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**Subject: Guidelines for the Use of Volunteers**

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## **1. Purpose**

Departments at the university may be able to accomplish certain work as well as extend their budgets with the participation or involvement of volunteers. Because a volunteer may become an agent of the university when accepting an assignment, it is critical that they are carefully selected and supervised. The following guidelines address the involvement of volunteers by university departments. Virginia Cooperative Extension (<http://www.ext.vt.edu/>) has specific guidelines and forms for Extension volunteers.

## **2. Policy**

### **2.1 Guidelines for Supervisors**

The following guidelines for the selection and supervision of volunteers are provided to departments:

1. Because the university may be liable for the actions of its volunteers, the qualifications and suitability of the individual should be considered before offering an opportunity to a volunteer.
2. If a department is considering offering an opportunity to volunteer to a person in a jail work release program, Human Resources must be contacted before an offer is made. The agency offering the release program would be responsible for all insurance coverage.
3. Departments should carefully consider the types of duties appropriate for a volunteer to perform. Generally, duties which are carried out by a university employee are appropriate for volunteers as long as they receive the same support and training any other paid employee would receive to complete the task.
4. If a department is considering offering an opportunity to volunteer to a minor, the supervisor should be aware of state and federal guidelines defining hours of work and types of duties allowed for those under 18 years of age. The department should contact Human Resources for additional guidance.

5. Offering a volunteer opportunity to a minor may trigger certain requirements as outlined in University Policy 4815, Minors on Campus or Participating in University-Related Programs (<http://www.policies.vt.edu/4815.pdf>).
6. Supervisors should ensure that volunteers have a clear understanding of their responsibilities, limitations, and an agreed upon work schedule.

## 2.2 Definition of a Volunteer

An individual is considered to be a volunteer for an agency if the following conditions are met:

1. Services are performed for which the individual neither expects nor receives compensation, but may be paid expenses.
2. If the volunteer is a current university employee, the volunteer services are not the same type for which the university employs the individual and are freely given without pressure from the university.

## 3. Procedures

### 3.1 Criminal Conviction Check and Driving Record Check

It is the policy of the university to conduct conviction and/or driving record checks on all newly hired non-student positions for full-time, part-time and temporary/wage positions and some volunteer positions. University Policy 4060, Conviction and Driving Record Investigation (<http://www.policies.vt.edu/4060.pdf>), applies to certain student positions and volunteer positions. If you are not sure if a volunteer should have a conviction check, contact Human Resources for clarification.

If the volunteer will be operating a vehicle as part of his/her duties, a valid driver's license is required, and a driving record check should be conducted if driving or the transportation of clients or customers is the primary responsibility. In addition to the driving record check, if a volunteer will be operating a commercial vehicle he/she is required to have a Commercial Driver's License and a DOT medical certification, along with other drug/alcohol testing as outlined in University Policy 4061, Drug, Alcohol and Medical Testing Guidelines for Commercial Driver's License Holders and Other Identified Positions (<http://www.policies.vt.edu/4061.pdf>).

Conviction and Driving checks can be initiated through the online link in the Resource Guide on the Human Resources website or by contacting the Human Resources Service Center for assistance.

### 3.2 Job Description and Record Keeping

It is recommended that volunteers be provided a written description of the duties they will be performing and receive training to carry out those duties, including safety training as appropriate. In addition, feedback on their performance is suggested. When a department wishes to involve volunteers, it is advisable that the individual's volunteer status be monitored/documented during the period of time the person is working in the department. The department head should ask the volunteer to read the *letter of volunteerism* (see sample attached) and sign the release form at the bottom. The originals of these documents should remain on file in the department.

### 3.3 Current Virginia Tech Employees Serving as Volunteers

A current university employee cannot be considered as a volunteer if the type of work for which he/she is volunteering is the same type as the position they currently hold. University Policy 4320, Guidelines for the Fair Labor Standards Act (<http://www.policies.vt.edu/4320.pdf>) states that non-exempt employees must be

compensated for all hours they are required or permitted to work. Thus, even though employees may *volunteer* to work beyond their normally scheduled hours, departments must compensate the employee for those extra hours worked.

### 3.4 Liability Coverage of Volunteers

The university's liability coverage provides protection for negligent acts or claims of negligent acts for **any** employee or representative of the university, as long as the individuals were acting in an official capacity and within the scope of their duties. If a negligence claim were made, the university would have to substantiate that the volunteer was acting as its *agent*. The liability insurance program is for claims of negligence against university representatives and does not provide for medical coverage of the volunteer, even if injury should occur during the volunteered hours. All medical concerns, including healthcare insurance, are the responsibility of the volunteer. University attorneys do not provide legal services if criminal charges are lodged against an employee or volunteer.

If there is an incident that may result in claims of negligence against the university, the circumstances must be documented. The Office of Insurance and Risk Management Employer's Accident Report (<http://www.apps.hr.vt.edu/hr/forms/>) should be completed and forwarded to that office, with a copy maintained at the department. Upon receipt, the Office of Insurance and Risk Management will contact the department to advise of any necessary future action.

