

# University Volunteers

## Frequently Asked Questions

### Contents

1. Who administers the University of Oregon’s volunteers? .....	2
2. Is there a required form to be completed for a volunteer? .....	2
3. Are volunteers covered by Workers’ Compensation? .....	2
4. Is a volunteer protected against personal liability for his or her negligence or intentional acts when acting within the scope of volunteer services requested by UO? .....	2
5. How often does the Conditions of Volunteer Services Form need to be completed? .....	2
6. Can a volunteer receive reimbursement for expenses? .....	3
7. Does a background check need to be completed for a volunteer? .....	3
8. The volunteer will be working with minors as part of a University of Oregon youth program where can they take the required training? .....	3
9. Who retains the signed Conditions of Volunteer Services Form? .....	3
10. What is the responsibility of the supervisor to whom the volunteers report? .....	3
11. Are volunteers to affiliate organizations considered UO volunteers? .....	3
12. When or how might a volunteer be reclassified as an employee under federal or state law? .....	4
13. Can a university employee volunteer? .....	4
14. Can a department or unit terminate the services of a volunteer? .....	4
15. Can minors (under the age of 18) become UO volunteers? .....	4
16. Can a volunteer rent and drive a motor pool vehicle? .....	5
17. What happens if a volunteer is involved in a collision in a personally owned vehicle? .....	5
18. What types of safety training are available for volunteers? .....	5

**1. Who administers the University of Oregon’s volunteers?**

It is recommended that each department or unit establish procedures for volunteer selection, training, and supervision. The department or unit should identify each volunteer’s scope of services and assigned duties in the Conditions of Volunteer Service Form, or on an additional sheet attached to the form.

**2. Is there a required form to be completed for a volunteer?**

Yes, the *Conditions of Volunteer Service* form must be fully completed by the volunteer supervisor and the volunteer. Assigned duties and an estimate of volunteer hours are to be completed by the volunteer supervisor.

**3. Are volunteers covered by Workers’ Compensation?**

No. Volunteers are not covered by Workers' Compensation and are not entitled to employee benefits as a result of University volunteer affiliation. It is recommended that all volunteers have private medical and accident insurance. Volunteer injuries should be reported by the supervisor through the third-party incident reporting form.

**4. Is a volunteer protected against personal liability for his or her negligence or intentional acts when acting within the scope of volunteer services requested by UO?**

Yes. The conditions and limits of this protection are as stated in the Oregon Tort Claims Act, ORS 30.260-300. Volunteers will be protected from civil liability for injuries or damage to the person or property of others, subject to the following general conditions:

1. The volunteer is working on a University task assigned by an authorized University supervisor;
2. The volunteer limits their actions to the duties assigned; and
3. The volunteer performs their assigned tasks in good faith, and do not act in a manner that is reckless or with the intent to unlawfully inflict harm to other people or property.

**5. How often does the Conditions of Volunteer Services Form need to be completed?**

A new form should be completed every fiscal year for ongoing activities, or when volunteering for a different activity, or when volunteer duties change.

**6. Can a volunteer receive reimbursement for expenses?**

Yes, a volunteer can be reimbursed for actual expenses. This is not compensation or remuneration. Volunteers who are given anything of value (not including reimbursement for expenses) may be considered an employee under employment laws. This may then present a liability for workers' compensation insurance, minimum wage payment, federal withholding, and other costs to be paid by the department.

**7. Does a background check need to be completed for a volunteer?**

In some situations, it may be necessary to complete a background check [Human Resources, Background Check](#) .

Volunteers working with **minors** must have a background check completed prior to providing services [Human Resources, Minors](#)

**8. The volunteer will be working with minors as part of a University of Oregon youth program where can they take the required training?**

<https://hr.uoregon.edu/minors-campus>

Note: All volunteers should be encouraged to report child abuse and neglect to their supervisors. All UO employees are subject to [mandatory reporting requirements](#).

