Administrative Policy

Title: Volunteer and Trainee Policy
Source: Human Resources
Prepared by: Assistant Vice Chancellor for Human Resources
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A. Introduction

The University engages unpaid individuals in many activities. Federal and state labor laws, however, require that employers pay individuals minimum wage for work performed. Individuals may not be required or allowed to work without receiving compensation. In addition, the University's acceptance of federal funding requires pay to be internally and externally equitable. Individuals may not waive their rights under federal and state labor laws. Once the University compensates faculty, staff or student employees to perform a certain function or task, the activity is considered "compensable work" for all units throughout the University going forward. The purpose of this policy is to define the circumstances under which volunteers may provide services to the University, clarify volunteer restrictions and identify exceptions such as trainees and other experiential learning activities.

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C. Policy Statement

Individuals are prohibited from performing work without compensation at the University of Colorado Denver, except in the following circumstances:
1. Volunteers providing services to the University as defined in Section D below. Volunteers may include:
   a. Current overtime exempt University employees volunteering in activities unrelated to the work for which they are appointed.
   b. Community members who assist with the University's humanitarian outreach and service activities, such as basic assistance for patients, helping students, outreach events or serving on committees.
2. Trainees and Experiential Learning activities including internships, visitors and shadowing as defined in Section D below.
3. Individuals appointed as Adjoint or Clinical Faculty members
4. Guest speakers/lecturers

In each of the circumstances listed above, volunteers must not participate full time unless it is for a limited defined period, (e.g. a semester or set number of weeks), must be registered with the University as described in Section F below and may be required to successfully pass a criminal background check prior to beginning their activities as described in section E. In addition, volunteers and trainees may not be promised future employment in consideration for their activities, including former employees terminated for a temporary or permanent change in funding or employment eligibility.

D. Definitions

Trainees are unpaid individuals who receive training through participation in University activities without compensation. The training is for the benefit of the Trainees and generally does not benefit the University; Trainees may not displace regular employees, but must participate under close supervision of current employees; The University may receive no immediate advantage from the activities of Trainees and, on occasion, University operations may even be impeded; Trainees are not entitled to a job at the conclusion of the training period; and the Trainees are not entitled to wages or compensation for the time spent in training. Examples of trainee type activities at the University include the following:

Experiential learning is a process through which individuals develop knowledge, skills, and values from direct experiences outside a traditional academic setting. Experiential learning encompasses a variety of activities including internships, service learning, undergraduate research, study abroad, and other creative and professional work experiences.

Internship For-credit: Students pay regular tuition at the institution in which they are enrolled, for the appropriate number of credits. The student’s transcript will reference the internship and grade. Internships include clinical rotations, practicums and other clinical experience. Paid internships are not considered a trainee activity.

Internship Not-for-credit: Student does not pay tuition or any other costs for participation in the activity. The student does not receive a grade nor is the activity reflected on the student’s transcript.

Visitors and Shadowing: Temporary learning activities with no fee or grade which involve the process of observing faculty, staff or students and participating in directly related activities for training or research purposes. Such trainees may be matriculated or enrolled students at any level from any institution, including enrollment in a course specifically designed for this purpose. Trainees may also be registered in approved non-student programs which include defined instructional and participatory elements for a defined period.
Volunteers are unpaid individuals who perform a service that benefits the University.

Volunteers and their activities must meet the following criteria:

- Volunteers may not perform work which is normally compensable, with the exception of humanitarian endeavors.
- The activity must be performed at the request of, for the benefit of, and subject to the control of, the University.
- The individual performing the activity may not be a current overtime eligible University employee, unless the individual is performing activities which are not the same or similar to the activities the employee is employed to perform.
- The individual must willingly provide goods or services without any promise, expectation or receipt of pay or payment in kind. The individual may not receive any benefit from the University. Individuals may, however, be given certain privileges such as parking, building access and the use of equipment necessary to provide the services.
- Individuals may not perform activities or services on a full-time basis unless it is for a limited defined period of time (e.g. a semester or set number of weeks).
- The services are of the kind typically associated with volunteer activities.
- No regular University employees may be displaced to accommodate the volunteer activities or services.

E. Background Checks

Criminal background checks are required for volunteers and trainees who will have direct, ongoing contact with students or visitors or who have direct access to University resources such as facilities, equipment, funds or other property. The process is conducted through Human Resources in accordance with the CU Denver Background Investigation Policy.

F. Registration

Non-employees on campus performing on-going volunteer or trainee type activities require the following based on their status:

Adjoint and Clinical Faculty appointments require the individual to complete an application, sign a faculty letter of offer and complete notices of risk and waiver of responsibility agreements. In addition, these appointments must be approved in accordance with Regent Policy 2-K concerning faculty personnel matters. The appointment must be entered into the Human Resources Management System in the faculty titles assigned. Teaching volunteer must complete the Faculty Oath.

Trainees require the individual to complete an application, be issued a letter of invitation and complete notices of risk and waiver of responsibility agreements. Departments must contact the Experiential Learning Center to register internship programs.

Volunteers must be entered into the Human Resources Management System as Persons of Interest. In addition, the individual musts to complete a volunteer application, be issued a letter of invitation and complete notices of risk and waiver of responsibility agreements.

Community guests and guest speakers/lecturers require only written invitations.

G. Training and Compliance

Volunteers and Trainees are subject to all University policies concerning conduct on campus, including the Sexual Harassment Policy, Anti-Violence Policy and Conflict of Interest Policy.
They are also required to complete all training required for access to certain areas and use of University resources.

H. Sanctions

Departments are responsible for back-pay and any fines and penalties resulting from the unauthorized use of volunteers or Trainees. Individuals found in violation of this policy may also be subject to disciplinary action, up to and including termination. In addition, individuals may be subject to criminal penalties including fines and imprisonment.

I. Appendices

1. Volunteer Applications
2. Trainee Applications
3. Adjoint or Clinical Faculty Letters of Offer
4. Student Intern Letter of Invitation
5. Internship Forms
6. Notice of Risk and Waiver of Responsibility Agreement (Trainees other than for-credit interns)
7. Authorized Volunteer Notice of Risk and Waiver of Responsibility (Volunteers)
8. Background Check Consent
9. Community Member Letter of invitation (Volunteer)
10. Trainee Program Proposals
11. Trainee Letter of invitation
12. Guest Invitation
13. Risk Management Volunteer Guidelines
14. Risk Assessment Checklist for Volunteer Programs
15. Risk Assessment Checklist for Trainee Programs