



## UNIVERSITY POLICY

**SUBJECT:** HUMAN RESOURCES      **TITLE:** GOVERNANCE OF UNIVERSITY VOLUNTEER USE/VOLUNTEER PROCESSING

**CODING:** 00-01-30-75:00      **ADOPTED:** 05/07/04      **AMENDED:** 11/08/06

**LAST REVIEWED:** 11/08/06

### I. PURPOSE

To set policy governing the use of University volunteers and to set procedures for volunteer processing.

### II. ACCOUNTABILITY

Under the direction of the President, the Vice President for Human Resources shall ensure compliance with this policy. The Schools and operating Units shall implement this policy.

### III. APPLICABILITY

This policy and its guidelines are applicable University wide and include all Units and Schools. All managers and supervisors are required to comply with this policy. This policy does not apply to faculty activities performed by individuals with volunteer (unpaid) faculty appointments as defined by the University Bylaws; however new volunteer faculty must undergo background check clearance, including a criminal background check by a consumer reporting agency.

### IV. REFERENCE

Limited English Proficient and Hearing/  
Speech Impaired Communications      [00-01-35-42:00](#)

### V. POLICY

The use of University volunteers is governed by regulations promulgated by the U.S. Department of Labor, Fair Labor Standards Act. These regulations define employment/volunteer relationships and are documented in Publication WH1297, Employment Relationship Under the Fair Labor Standards Act, Wage and Hour Division: <http://www.dol.gov/esa/whd>.

“The applicability of many of the laws depends on whether an individual is considered to be a ‘volunteer’ or an ‘employee.’ As a matter of law, the label [given someone by an organization] is not determinative. An individual [referred] to as a ‘volunteer’ may nonetheless be subject to employment laws and standards.” Excerpted from: [www.ed.gov/inits/americanreads/resourcekit/ManageVolunteers/intro.html](http://www.ed.gov/inits/americanreads/resourcekit/ManageVolunteers/intro.html) (12/23/03).

The following Guidelines must be adhered to when Schools and operating Units place an individual for a volunteer assignment. In addition, please review the UMDNJ Volunteer Policy Frequently Asked Questions (EXHIBIT A) for further clarification.

<b>GUIDELINES</b>	
<b>Do's</b>	<b>Don'ts</b>
Individuals may volunteer or donate their services on a <u>part-time basis only</u> , for public service, religious or humanitarian objectives.	A volunteer may only perform a single element of established positions at UMDNJ. If they perform multiple elements, they would be considered employees by the Department of Labor.
Examples of volunteering: members of civic organizations may help out in a sheltered workshop; organizations may send members or students into hospitals or nursing homes to provide certain personal services for the sick or the elderly; parents may assist in a school library or cafeteria, individuals may volunteer to help in youth programs as camp counselors or scoutmasters.	Employees cannot perform volunteer duties at their place of employment in addition to being on the payroll.
Individuals may participate in benefit events for such organizations and volunteer other services needed to carry out their charitable, educational, or religious program, i.e., assist with community lectures, health fairs and events.	Volunteers must not receive any remuneration for services provided.
Volunteer hours must be based on the preference of the volunteer and must be flexible. Consideration should be given to the hours of operation of the department.	Volunteers are not covered by the New Jersey Workers Compensation Act; (this does not apply to statutory exception for volunteer ambulance drivers).  Volunteers are not allowed to drive University vehicles in accordance with Risk & Claims requirements.
Volunteers are allowed to receive reimbursement of expenses incurred during a volunteer assignment, i.e., a volunteer that is sent off premises to do an errand may be reimbursed for any transportation expense incurred while performing the errand (i.e., taxi); in addition, if the errand takes one-half day, reimbursement may also include lunch expense.	Individuals who are excluded by the Office of Inspector General (OIG) or General Services Administration (GSA) from participating in Federal programs shall not serve as volunteers at UMDNJ.

The use of foreign nationals in a volunteer role at the University is guided by the regulations associated with that individual's Visa. Please review the website <http://uscis.gov/graphics/services/tempbenefits/index.htm> or consult with the UMDNJ Office of International Services.

## VI. PROCEDURE

- A. A completed Volunteer Information Sheet must be submitted to the campus Human Resources Office prior to consideration for volunteer work (see EXHIBIT B), along with a signed Disclosure & Authorization Form (EXHIBIT C), both available online at [www.umdnj.edu/hrweb/](http://www.umdnj.edu/hrweb/) allowing the completion of a background check.
- B. Volunteer applicants will be required to produce proof of their identity, licensure, previous employment, education, and names of references. Applicants will not be processed without verification of all credentials.
- C. Each volunteer candidate who is a foreign national will be required to produce a properly authorized Visa granting permission to volunteer. Additionally, an authorization card must be presented which includes the foreign national's registration number. Upon being offered an assignment, the candidate must satisfy I-9 form requirements.

