



# University of Connecticut Health Center

**POLICY NUMBER 2002-52**

**November 8, 2002**

**POLICY: APPROPRIATE USE OF NON-COMPENSATED INDIVIDUALS**

**PURPOSE:**

The purpose of this policy is to insure appropriate use of non-compensated individuals.

**POLICY STATEMENT:**

- The UCHC must ensure that the utilization of individuals performing work assignments complies with state and federal laws, regulations, collective bargaining contracts, and all appropriate policy.
- Utilization of individuals without compensation includes but may not be limited to the traditional assignments with the commonly used and understood term “volunteer” (refer to John Dempsey Hospital (JDH) Hospital Administrative Manual, Policy # 02-006, “Guidelines for Utilization of Volunteer Services”) students enrolled in sanctioned, structured programs affiliating with the UCHC, other types of assignments deemed appropriate and authorized by Human Resources.
- The UCHC prohibits the individuals in capacities other than that indicated above where identical work is being performed by individuals who are being compensated.
- Volunteering of current UCHC employees who offer their services without remuneration for the same work for which they are compensated is not permitted.
- The UCHC prohibits individuals from volunteering who are not authorized to work in the United States to perform work that is deemed compensable.
- According to the Fair Labor Standards Act, “Volunteer” is defined as:  
  
“(a) An individual who performs hours of service for a public agency for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered, is considered to be a volunteer during such hours. Individuals performing hours of service for such public agency will be considered volunteers for the time spent and not subject to sections 6,7, and 11 of the FLSA when such hours of service are performed in accord with sections 3(e)(4)(A) and (B) of the FLSA and the guidelines in this subpart.

(b) Congress did not intend to discourage or impede volunteer activities undertaken for civic, charitable, or humanitarian purposes, but expresses its wish to prevent any manipulation or abuse of minimum wage or overtime requirements through coercion or undue pressure upon individuals to 'volunteer' their services.

(c) Individuals shall be considered volunteers only where their services are offered freely and without pressure or coercion, direct or implied, from an employer.

(d) An individual shall not be considered a volunteer if the individual is otherwise employed by the same public agency to perform the same type of services as those for which the individual proposes to volunteer.”

**PROCEDURE:**

1. Individuals interested in securing work assignments with compensation must apply through the Human Resources Department.
2. Individuals wishing to offer their services without compensation to the UCHC for traditional volunteer assignments must contact the department of Volunteer Services and comply with the application and processing requirements of the Volunteer Services Department.
3. Individuals enrolled in sanctioned, education programs affiliating with the UCHC must be authorized and processed through the Office of Staff Development and Training in the Department of Human Resources. Procedures are outlined in the UCHC procedure, “Student Experience: Request For.” Individuals participating in sanctioned student programs affiliating with the John Dempsey Hospital must be authorized and processed through the respective JDH Department Head. Undergraduate nursing students must be authorized and processed through the JDH Department of Staff & Patient Education.
4. Departments inquiring about the appointment and utilization without compensation, of individuals performing work assignments other than what is referenced in the JDH Hospital Administrative Manual, Policy #02-006 “Guidelines for Utilization of Volunteer Services,” or enrollees in sanctioned, affiliating programs, must contact Human Resources.
5. Human Resources will review the request according to policy and state and federal labor guidelines, determine the appropriateness of the request, and if authorized, direct the department in the proper procedure for processing the individual.

**Exception:** Non-compensated faculty appointments are exempt from this policy.

**REFERENCES:**

FLSA (Fair Labor Standards Act)  
Employment of Minors  
Connecticut State Department of Labor  
INS (Immigration & Naturalization Service)  
United States Department of State  
Collective Bargaining Agreements  
NAFSA (National Association for Foreign Student Advising)  
Attorney General  
UCHC Policy:  
    Hiring of New Employees  
    Non Permanent Personnel Appointments  
    Guidelines for Utilization of Volunteer Services  
    Procedure: Student Experience: Request For

Joan D. Mazzone (signed)

11/12/02

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**Associate Vice President for Human Resources**

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**Date**

Peter J. Deckers, M.D. (signed)

11/25/02

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**Executive Vice President for Health Affairs**

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**Date**

**Replaces: NEW POLICY**