



08.180 VOLUNTARY SERVICE ON CAMPUS

Authority: Chancellor

History: Revised August 2017; Revised September 1, 2010;
Reformatted on January 30, 2007; First Established on
November 10, 2004.

Source of Authority: UNC Policy 300.3.3[G]

Related Links: [08.151 Criminal Background Checks](#); [NC State Human Resources Policies](#)

Responsible Office: Human Resources

I. Purpose

To provide uniform and consistent guidelines for engaging volunteers, reducing volunteer risk, and protecting the interests of UNC Wilmington (hereinafter “UNCW”), its volunteers, and the community it serves.

II. Scope

Applies to all UNCW volunteers (see Section III for definition) and the departments who utilize their services.

III. Policy

- A. UNCW volunteers will be selected and placed without regard to race, gender, gender identity, sex (such as marital status or pregnancy), age, color, national origin (including ethnicity), religion, disability, sexual orientation, genetic information, political affiliation, veteran status, or relationship to other university constituents—except where sex, age, or ability represent bona fide educational or occupational qualifications.
- B. A criminal background check must be completed on UNCW volunteers before the first day of their volunteer assignment if they will have unsupervised contact with students or minors.
- C. Volunteer defined: volunteers are uncompensated individuals who perform services directly related to the business of UNCW to support the humanitarian, charitable or public service activities of UNCW, or to gain experience in specific endeavors.

1. Volunteers are not covered by the Fair Labor Standards Act and are not considered employees for any purpose. They are therefore not eligible for compensation or any UNCW benefits including the workers' compensation program.
2. Volunteers may not be utilized in ways that displace or replace regular employees in the performance of their normal duties.
3. To qualify as a volunteer, an individual must be willing to provide services according to the procedures in this policy.
4. To be covered under UNCW's liability protection, volunteers must be authorized to serve in that capacity by a UNCW official and have completed a [Volunteer Service Application](#) (Form 8.180).

D. Who May Volunteer

Anyone, including retirees (see below), students, alumni, or others may provide volunteer services to UNCW, with the following restrictions:

1. Current UNCW employees may not become a UNCW volunteer in any capacity in which he or she is employed. They may, however, volunteer to participate in significant university-wide events (such as "Move-In Day"). In these special cases, for employees subject to overtime compensation, such volunteer service is not considered "hours for work" or recorded on the timesheet if the service performed is substantially different from the employee's normal job duties, outside the employee's department, and outside the employee's normal work hours.

Exception: Current UNCW employees subject to overtime compensation who offer their services to assist with duties related to Commencement should record any such hours worked on their timesheet and will be compensated accordingly.

2. An individual under the age of eighteen must obtain parental/legal guardian consent to volunteer, and [Policy 02.250 Protections of Minors](#), must be observed.
3. A non-UNCW student who is younger than sixteen years old may only become a UNCW volunteer for service as part of an approved school program pursuant to a contract between UNCW and the school, and only with parental/legal guardian consent. Individuals under the age of fifteen may not become UNCW volunteers.
4. Non-U.S. citizens who do not possess valid work authorization are not eligible to volunteer.
5. In compliance with [N.C.G.S. § 135-3\(8\)c](#), TSERS retirees may not serve as a volunteer within the first six months of retirement if the volunteer assignment may lead to employment. Such an assignment would put the individual's retirement benefit at risk.

E. Prohibited Activities

1. UNCW volunteers cannot replace employee positions or impair the employment of a UNCW position. Volunteer services are generally limited to humanitarian, charitable, or public service.
2. UNCW volunteers are also prohibited from performing the following activities:
 - a. Operating heavy equipment, including vehicles;
 - b. Working with stored energy (*e.g.*, steam, electricity, hydraulics);
 - c. Performing any activity considered inappropriate for any employee;
 - d. Entering into any contract on behalf of UNCW;
 - e. Serving in any capacity aboard a UNCW research vessel; and
 - f. Working with infectious or potentially infectious agents.

IV. Liability Coverage

Pursuant to Executive Order No. 48, volunteers who are acting within the scope of their authorized activities on behalf of UNCW are covered by the North Carolina Tort Claims Act and Defense of State Employees Act. This means that the State accepts legal responsibility for the volunteer's authorized actions and, at the discretion of the North Carolina Attorney General, may agree to defend and indemnify the volunteer in the same manner as if the volunteer were an employee of the State of North Carolina.

V. Responsibilities

- A. Senior staff and department/unit heads are authorized to develop and advertise UNCW volunteer activities, and accept individuals to serve as UNCW volunteers in accordance with this policy. All such opportunities and communications with interested individuals must clearly state they are volunteer opportunities.
- B. UNCW volunteers are expected to abide by UNCW policies and procedures and external regulations that govern their actions, including but not limited to those relating to ethical behavior, safety, confidentiality, computer use, financial responsibility, and drug use.

VI. Procedures

- A. When selecting and engaging a UNCW volunteer, it is the department or unit's responsibility to be certain the individual has adequate experience, qualifications, and training for the task he or she will be required to perform.
- B. Departments or units wishing to engage a UNCW volunteer must:

1. Have the individual complete the [Volunteer Application \(Form 08.180\)](#) *prior* to beginning their service. If the individual is under eighteen years of age, his or her legal guardian must also sign the [Volunteer Application Form](#). [Ascertain whether the individual is at least eighteen years of age by reviewing appropriate proof of age presented by the volunteer.]
2. If the volunteer role will involve contact with students or minors in situations where a current UNCW employee is not also present, the individual must complete a [Criminal Background Check Release Form](#) (departments must first fill out the department information section of the form). The completed form is confidential and should be sent directly to Human Resources by the individual and not viewed by the department. Criminal background checks for individuals with unsupervised access to students or minors must be completed before the first day of the volunteer assignment.
3. Forward a copy of the completed Volunteer Application to Human Resources. Retain all applications completed as well as copies of any attachments, for a period of three years from the date of the UNCW volunteer's separation.
4. If the individual is a returning UNCW volunteer but the break in service is greater than one year or if his or her assignment has changed, all applicable forms must be completed once again.
5. Commencement is generally considered low-risk and does not require a completed agreement, unless the volunteer is under the age of 18.