- D. Minors under the age of 18 may not be assigned without presenting approved working papers and parental permission for a pre-assignment physical exam, when required. Any department engaging a minor in volunteer work must comply with the New Jersey Child Labor Laws regarding appropriate duties, the posting of work schedules and permissible hours of work. Upon assignment, applicants may be required to present proof of age.
- E. Human Resources will conduct a background check on all applicants before actual assignment has commenced. The background check will consist of past employers, criminal history, social security verification and personal references. Additionally, educational and professional credentials and motor vehicle records will be checked as volunteer assignments demand. All background checks will be conducted in accordance with the Fair Credit Reporting Act (FCRA) and require a signed release by the applicant. The signed release is a condition of University volunteer assignment and shall not be waived for any reason.
- F. Physical exams and/or medical testing may be required for volunteers. Responsibility for the cost of these requirements varies by facility.
- G. All Volunteer workers must sign a Volunteer Waiver Form in connection with the New Jersey Worker's Compensation Act, (see EXHIBIT D).
- H. Human Resources will also conduct a search of the Office of Inspector General (OIG) and General Services Administration (GSA) listings to determine whether an applicant is excluded from eligibility. This search will be performed on all applicants who are being considered for volunteer assignment.
- I. If a background check disqualifies an applicant for any reason, the applicant will be notified.
- J. Applicants determined to have falsified information on their application, will not be considered for a volunteer assignment. In the event that it is determined that a volunteer member has falsified information on his/her application, the assigned Human Resources Generalist should be contacted to discuss appropriate action.
- K. Departments/Units are responsible for providing a departmental orientation to assigned volunteers. If necessary, orientation should be provided in compliance with the University policy, Limited English Proficiency and Hearing/Speech Impaired Communications, 00-01-35-42:00 to ensure departmental rules are understood.
- L. Volunteers must comply with all University policies regarding the confidentiality of protected health information and shall be required to sign relevant confidentiality statements and take mandatory training, i.e. Ethics & Compliance, Sexual Harassment and HIPAA.
- M. When acting on behalf of the University, volunteers shall conform to the general standards set forth in the University policy, Code of Ethics: General Conduct, 00-01-10-05:00.

## VII. EXHIBITS

- A. Frequently Asked Questions
- B. Volunteer Information Sheet
- C. Disclosure & Authorization Form
- D. Volunteer Waiver Form

By Direction of the President:

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Vice President for Human Resources

**EXHIBIT A**  
**Governance of University Volunteer Use/Volunteer Processing Policy**

**Frequently Asked Questions**

**1. How will the unpaid (volunteer) faculty activities be interpreted within the UMDNJ-wide policy?**

Scholarly activities performed by unpaid (volunteer) faculty are exempt from the Volunteer Policy guidelines. For example:

- Online unpaid faculty lecturers
- Guest lecturers who volunteer a couple of hours a year to speak to students or serve on dissertation committees
- A participant in a shadowing program that trains students

These activities are considered an embodiment of the academic profession. They are *not* subject to the Volunteer Guidelines. Unpaid faculty must, however, continue to comply with processing requirements, i.e., background check, OIG, GSA, etc.

**2. How will volunteer online lecturers comply with the policy requirements to have physicals and background checks?**

Online lecturers must have a faculty appointment and therefore must comply with the processing requirements, i.e., background checks, OIG, GSA. Physicals would not be required.

**3. How will we treat college student “volunteers” who want to work in a research laboratory or a computer center for experience?**

College students who participate in activities in a research laboratory or computer center are doing so for the purpose of gaining experience and to advance their learning. Since the definition of volunteerism includes part-time activities for public service, religious or humanitarian objectives, students working in research or computer labs, or similar settings, for the purpose of gaining experience cannot be construed as volunteers - such students would be defined as **interns**.

Departments should consider including such students in their intern programs (whether unpaid or paid) in order to meet this need.

**4. What about students who want to volunteer for charitable reasons?**

Students who donate their time on a part-time basis and within the Guidelines of the policy, i.e., for humanitarian, religious, or public service reasons are volunteers. If they are under the age of 18, they must comply with the requirements of Section V – PROCEDURES, Paragraph #4 and provide parental permission, approved working papers, etc.

