

## **School of Medicine (SOM) Guidelines regarding Volunteers (over 18)**

*\*Note: There is a campus-wide policy that covers volunteer minors (under 18)*

### **APPLICABILITY:**

These guidelines pertain to requests for volunteers over the age of 18 within the SOM in non-faculty roles. *As noted above, there is a separate campus policy that specifically addresses minors (under 18). The policy regarding minors (which covers both paid positions as well as unpaid volunteers), VI-99.01(A) can be found online at <http://www.umaryland.edu/academicaffairs/policies/minors/>.*

### **PURPOSE:**

As an educational institution, UMB provides a variety of educational opportunities and community outreach efforts and wishes to support the practice of allowing volunteers to enhance these efforts. These guidelines apply to those volunteers (or unpaid “interns”) who are seeking practical educational experiences to enhance their resumes or career development. These guidelines endeavor to allow for the use of volunteers while mitigating certain legal risks and remaining compliant with wage and hour and tax laws that affect employment, including FLSA regulations.

### **DEFINITIONS:**

*A volunteer is defined as an individual who performs services for civic, charitable, humanitarian or, educational purposes, without promise, expectation or receipt of compensation. A volunteer may not perform duties (work) that the University would normally pay someone to perform, including lab or research duties, administrative tasks or other duties routinely performed by paid staff beyond a short, defined, highly supervised period of time needed to best serve the volunteer’s expressed intent of the volunteer experience. Based on this definition and the criteria set forth below, volunteers in the SOM should be a rare occurrence.*

### **PROCEDURES:**

School of Medicine Dean’s Office Human Resources (SOM HR) should be contacted in advance of all cases where a volunteer is being considered, or if there are questions regarding the appropriate use of a volunteer. The use of volunteers must be authorized by SOM HR prior to any individual starting an unpaid experience. The SOM HR Office will review the request and determine if “volunteer” is the appropriate status.



Below are the criteria that the SOM uses to determine whether a volunteer opportunity can be approved. These criteria are based on the DOL/FLSA regulations concerning volunteers. The individuals (trainees, students, etc.) are not considered employees (working within the parameters of FLSA) and would therefore be permitted to volunteer only when all six of the following criteria continuously apply:

1. The volunteer/training is for the benefit of the individual, not the SOM or UMB, and the institution is not receiving an advantage from the activities of the volunteer;
2. The volunteer is not displacing (or replacing) paid employees in regular, CI or CII status and works under close supervision of existing staff or sponsor;
3. The volunteer understands that they are not entitled to a job once training/volunteering has ended;
4. The volunteer understands that they are not entitled to any wages for the time spent volunteering;
5. In most cases, the volunteer is fulfilling the requirements of an established educational course of an accredited school; for licensing or professional experience; and the training is educationally oriented for the benefit of the volunteer; and
6. The experience/internship is similar to training that would be provided in an educational environment even though it includes actual operation of the SOM/UMB facilities.

Once a volunteer has been authorized, the following guidelines apply:

- It is recommended that volunteers not participate in activities in excess of 20 hours per week; (exceptions may be requested for review/approval by the Dean's Office).
- It is recommended that volunteer or training approvals not exceed 6 months; (exceptions may be requested for review/approval by the Dean's Office).
- Volunteers should not be asked or permitted to perform activities that are dangerous or which require specialized training that the volunteer does not possess.
- The UMB employee who is agreeing to take on the volunteer will be considered their "sponsor" and is responsible for ensuring that these required criteria are being met.
- The sponsor may be subject to disciplinary action for improper use of volunteer positions.
- The sponsor will provide written documentation to clearly define what the individual will be doing during their time with the SOM, including the educational benefit being provided to/for the volunteer.
- The sponsor must ensure that the volunteer completes all required UMB/SOM policy forms, including the SOM's Volunteer Services Agreement prior to performing any volunteer activities. Sponsor must also ensure the volunteer completes any EHS, HIPPA or other training as needed.
- Volunteers must be eligible/able to work in the US (i.e.: on a VISA status that would permit them to work).
- Volunteers and sponsors must comply with existing UMB policies regarding familial relationships (i.e., not permitted to volunteer directly for/with a member of their own family); and

- In some cases, it may be necessary/prudent for volunteers to sign non-disclosure agreements and/or agreements related to intellectual property (i.e. UMB's Visiting Scientist Agreement). In those cases, please contact the Dean's Office for additional information and direction.

Agreements and required forms/information for over-18 Volunteers may be obtained from the SOM HR by contacting Jessica Bird, Senior Director for Human Resources ([jbird@som.umaryland.edu](mailto:jbird@som.umaryland.edu)) or Jennifer Galang, Senior Human Resources Specialist ([jgalang@som.umaryland.edu](mailto:jgalang@som.umaryland.edu)).

*Please note: these guidelines are meant to cover volunteers over the age of 18 for non-faculty positions. If there are opportunities that involve FACULTY positions, please contact the SOM Office of Academic Administration.*

Approved:



Date:

2/5/18

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