee.
   - Volunteers must successfully complete all relevant training and demonstrate proficiency before conducting activities with potential exposure to hazardous materials and/or equipment.

   Contact the Office of Environmental Health & Safety for guidance or with questions regarding prohibited activities or hazardous materials and equipment.

8. **Volunteers in Research:**
   Depending on their degree of involvement, volunteers who contribute to University research activities, other than as a research subject/participant, may need to be identified as an unfunded collaborator and/or have their contributions reported in research performance progress reports to sponsors.

   Contact the Office of Sponsored Programs with questions regarding prior approval or notification requirements for specific programs or sponsors.

9. **Students:**
   A student's primary relationship with the University is as a student; however, the University may engage students as volunteers in limited situations and timeframes.
   - University students are considered volunteers for the purpose of this policy if they are receiving neither academic credit nor payment for the activity in which they are participating.
   - This policy does not apply to:
     - Students performing services on behalf of the University through organizations with standing programmatic agreements (e.g., Agency Organizations, Special Status Organizations, department-affiliated organizations) unless they are volunteering outside of the scope of these roles.
     - Visiting students (as defined by PROV-011: Student Enrollment) acting within their academic capacity at the University as students or researchers.
10. **Employees and Additional Affiliated Roles:**
    An employee's primary relationship with the University is as an employee; however, the University may engage employees as volunteers in limited situations and timeframes.
    - A University employee will be deemed to be acting as a volunteer for the University when (1) their volunteer activity is substantively different from their paid work duties, (2) they meet the definition of Volunteer as defined in this policy, and (3) they meet the requirements of all laws and regulations, including the Fair Labor Standards Act.
    - This policy does not apply to:
      - Visiting Faculty and Visiting Scholars (as defined in PROV-013: Appointment of Visiting Faculty and Visiting Scholars)

- Unpaid faculty (as defined in HRM-005: Appointment of Unpaid Faculty)
- Non-employee Postdoctoral Fellows
- Visiting Graduate Researchers (as defined in PROV-032: Visiting Graduate Researchers)
- Members of the Board of Visitors
- Participants in human subjects studies (as defined by RES-007: Human Research Protection Program)
- Volunteers performing services on behalf of University-Associated Organizations.

11. **Intellectual Property:**
All rights, title, and interest (including any and all intellectual property rights pertaining thereto) in any and all works created and inventions made, conceived, invented, developed, discovered or reduced to practice by a volunteer in the performance of volunteer services for the University shall belong to the University, unless specified otherwise in writing and agreed to by the Office of University Counsel. As a condition of the volunteer opportunity provided by the University, the volunteer shall assign in writing all such intellectual property rights.

12. **Responsibilities:**
Sponsoring Managers have overall responsibility for identifying, screening, placing, training, and supervising volunteers using the procedures specified in this policy and corresponding procedures. This includes the responsibility to:

- Confirm that each volunteer has adequate experience, qualifications, training (verified by monitoring the completion of required training modules) and supervision appropriate to the volunteer role or task they will be expected to perform.
- Complete any required screening (e.g., reference check, background check, driving records check) on the volunteer prior to engagement as applicable.
- Complete and sign all volunteer documentation as required by the Office of Property & Liability Risk Management prior to the volunteer's engagement, and retain all documentation in accordance with IRM-017: Records and Information Management.
- Provide to the volunteer a description of the authorized duties and obtain a signed acknowledgement from the volunteer prior to the start of the engagement.
- Communicate to the volunteer the expectations for attendance, performance of activities, length of service, and compliance with all applicable laws, regulations, and University policies.
- Inform volunteers and employees of their respective responsibilities and limitations, their relationship to each other, and their roles in fulfilling the objectives of the department.
- Consult the ADA Coordinator of the University's Office for Equal Opportunity and Civil Rights with respect to a volunteer's request to provide reasonable accommodations for a disability before denying such request.
- Request any access necessary for the volunteer engagement (e.g., University ID Card, Computing ID, library privileges, parking access).
- Prevent access by volunteers to any highly sensitive and/or confidential data or controlled unclassified information (CUI), except in accordance with all applicable policies and procedures. Volunteers may not be included in Non-Disclosure Agreements.
- Monitor all volunteer activities, with any necessary supervision provided by either the Sponsoring Manager or an appropriate adult designee.
- Oversee the conduct of all volunteers to ensure they remain in compliance with the requirements set forth in this policy and with all applicable laws, regulations, and University policies throughout their engagement.
- Report misconduct to the appropriate University officials or authorities.