**5. How will individuals at non-UMDNJ organizations who work with students, some of whom may have faculty appointments and some not, be treated?**

Again, faculty performing scholarly activities that fall within the scope of the academic profession are exempt from the policy Guidelines. In addition, this is an UMDNJ-wide policy and does not apply to non-UMDNJ entities.

**EXHIBIT A (continued)**  
**Governance of University Volunteer Use/Volunteer Processing Policy**

*Frequently Asked Questions*

**6. How would a (volunteer) participant in a clinical trial be treated?**

The Guidelines do not apply to participants (patients) in a clinical trial. These participants fall within the scope of the research/human subjects mandates and are subject to related research regulations.

**7. Since there are many tasks that could be construed as work normally performed by an employee, how do we determine what is considered acceptable volunteer activities?**

If the Guidelines provided in the Volunteer Policy are followed consistently and thoughtfully, departments will be able to make this determination. The policy provides an interpretation as provided by the U.S. Department of Labor in recognition of the many scenarios that may exist. Read the following case study to help distinguish the definition of a volunteer.

*Case Study*

Jane Doe wants to volunteer in a doctor's office and has secretarial skills. The office manager gladly accepts Jane and promptly assigns her to assist one of the other managers - they ask Jane how many hours she can donate and Jane says she is available for seven (7) hours a day, all week long, but does not specify a period of time. Jane needs to be useful and considers her efforts as a contribution to the community. She begins her assignment, multitasking and using her secretarial skills in a variety of duties.

In this scenario, although Jane asked to volunteer and offered to work the hours for as long as necessary, the Department of Labor would not construe Jane as a volunteer primarily because she is functioning as a full time secretary, a job for which a person would normally receive a salary. In addition, although Jane volunteered to work full time, the Guidelines stipulate that volunteerism may only be on a part-time basis.

If Jane were assigned to perform a single task that the secretary might perform, such as answering the phone during a two or three hour period for two days a week (flexible), she would be considered a volunteer. The fact that Jane volunteered to work full time hours for an indeterminate period of time, does not classify her as a volunteer under Department of Labor standards.

**8. I still have concerns about what a volunteer can or cannot do.**

The circumstances under which one engages a volunteer must be assessed within the context of the Volunteer Guidelines - ensure that the circumstances under which an individual volunteers clears each of the standards in the Guidelines. Contact your assigned Human Resources Generalist if you still need assistance.

## EXHIBIT B



**University of Medicine & Dentistry of New Jersey**  
*An Affirmative Action / Equal Opportunity Employer*  
**VOLUNTEER INFORMATION SHEET**

<b>Name :</b> _____	<b>Social Security No.</b> _____
(Last Name) (First Name/Initial) (Middle Name/Initial)	
<b>Phone Nos. (home):</b> _____	<b>(other):</b> _____
(area code)	(area code)
<b>Address:</b> _____	_____
(Street)	(Apt. #) (City) (State) (Zip Code)

<b>EDUCATION (List Name and Address of School)</b>	
<b>HIGH SCHOOL:</b>	Diploma <input type="checkbox"/> Equivalent <input type="checkbox"/>
Last Year Completed _____	Did you graduate? Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>COLLEGE/UNIVERSITY:</b>	
Major/Specialization: _____	
Last Year Completed _____	Did you graduate? Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>TRADE/BUSINESS SCHOOL:</b>	Did you graduate? Yes <input type="checkbox"/> No <input type="checkbox"/>
Diploma/Degree Received: _____	
<b>GRADUATE SCHOOL:</b>	Did you graduate? Yes <input type="checkbox"/> No <input type="checkbox"/>
Diploma/Degree Received: _____	Major/Specialization: _____
<b>DRIVER'S LICENSE #:</b> _____	State Where Issued: _____ Exp. Date: _____
<b>PROFESSIONAL CERTIFICATION/LICENSE:</b>	License/Document No: _____
Type of Document: _____	Date Issued: _____ Exp. Date: _____
<b>LIST ADDITIONAL SKILLS:</b>	
<b>Do you have the legal right to reside in the U.S.?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Alien Registration No.</b> _____	Visa _____ Exp. Date: _____
<b>Naturalization No.</b> _____	Date _____ Place: _____

<p><b>Have you been convicted of a crime or found/pled guilty of a disorderly person's offense or misdemeanor (exclude any minor motor vehicle offenses)?</b> Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>If yes, explain on a separate sheet and attach to application. Include any crimes, misdemeanors, or disorderly convictions.</b></p>
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**EXHIBIT B (continued)**

