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## Volunteer Policy

Volunteers provide invaluable service to the university and enrich the campus community. Current or retired employees, students, alumni, and others may provide volunteer services to the university in accordance with this policy.

### Definitions

For purposes of this policy, key terms are defined as follows:

*Minor* means an individual under the age of 18 who is not a matriculated student at BYU.

*Volunteer* means an individual who is performing Volunteer Services.

*Volunteer Services* means services that are freely performed in furtherance of the university's nonprofit objectives, without contemplation or receipt of compensation or similar benefit, such as academic (including internship) credit, funding, or future employment.

*Vulnerable Adult* means an individual 18 years of age or older who has a physical or mental impairment that substantially affects the person's ability to carry out the activities of daily living.

### Relationship with the University

Performing Volunteer Services at BYU does not create an employment relationship with the university or qualify the Volunteer for any university benefits. Volunteer Services may not be required of any person as a condition for university employment. The university has the discretion to accept, modify, reject, or terminate any Volunteer Service for any reason.

### No Compensation

Volunteers must not receive compensation for Volunteer Services. University employees must not represent or imply that Volunteers will receive any preference for future employment or future compensation.

On occasion, Volunteers may receive nominal tokens of appreciation. University directors and managers should contact Human Resource Services with questions about whether these tokens of appreciation constitute compensation.

The university may provide a Volunteer with free admission to attend a university event directly related to the Volunteer Services.



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### ***Reimbursement***

Volunteers may receive reimbursement for actual and reasonable expenses they incur in connection with Volunteer Services they provide. The unit responsible for a Volunteer has the authority to decide whether to reimburse a Volunteer for these expenses. Any reimbursement must be made following standard university reimbursement guidelines. Reimbursement must not be used as a substitute for compensation and cannot be linked to productivity.

### **Volunteer Standards**

While performing Volunteer Services, all Volunteers must refrain from behavior or expression that seriously and adversely affects the university mission or The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ) and comply with applicable university policy, including the [Church Educational System Honor Code](#).

### **Acceptable Types of Volunteer Services**

Volunteer Services must further the university's religious, charitable, civic, or humanitarian purposes; however, Volunteers cannot, even on a temporary basis, displace employed workers.

Examples of acceptable Volunteer Service positions include

- Family History Library assistant
- Gallery guide
- Guest lecturer in an academic course
- Guest speaker at a university-sponsored event
- Humanitarian project participant
- Museum docent
- Off-campus alumni chapter officer
- Volunteer at a university conference, including conferences co-sponsored by the Church of Jesus Christ or other charitable organizations, including Education Week and Women's Conference

### **Prohibited Activities**

To comply with federal law, the following activities are not Volunteer Services and are prohibited:

- Former employee training a replacement
- Hourly employee performing work assignments off the clock
- Retiree performing work that the retiree previously performed as an employee



- An individual to whom the university has extended an offer of employment in an hourly, non-exempt position attending job-related training, meetings, or performing other uncompensated work before an official hire date
- Unpaid service in furtherance of the university's commercial activities, such as in university dining, laundry, or retail facilities

To avoid unnecessary risk, Volunteers are prohibited from performing the following activities:

- Operation of heavy equipment
- Services requiring the gathering or analysis of data that includes social security numbers or medical records
- Activities involving contact with Minors, unless the Volunteer qualifies as an Authorized Adult under the [Minor Protection Policy](#)
- Activities involving unsupervised contact with Vulnerable Adults
- Any activity inappropriate or unsafe for an employee

The responsible vice president or Risk Management and Safety may prohibit Volunteers from engaging in other activities not specified above.

### **Volunteer Agreements**

The university reserves the right to require a [Volunteer Agreement](#) for any activity. Volunteer Agreements are available through Risk Management and Safety.

### ***Services Requiring a Volunteer Agreement***

Volunteers are required to complete and sign a Volunteer Agreement when their services involve any of the following:

- Access to rare or valuable items or collections
- Confidential information (e.g., processing of credit card numbers or bank account information)
- Fitness center or wellness center service
- Food preparation other than service of packaged or ready-to-eat foods
- Guiding museum tours
- Hazardous materials
- Interactions with Minors or Vulnerable Adults
- Participation in recreational or competitive sports
- Providing medical surveillance or wearing personal protective equipment



- Traveling off campus or in a university-provided vehicle
- Working with or near stored energy (e.g., physical energy stored in air, gas, steam, water pressure, or in springs, elevated machines, rotating flywheels, fans, hydraulic systems, or similar features)

If a Volunteer participates in distinct Volunteer Service activities, a Volunteer Agreement is required for each activity. University units may use a single Volunteer Agreement if a Volunteer will participate in a series of similar Volunteer Service activities occurring over the course of less than a year. For ongoing Volunteer Services that require a Volunteer Agreement and extend for more than a year, the Volunteer Agreement must be completed annually.

If a Volunteer Agreement is required, the university unit coordinating the Volunteer Services is responsible for ensuring that the agreement has been completed and signed and a copy has been provided to Risk Management and Safety before the Volunteer begins providing Volunteer Services.

University units should contact Risk Management and Safety with any questions about Volunteer Agreements.