**9. Who retains the signed Conditions of Volunteer Services Form?**

The form needs to remain in the department or unit where the volunteer duties are being performed and be kept in accordance with UO retention requirements (three years). A copy provided by the department will be retained by the Office of Risk Management and Insurance.

**10. What is the responsibility of the supervisor to whom the volunteers report?**

The supervisor should ensure that all volunteers are provided with direct University supervision, as necessary. The supervisor should inform the volunteer of the tasks for the day and any problem areas. Supervisor oversight of a volunteer should be based on the activity, age and experience of the volunteer.

**11. Are volunteers to affiliate organizations considered UO volunteers?**

An individual is not an UO volunteer while performing volunteer services for an entity that is not a University department or program (i.e. non-profit or government agency; contracted third parties; etc.). However, certain events may be both affiliate and UO events. Contact the office of Risk Management and Insurance if clarity is needed as it relates to the volunteer status.

## 12. When or how might a volunteer be reclassified as an employee under federal or state law?

If the volunteer is performing services similar to those performed by a person in a paid position, departments or units should consult with UO Office of Human Resource Services to prevent a situation in which UO may be liable for payment of wages and work hours under the Fair Labor Standards Act.

## 13. Can a university employee volunteer?

Yes, employees, including student employees, can volunteer for the university. The Oregon Bureau of Labor and Industries specifies all of the criteria below must be met when an employee volunteers at their place of employment.

1. "The work must be at the employee's initiative.
2. The work must be outside normal or regular work hours.
3. The employee must be performing a religious, charitable or other community service without contemplation of payment.
4. The employee must be performing a task outside of the regular job functions performed for the same employer."

For more information on Oregon's Labor Laws and specifically laws around volunteers please review the BOLI website: [BOLI reference](#), direct link to [volunteer activities](#) (scroll to bottom of page)

## 14. Can a department or unit terminate the services of a volunteer?

The department or unit may end a volunteer's service at any time and without prior notice.

## 15. Can minors (under the age of 18) become UO volunteers?

Yes, but the assigned duties should be thoughtfully considered. Although this is for a volunteer position it is our recommendation that departments use the Bureau of Labor and Industries' Child Labor Laws as a best practice guide. Limitations for minors under the OARs include but are not limited to restrictions of work hours, operation of power-driven machinery, driving, arduous work restrictions and hazardous exposures.

When utilizing minors as volunteers, ensure parents/legal guardians complete the permission section of the volunteer form. More information from BOLI on child labor laws:

<https://www.oregon.gov/boli/employers/pages/minor-workers.aspx>

## 16. Can a volunteer rent and drive a motor pool vehicle?

Yes. The volunteer must possess a valid driver's license. If the volunteer is involved in a collision in a motor pool vehicle or UO owned vehicle, the department or unit will be responsible for the \$5,000 deductible to repair or replace the vehicle.

Prior to driving on University business employees and other authorized users should:

- Complete the [driver certification process](#)
- Complete the [Personal Vehicle Use Form](#) (if applicable)
- Review the [Vehicle Policy](#) and [Travel Policy](#)
- Understand and review [how to report a claim](#)
- Request [Accident Packet and Proof of Insurance](#)

## 17. What happens if a volunteer is involved in a collision in a personally owned vehicle?

If the volunteer uses a personally owned vehicle in the course of the volunteer's assigned duties, then the volunteer is required to have personal automobile liability insurance in accordance with Oregon law. The personal automobile insurance will provide primary coverage for any accidents. Any UO- provided automobile liability coverage may apply on a limited basis only after primary coverage limits have been used and only where the indemnification conditions as outlined in the Conditions of Volunteer Service Form apply.

## 18. What types of safety training are available for volunteers?

Supervisors should determine the appropriate training for the volunteer based on their scope of services and assigned duties. Supervisors should also document any training provided. In general, recommended safety training may include: General and Office Safety, Fire/Life Safety, lab safety, and Emergency Preparedness. Supervisors may wish to consult with Environmental Health & Safety and Human Resources on appropriate training.