### 3.5 Non-Discrimination

Virginia Tech does not discriminate against employees, students, or applicants as defined by the Equal Opportunity/Affirmative Action Statement (<http://www.vt.edu/about/equal-opportunity.html>). This statement applies to all members of the university community, including volunteers at Virginia Tech.

### 3.6 Sexual Harassment

The university will not tolerate behavior between or among members of the university community that creates an unacceptable working or educational environment. If a volunteer is faced with sexual harassment, they have the same rights as students or employees under University Policy 1025, Policy on Harassment, Discrimination, and Sexual Assault (<http://www.policies.vt.edu/1025.pdf>).

### 3.7 Individuals with International Visas Serving as Volunteers

Individuals in this country on certain types of visas may NOT be authorized to engage in voluntary activities under US Immigration guidelines. Departments must check with the Office for International Support Services (<http://www.iss.vt.edu>, 540-231-1425) before permitting a non-US citizen to serve as a volunteer.

## 4. Definitions

**Volunteer** - An individual is considered to be a volunteer for or an agent of an agency under the following circumstances:

1. Services are performed for which the individual receives no compensation but may be paid expenses.
2. If the volunteer is a current university employee, the volunteer services are not the same type for which the university currently employs the individual.

## 5. References

Virginia Tech, Equal Opportunity/Affirmative Action Statement  
<http://www.vt.edu/about/equal-opportunity.html>

Virginia Tech, University Policy 1025, Policy on Harassment, Discrimination, and Sexual Assault  
<http://www.policies.vt.edu/1025.pdf>

Virginia Tech, University Policy 4060, Conviction and Driving Record Investigation  
<http://www.policies.vt.edu/4060.pdf>

Virginia Tech, University Policy 4061, Drug, Alcohol and Medical Testing Guidelines for Commercial Driver's License Holders and Other Identified Positions  
<http://www.policies.vt.edu/4061.pdf>

Virginia Tech, University Policy 4320, Guidelines for the Fair Labor Standards Act  
<http://www.policies.vt.edu/4320.pdf>

Virginia Tech, University Policy 4815, Minors on Campus or Participating in University-Related Programs  
<http://www.policies.vt.edu/4815.pdf>

## **6. Approval and Revisions**

Approved June 11, 1996, by Associate Vice President for Personnel and Administrative Services, Ann Spencer.

October 10, 2001: Technical corrections to update policy links.

- Revision 1

Additions to Section 3.4 Liability Coverage of Volunteers

New Sections 3.5 Non-Discrimination and 3.6 Sexual Harassment

Minor corrections for clarifications.

Links established to websites of policies referenced.

Approved March 14, 2002 by Vice President for Budget and Financial Management, M. Dwight Shelton, Jr.

- Revision 2

Update Section 3.7 to clarify restrictions for voluntary activity for certain visa types to comply with US Immigration Guidelines.

Update "Personnel Services" to "Human Resources" in Sections 2.1 and 3.1

Update "Office of Risk Management" to "Office of Insurance and Risk Management" in section 3.4

Update links established to websites of referenced policies

Approved October 17, 2007 by Assistant Vice President for Administrative Services, Linda S. Woodard

- Revision 3

Technical corrections to update links to the web sites.

Updated the phone number and location of the Office for International Support Services.

Approved February 19, 2010 by Vice President for Administrative Services, Sherwood G. Wilson.

- Revision 4
  - Added information regarding minors as volunteers under section 2.1.
  - Combined sections regarding record keeping and job description into one section, 3.2.

Approved January 23, 2017 by Vice President for Administration, Sherwood G. Wilson.

## Volunteer Sample Letter

Date

Dear (volunteer name):

I am pleased that you have volunteered your services to our department for the **period of time**. The following is a summary of your duties and responsibilities:

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You will receive training on the tasks and duties you will be performing and feedback will be given to you on your performance.

As a volunteer there is no compensation for your services; however, should you incur pre-approved expenses as result of the project such as travel, etc., you will be reimbursed.

Your work schedule will be: \_\_\_\_\_

Your supervisor is \_\_\_\_\_ and should be contacted for any scheduling issues or questions concerning your service as a volunteer.

Special requirements of the job (such as required equipment, dress code, uniform, commercial driver's license, driver's license, etc.) are:

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The university liability coverage provides protection for volunteers while acting in an official capacity and within the scope of their duties. Worker's Compensation Insurance **does not** provide medical coverage for volunteers even if the injury occurs during the volunteered hours. All medical issues, including healthcare insurance, are the total responsibility of the volunteer. Legal services are not provided if criminal charges are lodged against a volunteer.

Sincerely,

Department Official Representative

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I have read and understand the above information and I agree to the terms of the duties as a volunteer at Virginia Tech.

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