<b>Why do you want to volunteer?</b>

<b>VOLUNTEER &amp; EMPLOYMENT HISTORY (list last three, starting with most recent )</b>			
From: _____	To: _____	Employer _____	Phone No. _____
Address _____	City _____	State _____	Zip Code _____
Job Title _____			
Responsibilities: _____			
Reason for leaving _____			
Immediate Supervisor _____		Phone No. _____	
If currently employed, may we contact your employer ? <input type="checkbox"/> Yes <input type="checkbox"/> No			

From: _____	To: _____	Employer _____	Phone No. _____
Address _____	City _____	State _____	Zip Code _____
Job Title _____			
Responsibilities: _____			
Reason for leaving _____			
Immediate Supervisor _____		Phone No. _____	

From: _____	To: _____	Employer _____	Phone No. _____
Address _____	City _____	State _____	Zip Code _____
Job Title _____			
Responsibilities: _____			
Reason for leaving _____			
Immediate Supervisor _____		Phone No. _____	

I hereby release from liability all persons, corporations, or other organizations furnishing information. I am aware that my **volunteer status** with the University is conditional depending on the results of verification of references, licenses, educational background, criminal background check, and if required, a physical examination. It is understood and agreed that any misrepresentation, to the best of my knowledge and belief in this application will be sufficient cause for cancellation of the **application for a volunteer position, and/or termination of my volunteer service.** I hereby give the University of Medicine & Dentistry of New Jersey permission to investigate all references and to secure any additional information that may be required.

In accordance with Federal law, UMDNJ will not employ or enter into contracts with any individual or entity that is currently excluded by the Office of the Inspector General (OIG) and/or the General Service Administration (GSA) from participating in Federal programs.

I have read the above statement and I do certify that I am not currently excluded by the OIG and/or the GSA from participating in Federal healthcare programs.

Date: \_\_\_\_\_ Signature \_\_\_\_\_

**April 20 2004**

**EXHIBIT C**



**DISCLOSURE AND AUTHORIZATION FORM**

In connection with my application for employment or volunteer service with UMDNJ, I understand that a consumer report or investigative consumer report, as those terms are defined in the Federal Fair Credit Reporting Act as amended (FCRA), 15 U S C 1681 et seq., may be obtained by UMDNJ from a consumer reporting agency. I understand that the report may include but not be limited to my consumer credit history, education, professional licensing, criminal history, driving history, personal character, abilities, work habits, mode of living, residency, immigration status, general reputation, performance, experience and other qualities pertinent to my qualifications for employment or volunteer service, including reasons for termination of past employments. I further understand that the consumer reporting agency may not give out information about me to UMDNJ without my written consent.

I understand that I am entitled to be informed if an offer of employment or volunteer assignment is withheld because of information obtained from the consumer reporting agency, and in that event, upon my written request within a reasonable period of time the consumer reporting agency will provide me with a copy of the report and a "Summary of Your Rights Under the Fair Credit Reporting Act".

I hereby authorize UMDNJ to obtain consumer reports in connection with my application for employment or volunteer service with UMDNJ. I authorize all former employers, listed references, schools, law enforcement agencies and courts, to release to UMDNJ and/or their representatives information pertaining to me. By providing this authorization, I hereby release UMDNJ, its affiliated entities, employees, and agents from all liability for requesting and/or acting based on any such reports and release all other parties from liability for furnishing such information.

Note: The phrases and wording contained in this authorization are required under the FCRA. UMDNJ will not run a credit check on an applicant as part of the investigation unless the position or volunteer assignment for which applied requires financial information on a perspective candidate. The candidate will be notified if a credit check is required.

Please Print

Name: \_\_\_\_\_ SS#: \_\_\_\_\_

Other name(s) used: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**EXHIBIT D**



**VOLUNTEER WAIVER FORM**

I, \_\_\_\_\_ understand and agree with the following conditions concerning services performed by me as a Volunteer:

It is understood that Volunteers are not covered by the New Jersey Workers Compensation Act (this does not apply to a statutory exception for volunteer ambulance drivers).

It is understood that if a Volunteer is injured while performing services on UMDNJ premises, the University will provide, at the time of injury, reasonable emergency medical treatment for that injury without charge, regardless of apparent fault; and it is also understood that the provision of emergency medical service does not constitute an admission of liability on the part of UMDNJ.

\_\_\_\_\_  
Signature of Volunteer

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Department

\_\_\_\_\_  
Date

*If you have any questions or concerns, please contact the Human Resources Generalist assigned to your school or unit.*

*For the Stratford/Camden campuses, please call 856-566-6159.*

Revised April 20, 2004