

Standard Operating Procedure: **Volunteers on University Business**

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Approval Authority: **Director, Risk Management Services**

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Effective Date: **December 2012**

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## I. INTRODUCTION

Volunteer engagement assists York in fulfilling the University's academic mission and broadens its outreach within the greater York University community. Volunteers can be defined as persons or organizations that provide services to the University without any financial gain. Faculty, staff, students or departments may be approached persons or organizations who wish to provide their services to York.

While volunteers make a valuable contribution to the University, it is important to understand that the use of volunteers requires the University community to be aware of the following when considering the use of volunteers.

## II. CONSIDERATIONS

### 1. Liability

- a. Liability of the University to the Volunteer – The University shall not accept liability for personal injury or property damage which may be suffered by a volunteer unless such injury or property damage is the direct result of the negligent act or omission of the University
- b. Vicarious Liability of the University to Others from Volunteer's Negligence – Volunteers acting on behalf of the University expose the University to potential liability should their actions result in harm or loss to a third party
- c. Personal Liability of Volunteer to Others from Volunteer's Negligence – Volunteers, acting outside the scope of their volunteer work at York, are potentially liable for the consequences of their negligent acts
- d. Volunteers do not have the authority to bind the University to agreements with third parties

### 2. Volunteers are not employees of York University.

- a. A volunteer may not perform duties that would otherwise be performed by a unionized employee
- b. As non-employees, volunteers are not covered by York University's WSIB plan or other employee health benefit plans. However, the University has obligations to volunteers just as it does to employees in terms of providing a safe working environment.

### III. GUIDELINES

#### 1. Provide Formal Approval to Volunteer(s):

All volunteers should receive proper formal documentation of their assignment at York in the form of a "Letter of Understanding" from a department chair, director or executive officer (Volunteer Offer Letter – Letter of Understanding template available on YU Link under the Services for Managers link).

- a. The Letter of Understanding is important, as persons who perform duties for the University, including employees, volunteers and students, may be covered under York's liability policy for claims against them or York arising out of the work they perform, providing the work is being performed on York's behalf and has been approved by a Department Chair, Director or Executive Officer.
- b. The Letter of Understanding should set out the terms and conditions of the volunteer service (i.e., clarify the volunteer's duties, reporting relationship and duration of service.) and provide the volunteer with information about liability and insurance matters- particularly in areas where individuals may be exposed to hazardous conditions.
- c. The Letter of Understanding should be signed by both parties and be in place before the volunteer arrives in the department. A copy of the Letter of Understanding should be forwarded to Records in the Department of Human Resources.

#### 2. Health and Safety:

Departments have obligations to volunteers, as it does to employees, to provide a safe working environment. These may include:

- a. Completing the Safety Orientation Checklist in the York University Occupational Health and Safety Manual to ensure that the volunteer is familiar with hazard reporting procedures, emergency contact numbers, WHMIS, and the University's Occupational Health and Safety Policy.
- b. Not exposing volunteers to hazardous materials, tasks, or environments without appropriate training (i.e., hazard awareness and preventive measures).
- c. Ensuring the level of supervision is sufficient to ensure the volunteer is not exposed to any situation with which they are not familiar.
- d. As volunteers are not protected under York's WSIB plan, the Department should ensure also that volunteers are enrolled in a medical insurance plan (i.e., OHIP) or a similar private medical plan.

#### 3. Required Training

Volunteers are required to complete [Accessible Customer Service eLearning](#) if they will be interacting with the Public on York University's behalf.

#### 4. Vehicle Use

Volunteers are not authorized to drive University owned or rental vehicles on behalf of the University. Volunteers should be advised that York University does not cover insurance claims arising from the use or operation of a volunteer's automobile.

## 5. Incident Reporting

If volunteers are involved in a situation which may give rise to liability (i.e., they are injured, their property is damaged, or they are involved in a situation involving injury or damage to a third party), the incident must be reported to Security Services. The report will be sent to Risk Management Services for investigation.

## 6. Other Suggestions

- a. Volunteers should be at least 18 years old as minors require a higher duty of care and supervision by the University
- b. In situations where volunteers are in direct contact with minors, persons with disabilities, or other vulnerable individuals, a Vulnerable Sector Screening check will be required
- c. Keys (and security codes) should never be loaned to, or used by, volunteers