



UW-5001 Volunteer Policy FAQ

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This FAQ is meant to provide additional information and clarification about sections in UW-5001 Volunteers. If you have questions that are not addressed in this FAQ, please contact Volunteer Management Services (volunteer@ohr.wisc.edu).

**Paid Employee Positions vs. Volunteer Positions \ **

What is the difference between a paid employee position and a volunteer position?

A paid employee is someone who is hired and compensated for their work, typically with a salary or hourly wage. They are expected to follow specific job responsibilities and work under a formal employment contract with benefits eligibility, rights, and protections.

A volunteer on the other hand, performs services without financial compensation other than nominal fees. They offer their services willingly and without influence or pressure from an employer. Volunteers offer their time and skills to support a cause, organization, or community, often out of personal interest, a sense of social responsibility, or a desire to gain experience.

When should certain tasks be paid versus when can they be volunteer-based?

In addition to the differences provided above, here are some general guidelines to determine if a task should be compensated or can be handled by volunteers:

- **Paid Employee Tasks:**
 - **Core Responsibilities:** If the task is essential to the organization's operations, requires specific expertise, or is central to its mission (e.g., managing finances, leading programs, or performing technical work), it should generally be a paid position. Work is driven and directed by organizational needs.



- **Regular or Ongoing Work:** Tasks that require consistent, long-term commitment (e.g., administrative work, project management, or customer service) should be compensated.
- **Specialized Skills:** Roles requiring a high level of expertise (e.g., legal, medical, or technical work) should be paid positions.
- **Compliance with Labor Laws:** If the work requires meeting legal or regulatory standards (e.g., safety protocols or industry standards), employees should be hired for those tasks.
- **Volunteer Tasks:**
 - **Supplementary Support:** Tasks that support the main work but aren't critical to the organization's core mission (e.g., event setup, greeting guests, or fundraising support) can be volunteer-based.
 - **Short-Term or One-Off Projects:** Volunteer roles are often ideal for tasks that are temporary, such as helping with a special event, conducting surveys, or assisting in one-time initiatives.
 - **Non-Expert Work:** General assistance that doesn't require specialized knowledge or extensive training (e.g., sorting donations, handing out flyers, or community outreach) can be handled by volunteers.
 - **Experiential Roles:** Sometimes organizations offer volunteer opportunities to give individuals a chance to gain experience or contribute to a cause, without expecting full-time involvement.

Can a task ever switch from volunteer to paid or vice versa?

Yes, though uncommon, it is possible for tasks to transition based on the needs of the department/unit. For instance:

- If a volunteer role becomes more critical or requires more time and responsibility, it may evolve into a paid position.
- Alternatively, if a paid position becomes unnecessary or can be reduced, the organization may shift certain tasks to volunteers.
- Please note, tasks and duties cannot shift to volunteers to save on budget or replace necessary work.
- For any questions about switching paid/volunteer positions, please contact the Compensation Center of Excellence (CCoE) or Volunteer Management Services.



Can a paid University employee also be a University volunteer?

Yes, a university employee may also be a university volunteer as long as the service being provided is not similar to or associated with the employee's paid position. FLSA is written to protect employees from performing unpaid work under the guise of "volunteering". This is why a volunteer role must not be related to or resemble an employee's paid position if the employee is volunteering for the same organization at which they are employed. This is also why an employee may not volunteer while they are in paid status – an individual must be in either paid status or volunteer status, but not both at the same time.

What about services that are considered "other duties as assigned"?

UW-Madison has a culture of employees helping with campus activities that are not part of their normal jobs for the benefit of the university. Examples include handing out ice cream at campus events, helping with registration for an expo, and aiding in set-up and tear-down for a university event. This type of service is **not considered** volunteering for the university if the employee remains in paid status and has not received a volunteer role description or volunteer agreement letter. Most of these services can be considered "other duties as assigned" but should be discussed with the employee's supervisor before performing. Reach out to Compensation Center of Excellence (CCoE) and Volunteer Management Services if you are unsure if a service should be considered "other duties as assigned" or volunteer.

Volunteer Nominal Fees //



Can volunteers be paid?

Yes, in limited circumstances and with restrictions in the amount and frequency.

By definition, volunteers are not to expect or receive compensation for services rendered. However, FLSA does indicate volunteers may receive a "nominal fee" but does not provide a formal definition of what this entails. The Department of Labor (DOL) has written opinion letters stating "[a] nominal fee is not a substitute for compensation and must not be tied to productivity." 29 C.F.R. § 553.106(e)". The primary purpose of a nominal fee is to acknowledge a volunteer's contribution with a small amount of money. Paying volunteers any amount contains risk because regardless of the label an individual is given by an organization, courts can rule that individuals have been treated more like employees than volunteers and are thus entitled to payment and benefits. See below for considerations for Wisconsin state workers compensation implications.

How much can a volunteer be paid?

Up to \$500/year.



The amount a volunteer is given as a nominal fee can jeopardize their status as a volunteer. Although FLSA does not provide an appropriate amount for “nominal fee”, DOL opinion letters have suggested payment to be nominal if it does not exceed 20% of what would normally be paid to a full-time employee performing the same work. Other laws also influence the appropriate amount of a nominal fee. The Volunteer Protection Act of 1997 provides certain protections to volunteers as long as they are not given more than \$500 a year. Similarly, the Wisconsin Workers Compensation Act states that individuals are seen as volunteers if they are not given more than \$10/week. Considering all of these laws, the University has decided on the \$500/year nominal fee limit for volunteers.

