

UConn HEALTH

POLICY NUMBER 2002-52

July 12, 2016

POLICY: APPROPRIATE USE OF NON-COMPENSATED INDIVIDUALS: VOLUNTEERS, INTERNS AND JOB SHADOW/OBSERVERS

PURPOSE: In keeping with its mission of education, research, and public service, UConn Health regularly receives requests to host various non-compensated (unpaid) individuals at its facilities for civic, humanitarian and educational purposes. This policy provides clear and consistent rules and requirements that govern the safe and appropriate utilization of these individuals (referred to as participants). This policy does not apply to non-compensated faculty appointments and/or engagements, students currently enrolled at UConn Health, and groups of students engaged through formal affiliation agreements between their sponsoring institution and UConn Health. **Special note:** Activities involving participants under the age of 18, referred to as minors, must comply with the University's Minor Protection Policy and procedures.

DEFINITIONS AND ONBOARDING: Unpaid experiences at UConn Health include but may not be limited to volunteer assignments, internships, one-time job shadow/observation and other assignments deemed appropriate and authorized by Human Resources (HR). The various types of experiences are distinguished based on the nature, purpose and duration of activities. Age restrictions apply.

VOLUNTEER ASSIGNMENT

Primary Purpose: The work performed contributes to the mission and needs of UConn Health.

Definition: Individuals who donate their services without promise, expectation or receipt of compensation. Section 3 of the Federal Labor Standards Act (FLSA) and 29 CFR 553.101 indicate that individuals are volunteers of a public agency when they meet all of the following criteria:

1. Perform hours of service for civic, charitable or humanitarian reasons without promise, expectation, or receipt of compensation for the services rendered. The statute clarifies that a volunteer performing such service can either receive no compensation or be paid expenses, reasonable benefits or a nominal fee to perform such services;
2. Offer their services freely and without coercion, direct or implied, from the employer;
3. Are not otherwise employed by the same public agency to perform the same services as those for which they propose to volunteer. In other words, employees can qualify as volunteers if they either volunteer for different agencies **or** perform different services than they are employed to perform.

Application and Onboarding:

1. Individuals requesting a volunteer assignment must be approved by Human Resources using the applicable request form.
2. Proposed assignments are authorized and coordinated by the Volunteer Services Department.

3. Age restrictions: participants 15 - 18 years of age may participate in accordance with existing program criteria and operational procedures, at the discretion of Volunteer Services.

UNPAID INTERNSHIP

Primary Purpose: The work is performed for the purpose of training and is for the benefit of the participant, generally an undergraduate or graduate level student.

Definition: A hands-on opportunity for eligible students to supplement their formal education and gain practical work experience. A key component is the inclusion of learning activities separate from work tasks. An internship generally lasts from two to four months, and may be linked with course credit and/or professional licensure. In addition to FLSA guidelines, CT Public Act 15-56: An Act Protecting Interns from Workplace Harassment and Discrimination imposes specific conditions that must be satisfied before the position qualifies as an internship. Those requirements are:

1. The employer is not committed to hire the intern at the conclusion of the training period.
2. The employer and intern agree that the intern is not entitled to wages for work performed.
3. The work performed:
 - a. Supplements training given in an educational environment;
 - b. Provides experience for the benefit of the intern;
 - c. Does not displace any paid employee,
 - d. Is performed under the supervision of the employer; and
 - e. Provides no immediate advantage to the employer and may occasionally impede the operations of the employer.
4. Unpaid interns are to be afforded the same protections from discrimination and sexual harassment as all paid employees.

Application and Onboarding:

1. All proposed internship assignments must be authorized by HR in advance using the applicable request form.
2. All assignments must meet defined eligibility criteria, including age restrictions.
3. Age restrictions: individuals not enrolled in a University-sponsored program **must be at least 18 years of age**
4. The department sponsoring the participant is responsible for coordinating all clearances, training and documentation requirements, as outlined in HR operational procedures or as directed by HR.

JOB SHADOW/OBSERVATION

Primary purpose: One-time observation for career exploration purposes or professional interest.

Definition: An opportunity for an individual to observe and accompany (shadow) an employee during the normal course of his/her job responsibilities for career exploration purposes or professional interest. All of the following criteria must be met:

1. Observation only; participant does not take part in any 'hands-on' activities or assignments.

2. Intended as a one-time experience only, not to exceed one shift (or 12 hours).
3. The following groups of individuals are eligible to participate:
 - a. Current or prospective students, generally undergraduate and graduate level, seeking to learn about a particular career path.
 - b. Candidates being interviewed for a UConn Health position seeking to visit the hiring department to gain an understanding of the prospective work environment.

Application and Onboarding:

1. Request must be authorized by HR in advance using the applicable request form.
2. All assignments must meet defined eligibility criteria, including age restrictions.
3. Age restrictions: participants not enrolled in a University-sponsored program **must be at least 18 years of age**
4. The department sponsoring the participant coordinates all clearances, training and documentation requirements outlined in HR operational procedures or as directed by HR.

