



Volunteers Supervisor's Guide  
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The University will follow the Fair Labor Standard Act's criteria when determining who is permitted to volunteer services at the University this includes individuals, employees, work study students and student employees.

Fair Labor Standards Act definition of a volunteer:

An individual will be considered a volunteer under the FLSA if the individual:

1. Performs hours of service for a public agency for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered; although a volunteer can be paid expenses, reasonable benefits or a nominal fee to perform such services;
2. Offers services freely and without pressure or coercion; and
3. Is not otherwise employed by the same public agency to perform the same type of services as those for which the individual proposed to volunteer.

Under the FLSA, employees may not volunteer services to for-profit private sector employers. On the other hand, in the vast majority of circumstances, individuals can volunteer services to public sector employers. When Congress amended the FLSA in 1985, it made clear that people are allowed to volunteer their services to public agencies and their community with but one exception-public sector employers may not allow their employees to volunteer, without compensation, additional time to do the same work for which they are employed. This is no prohibition on anyone employed in the private sector from volunteering in any capacity or line of work in the public sector.

Employees volunteering at a University-sponsored event:

The DOL states that the employee volunteers must be compensated for any time spent volunteering during their normal working hours and must be compensated for any time spent perform in work that is similar to their normal duties, even if those activities occur during nonworking hours. However, no compensation is required when the volunteer activities occur after regular working hours and are not similar to the employees' normal duties.