Please note, reimbursement for travel and expenses are not included in the nominal fee amount and may be administered to volunteers in accordance with applicable university policies.

Can I use nominal fees for recruitment?

No.

Using nominal fees in recruitment language/communication runs counter to the FLSA definition of a volunteer: “an individual who performs hours of service for a public agency for civic, charitable, or humanitarian reasons, ***without promise, expectation or receipt of compensation*** for services rendered”. Communicating a nominal fee creates a promise and expectation of compensation and thus should be avoided. Nominal fees should only be used as a token of appreciation for a volunteer’s service.

Volunteer Age //



Can individuals under the age of 18 be University Volunteers?

No, individuals under the age of 18 are not considered University Volunteers.

All university volunteer programs engaging youth fall under UW-1045 Youth Protection Policy and must register with the Office of Youth Protection. As such, all youth providing services to the University through volunteer activities or programs are considered youth participants instead of volunteers. This does not mean youth cannot provide similar services to the university as volunteers, but that they fall under a different classification and registration process.

Please contact the Office of Youth Protection (youthprotection@wisc.edu) to register a University volunteer program engaging youth, or with any questions involving youth participants.

Can minors volunteer if they are with their parents?

Yes.



A minor may provide volunteer services if they are accompanied by a parent/guardian who assumes custodial care and all liability for the minor's activities. The youth will still not be considered a University Volunteer or a youth program participant because they will be under their parent/guardian's custodial care.

Are UW-Madison students under the age of 18 allowed to be University volunteers?

An enrolled, for-credit UW-Madison student under the age of 18 may be recognized as a University Volunteer on a case-by-case basis with approval by the program and the S/C/D based on review and consultation with Volunteer Management Services, Risk Management, and OLA.

Volunteer Data //



What volunteer data/documents do we need to collect and why?

Volunteer programs at UW-Madison must collect certain information to ensure compliance with systemwide requirements, support risk management, and promote a safe and effective volunteer experience. Specifically:

- **Volunteer Contact Information:** This is required by the Universities of Wisconsin and is essential for communication, emergency response, and recordkeeping.
- **Volunteer Agreement Letters:** These documents confirm the scope of the volunteer relationship, clarify expectations, and help protect both the volunteer and the university.
- **Volunteer Role Descriptions:** These outline the duties and responsibilities of each volunteer position, ensuring alignment with university needs and helping supervisors provide appropriate guidance.
- **Proof of Required Trainings:** This ensures that volunteers have completed any necessary compliance or safety training relevant to their role, which is critical for maintaining a safe and legally compliant environment.

Collecting this information supports UW-Madison's commitment to responsible volunteer engagement and helps ensure that all volunteer activities are conducted in accordance with university policies and applicable laws.

How should UW-Madison volunteer programs collect volunteer data?

The preferred way to track volunteer data and documentation is to use VolunteerMatters, a volunteer management software that was chosen by the Universities of Wisconsin and is used at all other UW schools. The system seamlessly tracks all required volunteer documentation with renewal dates as well as automated Criminal Background Checks. The system can also be used to schedule events, volunteer shifts, and track hours. VolunteerMatters is free to use for UW-Madison volunteer



programs. At this time (10/28/2025), utilizing VolunteerMatters is opt-in tool, but this may change in the future.

If programs decide not to use VolunteerMatters, they are still responsible for responding to audit requests and reporting on the data points described in the policy and this FAQ. Volunteer Management Services is available for consultation as needed.

Why do volunteers need to be categorized as Level 1, Level 2, or Level 3 University Volunteers?

There are many types of volunteer needs and roles across the university which are associated with differing amounts of risk and liability. The two main variables in the level of risk are time/commitment and tasks/responsibilities. The longer a volunteer provides services, the higher the risk of potential incidents as well as duration resembling work that should be paid. The more complex a volunteer's tasks/responsibilities are the more access to people/places/systems and higher risk of incidents as well as the increased resemblance to duties that should be performed by paid employees. Additionally, higher volunteer levels may require certain training to be in compliance with other university policies. Classifying volunteer roles into levels helps identify the amount of risk, time, and responsibilities for the hundreds of volunteer roles at the university.

How do we determine a role's volunteer level?

Identifying a university volunteer level can be determined by assessing a volunteer role's time commitment and tasks/responsibilities.

Level 1 Volunteers are typically roles that occur during 1 day/event and require lower skill, such as working a registration table at a science expo.

Level 2 Volunteers are roles where volunteer commitments occur more regularly – weekly or monthly services. These roles may require more skills than a Level 1 Volunteer, such as regularly scheduled front desk greeters at nature preserves.

Level 3 Volunteers are roles with leadership responsibilities and/or roles that qualify as positions of trust. These roles may help make decisions for the volunteer programs, help organize events, and work with youth, such as a 4-H Club Leader

Please use the [Volunteer Policy Compliance Guide](#) for more information. If you have already reviewed the resources and would still like help with classifying a volunteer role, please reach out to Volunteer Management Services (volunteer@ohr.wisc.edu).