- Collect any University property (including University ID Card) and request deactivation of any system access (including UVA Computing ID) by the end of the volunteer's last day of the engagement.

Volunteers who have been engaged on behalf of the University are responsible for complying with all laws, policies, and the University's Code of Ethics while engaging in activities on behalf of the University. This includes the responsibility to:

- Authorize the University to perform screening (e.g., reference check, background check, driving records check) if required.
- Sign all required documentation prior to beginning a volunteer engagement.
- Successfully complete all training required by the University prior to participating in assigned activities.
- Disclose to the Sponsoring Manager any potential or actual conflicts of interest (i.e., any circumstances that could impair performance of volunteer activities in a fair and impartial manner).
- Perform only those volunteer activities authorized by the Sponsoring Manager.
- Maintain personal health care coverage for the duration of the volunteer engagement to cover any health care expenses incurred while performing activities as a volunteer.
- Return any University property issued for the purpose of volunteer activities (e.g., keys, ID badges) by the end of the last day of the engagement.

13. **Compliance with Policy:**
    Failure to comply with the requirements of this policy may result in disciplinary action up to and including termination or expulsion in accordance with relevant University policies.

    A volunteer who fails to comply with this policy or the stipulations in the *Volunteer Terms of Service* may have their engagement terminated without cause or prior notice.

    Direct questions about this policy to the Office of Property & Liability Risk Management.

Procedures

To authorize and document a volunteer engagement, the Sponsoring Manager completes the *Volunteer Terms of Service* unless an alternative form is approved in writing by the Office of Property & Liability Risk Management . See guidelines for Documentation for Volunteers at the University of Virginia.

Related Information

FIN-004: Travel, Meals, and Entertainment Expenses Incurred on Behalf of the University
FIN-043: Managing Export and Sanction Compliance in Support of University Activities
HRM-005: Appointment of Unpaid Faculty
HRM-009: Addressing Discrimination, Harassment, and Retaliation
HRM-034: Background Checks, Screenings, and Ongoing Responsibility for Employees to Disclose Criminal Convictions
HRM-050: Protection of Minors and Reporting Abuse
IRM-017: Records and Information Management
PRM-014: Use and Management of University Vehicles
PROV-011: Student Enrollment
PROV-013: Appointment of Visiting Faculty and Visiting Scholars

PROV-032: Visiting Graduate Researchers
RES-007: Human Research Protection Program
UVA Wise Protection of Minors and Reporting Abuse Policy

School of Medicine Policy: 2.300 Volunteers in Research
Medical Center Policy: Medical Center Volunteers

Related Laws and Regulations
29 CFR § 553.101 – Definition of a Volunteer
U.S. Department of Labor – Fact Sheet #14A, Guidance on Fair Labor Standards Act (FLSA)
U.S. Department of State, Bureau of Consular Affairs – U.S. Visas

Major Category Human Resource Management

Next Scheduled Review Friday, October 15, 2027

Revision History

Updated UVA Wise Office Name 2/20/25; Updated links, Section 12 minor update 10/15/24; Added reference to PROV-032, Wise Minor Policy and corresponding Office, links 4/4/22; Revised 3/16/21; Updated 4/2/09.

Supercedes Policy Text
HRM-001: Authorization of Volunteers in the WorkPlace

Approved By Executive Vice President and Chief Operating Officer

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