Overview

The creation of unpaid appointments at Union College allow for qualified individuals, who are not already students or employees of the College, to engage in a relationship with the College that is either mutually beneficial or primarily for the benefit of the individual. Fairly strict state and federal guidelines are applied to determine the possibility for these types of appointments. Because the college work environment is considerably different from most others we have to exercise additional diligence (and often creativity) to ensure our arrangements fit the guidelines. Once approved, the establishment of an official unpaid appointment leads to creation of an appointment letter and will permit the individual to use the appropriate College facilities.

All unpaid appointments are subject to the following stipulations:

- Unpaid appointments do not imply a promise of any future appointment or tenure.
- Unpaid appointments do not confer salary or employment-related benefits available to regular employees.
- Unpaid appointments do not confer membership to any department or the General Faculty.
- Individuals in unpaid appointments shall not be coerced or pressured to perform their duties in any fashion.
- Minimal qualifications for unpaid appointments may be required depending on the type of position and services to be performed.
- Individuals who receive unpaid appointments must meet the definition of a “guest,” “volunteer” or “intern.”
  - “Guests” are individuals who use the College’s facilities to perform their own work rather than work on behalf of the College or individuals that are collaborating with existing faculty or staff on research or projects.
  - “Volunteers” are individuals who perform work on behalf of the College under no contract of hire, express or implied, and with no promise of compensation, other than reimbursement for expenses. Additional factors that the College takes into account in classifying individuals as “volunteers” include:
    - whether the individual will replace or augment paid staff to do the work of paid staff;
    - whether the individual will perform tasks traditionally reserved for volunteers;
    - whether the individual will be required to work certain hours;
    - whether the individual will be required to perform duties involuntarily; and
    - whether the individual is employed by another person or business related to the College
  - “Interns” are individuals who meet one of the following circumstances:
    - Are attending an institution of learning with courses leading to a degree, certificate or diploma and are completing residence requirements for a degree such as those required of medical and pharmaceutical students.
    - Are engaged in a training program that (1) is similar to that which would be given in an educational environment; (2) is for the benefit of the individual; (3) does not result in the displacement of regular employees but includes working under the close supervision of existing staff; (4) provides no immediate advantage to the College; (5) does not include a promise of employment at the conclusion of the internship; and (6) the College and the individual understand the arrangement is unpaid.
- Individuals who receive unpaid appointments must comply with any relevant policies including but not limited to those policies located in the Faculty Manual, Administrative Manual, or Staff Handbook and
Unpaid appointments shall begin and end in a reasonable timeframe. Research appointment positions will normally be for the one year period of July 1st through June 30th; however, appointments may be shorter or may be renewed if all parties agree. To request a renewal, the Chair, Director, or Department Head of the host department or Program at Union must reapply before the current position ends.
Unpaid Appointments - Guidelines

Requesting Unpaid Appointments

Unpaid appointments may not begin until a signed appointment letter is received by the College.

The accompanying form is used to clarify the relationship between the unpaid appointment and the College, and to understand the services and facilities required for each appointment. Although the College recognizes and values the contributions that unpaid positions may make to Union, the College does not have the resources to automatically provide the full range of facilities and services that are available to regular employees.

The supervisor of the unpaid position should fill out and sign the Unpaid Appointments form before submitting for approval to those individuals listed in the order presented at the bottom of the form.

The appropriate Vice President, in consultation with Human Resources, will make the final determination on whether to approve the appointment. Once approved, an appointment letter will be sent to the individual, who will be asked to sign and return the appointment letter.

Completion of Unpaid Appointment Form

Appropriate completion of the Unpaid Appointment Form is critical to having the arrangement approved. For a position to be designated as an unpaid appointment the supervisor must provide and establish, to the satisfaction of College officials, a number of key items as required by various state and federal mandates regarding volunteerism, internships, and unpaid appointments. If a position is denied for Unpaid Appointment status, the supervisor may still be able to utilize the services of the individual if the individual is able to meet normal pre-employment requirements and is paid at least the current minimum wage rate.

Please review the following guidelines and on the form provide as much information as possible to fully answer the question being asked.

Title/Type of Unpaid Appointment: Please indicate title/type by checking the appropriate box or typing the information into the area marked “Other”.

Please indicate name of individual, supervisor, department/program and effective dates of appointment.

1. What is the purpose of the individual’s relationship with Union College?

Please provide a brief yet specific description of what the individual will be doing.

Examples of guest activities that would normally qualify include: collaborating on a research project with existing faculty, students or staff, or using Union’s facilities to conduct independent research.