### ***Services Not Requiring a Volunteer Agreement***

Some Volunteer Service activities are considered low risk and do not require a Volunteer Agreement. These include

- BYUSA service activities,
- guest lecturing and instructing (e.g., campus devotionals, firesides, workshops, classrooms), and
- organizing or ushering campus events (e.g., Women's Conference, Education Week).

### **Select Volunteer Populations**

Some individuals who might want to provide Volunteer Services to the university are subject to additional conditions, as described below.

#### ***Church Service Missionaries***

Prior to requesting Church service missionaries, university units must discuss their requests with Staff Employment. Church service missionaries may be assigned to serve at the university only through consultation between the proper ecclesiastical leaders and university officials. See [Service Missionary Procedures](#).



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### ***Employee Volunteers***

In addition to the rules and restrictions cited above, the following restrictions apply to current and former university employees who provide Volunteer Services:

- The employee may not provide Volunteer Services for the college, division, or department in which the employee is or was employed, unless approved by Human Resource Services.
- The employee's Volunteer Services may not displace another employed worker.

The following apply only to current employees providing Volunteer Services:

- The employee's Volunteer Services must be substantially unrelated to his or her paid work responsibilities.
- The time the employee spends on Volunteer Services must be insubstantial in relation to the employee's paid working hours.
- The employee's Volunteer Services may not take place during the employee's regular working hours or scheduled overtime hours unless it occurs during approved vacation time.

Salaried employees who accept additional work projects, assignments, or responsibilities for the university are compensated by their salary and are not performing Volunteer Services under this policy.

### ***Minor Volunteers***

Minors may not participate in Volunteer Service activities that require a Volunteer Agreement. Activities and events with Volunteers who are Minors or in which adult Volunteers interact with Minor participants must also comply with the requirements of the [Minor Protection Policy](#).

### ***Research Subjects***

Although the university is grateful for the service of those who participate as subjects in university research, that service is governed by the [Human Research Protection Policy](#) and not this policy.

### ***Training, Medical Surveillance, and Oversight***

University units are responsible for creating an environment where their Volunteers can perform Volunteer Services safely, including providing

- training, including applicable safety training
- appropriate oversight



- personal protective equipment
- medical surveillance programs applicable to likely hazards

### **Background Checks**

Volunteers must submit to a background check and disclose any criminal charges if required by the [Background Check and Criminal-Charge Disclosure Policy](#).

### **University Vehicles**

Only a Volunteer who meets the driver requirements set forth in the [University Vehicle Policy](#), has been authorized by the responsible unit, and has completed a Volunteer Agreement may operate a university vehicle.

### **Insurance Coverage and Liability**

#### ***Health Insurance Coverage and Workers' Compensation***

Volunteers are not eligible for university health insurance coverage because of their Volunteer Services and will not receive workers' compensation benefits if they are injured while providing Volunteer Services, even if the university was the beneficiary of the Volunteer Services and university employees provided oversight for the Volunteer Services.

#### ***Liability for Personal Property Damage***

Volunteers assume the risk of damage to or theft of any personal property that may occur as a result of providing Volunteer Services. The university disclaims liability and does not provide insurance for any loss or damage to a Volunteer's personal property that may occur in connection with providing Volunteer Services.

#### ***Legal Defense and Indemnity***

The university may choose to furnish a legal defense for or indemnify a Volunteer if the Volunteer was acting in good faith within the course and scope of the Volunteer Services authorized by the university. The university will make this determination in its sole discretion and on a case-by-case basis. The university is unlikely to choose to defend or indemnify a Volunteer if

- the act or omission in question was a violation of law or university policy;
- the Volunteer was not properly licensed, certified, or authorized as required by the appropriate authorities;
- damages resulted from the Volunteer's operation of a motor vehicle, a vessel, an aircraft, or other vehicle for which a pilot or operator's license is required; or
- the Volunteer was acting under the influence of any alcohol or drugs at the time of the act in question.



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In the event the university furnishes a defense, the university reserves the absolute right to make all decisions regarding the manner in which the defense is conducted. To obtain the benefits of this policy, the Volunteer must reasonably cooperate with the university.

**APPROVED:** 17 Apr 2023 [Revised 10 May 2023]

**PRIOR VERSION:** 24 Feb 2014

**APPLICABILITY:** This policy applies to all campus units that allow Volunteers to provide Volunteer Services.

**POLICY OWNER:** Administration Vice President and CFO

**RESPONSIBLE OFFICE:** Human Resource Services, Risk Management and Safety

**IMPLEMENTING PROCEDURES:** [Volunteer Policy Procedures](#), [Volunteer Agreement](#), [Service Missionary Procedures](#)

**RELATED POLICIES:**

- [Background Check and Criminal-Charge Disclosure Policy](#)
- [Church Educational System Honor Code](#)
- [Conflict of Interest Policy](#)
- [Dress and Grooming Standards](#)
- [Human Research Protection Policy](#)
- [Intellectual Property Policy](#)
- [Internships Policy](#)
- [Minor Protection Policy](#)
- [Risk Management and Safety Policy](#)
- [Staff Overtime Policy](#)
- [University Vehicle Policy](#)