POLICY STATEMENT:

- UConn Health must ensure that the utilization of individuals performing work assignments complies with state and federal laws, regulations, collective bargaining contracts, and all appropriate policies.
- A department's decision to sponsor an unpaid experience requires careful thought and planning and must be pre-approved by senior leadership.
- Any proposed engagement under the provisions of this policy must have the advance approval of Human Resources using the appropriate request form. This is intended for individual experiences only, and is not applicable for groups of participants.
- Participants under the age of 18 must be enrolled in a University-sponsored program or activity.
- Participants cannot displace, replace or be substituted for current employees or perform work that would otherwise require another individual to be employed.
- Experiences are approved based on the availability of operational resources. Individual departments have the right to refuse to sponsor experiences if resources are not available.
- All participants must be sponsored, oriented, trained, supervised and documented by a host department.
- It is the sponsoring department's responsibility to ensure that all applicable policies, documentation, orientation, training, background and exclusion clearances are completed prior to the participant's start date.
- Experiences are offered by UConn Health, not by individual employees or faculty.
- Appointment and supervision of participants must comply with the University's Policy on Employment and Contracting for Service of Relatives.
- Consistent with its policy on Affirmative Action, Non-Discrimination and Equal Opportunity, UConn Health does not discriminate in its selection of participants on the basis of race, color, religion, age, sex, gender identity, sexual orientation, marital status, national origin, ancestry, or disability.
- Current UConn Health employees are prohibited from offering their services without compensation at UConn Health for the same work for which they are compensated.

- Individuals who are not authorized to work in the United States are prohibited from offering their services without compensation at UConn Health.
- Foreign nationals must have the appropriate visa and authorization to participate in the proposed assignment, as certified by Human Resources' Office of International Programs.
- Any access to, or viewing of, UConn Health confidential data must have proper authorization.
- Participants are expected to conduct themselves consistent with standards of professional behavior common to all paid employees such as those defined in the Code of Conduct and the Rules of Conduct.
- Participants must wear the UConn Health issued identification badge at all times while participating in the experience.

ACTIVITY RESTRICTIONS

- Participants are prohibited from the following activities in the course and scope of their assignments:
 - a. Operating heavy equipment;
 - b. Operating University or State-owned vehicles;
 - c. Working with hazardous materials, including blood-borne pathogens, chemicals, radiation and/or stored energy (e.g., steam, electricity, hydraulics);
 - d. Entering into any contract on behalf of the University;
 - e. Performing activities that are not approved by Environmental Health and Safety;
 - f. Performing activities or entering areas as prohibited by law or regulation.
- Participants may be prohibited from entering sensitive locations, including clinical care areas, some research areas, and secured units, at the discretion of HR, Environmental Health and Safety and the department/unit manager.
- Any activities involving minor participants must comply with the University's Minor Protection Policy and Procedures. The following additional restrictions also apply:
 - a. Minors are prohibited from working or studying with or around radioactive material or radiation-producing equipment, biological agents, hazardous chemicals, power-driven equipment, or high voltage equipment.
 - b. Minors are prohibited from directly working with laboratory animals. Minors cannot enter the vivarium.
 - c. Minors observing animal experiments or potentially exposed to animals by otherwise working in areas where animal work is performed must adhere to additional requirements at the discretion of Environmental Health and Safety.
Minors are prohibited from sensitive locations, which may include clinical care areas, some research areas, and secured units, at the discretion of HR, Environmental Health and Safety and the department/unit manager.
- Experiences may be terminated at any time without cause or prior notice. The host department must notify Human Resources if an internship is to be terminated. If a volunteer assignment is to be terminated, the host department must notify Volunteer Services.

- Keys, email accounts, ID badges, parking tags and other equipment issued to a participant remain the property of UConn Health and must be returned prior to the end of the experience.

RECORD KEEPING

- The department sponsoring the participant must maintain, in a secure location, a file of the required documents in compliance with State of Connecticut record retention policy. Files are subject to audit upon request.

REFERENCES AND RESOURCES

- [UConn Health HR Unpaid Experience Procedures website](#)
- [University Protection of Minors and Reporting of Child Abuse and Neglect Policy](#)
- [University Minor Protection Program official website](#)
- [CT Public Act No.15-56: An Act Protecting Interns from Workplace Harassment and Discrimination](#)
- [UConn Health Policy 2002-44: Affirmative Action, Non-Discrimination & Equal Opportunity](#)
- [University Policy on Employment and Contracting for Service of Relatives](#)
- [U.S. Department of Labor Wage and Hour Division: Fact Sheet #71: Internship Programs Under The Fair Labor Standards Act](#)
- [Code of Conduct](#)
- [Rules of Conduct](#)

Carolle Andrews (Signed)

7/25/16

Carolle Andrews
Chief Administrative Officer
Interim Vice President for Human Resources

Date

Andrew Agwunobi (Signed)

7/26/16

Andrew Agwunobi, M.D., M.B.A.
Chief Executive Officer
Executive Vice President for Health Affairs

Date

New Policy: November 8, 2002
Revised: 7/23/10, 12/8/15, 7/12/16