Examples of volunteer activities that would normally qualify include: assisting the coaching staff of a particular athletic team, helping out at an event intended for the public’s benefit, soliciting contributions for a charitable cause, helping in youth programs as a counselor, assisting with aspects of a community concert series, or performing other non-employee related tasks such as providing water to an athletic team or providing support and assistance to event officials.
Examples of intern activities that would normally qualify include: performing responsibilities at the Wicker Wellness Center or with the athletic department training staff that meets the full definition of an intern as stated on page 1.

2. Will this individual be performing services/work on behalf of or as requested by Union College?

Please indicate, yes or no, whether the individual will be performing work on behalf of the College and provide a brief explanation to support your answer. For example, mark “no” for an appointment to a research position that will entail use of the College’s facilities to perform work for the individual’s sole benefit rather than for the benefit of or at the direction of the College or for an appointment as a volunteer coach or other position where the individual is not required to have regular attendance.

3. What tasks and responsibilities will the individual be allowed to perform?

It is important to consider and detail the various duties and responsibilities that this individual will perform.

4. Are any of the tasks or responsibilities defined in question #3 performed by current employees of Union College? Do any of the tasks or responsibilities defined in question #3 replace or augment any tasks or responsibilities performed by current employees at Union College?

To qualify for unpaid status at the College, the individual should not replace nor augment the work of current employees. If the answer to either of these questions is “yes” (e.g., where the proposed appointment will perform research and many College professors also perform research or where the proposed appointment will involve coaching responsibilities with an athletic team that has paid coaching positions) please provide a clear description how the work to be performed is different from what a current employee is being paid to do. This is especially true if the work being performed somehow augments or replaces the work of a paid person. The unique or special talents and/or specialized body of knowledge familiar to the individual should be mentioned especially if it supports an argument as to why current employees are not undertaking the work being performed.

Please also state how the duties or responsibilities of the unpaid appointment would be handled if not for the unpaid appointment.

5. Are any of the tasks or responsibilities defined in question #3 those typically reserved for guests, volunteers, or interns?

The answer to this question should be “Yes” as we need to establish that this is not work typically done by paid staff at Union. Examples of volunteer activities that would normally qualify include: conducting independent or collaborative research, helping out at an event intended for the public’s benefit, assisting the coaching staff of an athletic team, soliciting contributions for a charitable cause, helping in youth programs as a counselor, assisting with aspects of a community concert series, etc. Again, a brief explanation would be helpful.
6. Is the individual attending an institution of learning with courses leading to a degree, certificate or diploma and is the work performed by the individual required for completion of their degree?

Please answer “yes” or “no” and provide as much detail as necessary to explain the particulars of the situation.

7. Is the individual engaged in a training program that (1) is similar to that which would be given in an educational environment; (2) is for the benefit of the individual; (3) does not result in the displacement of regular employees but includes working under the close supervision of existing staff; (4) provides no immediate advantage to the College; (5) does not include a promise of employment at the conclusion of the internship; and (6) the College and the individual understand is unpaid?

Please answer “yes” or “no” and provide as much detail as necessary to explain the particulars of the situation.

8. Explain the level of guidance and training, if any, that will be provided to the individual to complete the tasks or responsibilities.

Indicate whether the individual will be working under the close supervision of existing staff or will be working primarily on their own. Please include as much detail as necessary to explain the particulars of a situation.

9. Will the individual be required or expected to work certain hours and/or a certain number of hours? If so, please explain.

Please consider the individual’s work schedule and determine whether the individual will establish his/her own hours, whether the hours will be established by Union College or whether the hours will be mutually agreed upon given the availability of the working area, program, or department schedule. If the individual will be required to work certain hours established by the College or work a certain number of hours, please explain why.

10. Does the individual have full-time or part-time employment at another institution or organization? If so, please provide the name and location of the other institution or organization.

Please indicate “Yes” or “No” and if “Yes” provide not only the name and location but the circumstances of their current employment status. A possible example would be “Dr. X is employed as full time Professor at RPI in the area of ………

11. Will the individual be compensated, by Union College or other organizations, in any way for the tasks or responsibilities defined in question #3? If so, please identify the name of the institution or organization that will compensate the individual.

If the answer is not “No”, be sure to include details of payment by another institution or organization.
12. Do you have any intention of hiring this individual into a Union College position?

The answer to this question should almost always be “No” unless the position the person is being considered for is substantially different from the unpaid position or the use of the unpaid position caused us to realize the need to have a regular employee in this capacity.

13. Will the individual be involved with any research that will have intellectual property produced, analyzed or confirmed? If so, please explain.

Please explain as directed in the question.

Please complete the “Resources” section, sign, date, and forward form for appropriate signatures.

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