

875—220.101(91D) “Volunteer” defined.

220.101(1) 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, is considered to be a volunteer. Individuals performing hours of service for a public agency will be considered volunteers for the time so spent and not subject to the minimum wage requirement when the hours of service are performed in accord with 875—subparagraphs 215.3(8) “b”(1) and (2) and the guidelines in rules 220.100(91D) to 220.106(91D).

220.101(2) Reserved.

220.101(3) Individuals shall be considered volunteers only where their services are offered freely and without pressure or coercion, direct or implied, from an employer.

220.101(4) An individual shall not be considered a volunteer if the individual is otherwise employed by the same public agency to perform the same type of services as those for which the individual proposes to volunteer.

SOURCE: 29 CFR 553.101.