

CITY OF MANITOWOC

VOLUNTEER POLICY

Issue Date:10/21/2013	Revision(s): 08/2021	Pages: 3
Special Instructions: Applies to City of Manitowoc Volunteers		
Distribution: City of Manitowoc Department Managers		

I. PURPOSE

The City recognizes the contributions that volunteers can make to the City of Manitowoc. The potential liability exposure in engaging the services of volunteers is also recognized.

II. POLICY

A volunteer is a person recognized and authorized by the City to perform services for the City without promise, expectation or receipt of compensation for services rendered. Effective management of volunteers ensures that important work is done properly while minimizing liability to the City. Volunteers are expected to perform in cooperation with City staff and comply with the same rules and regulations applicable to City employees.

A. Screening and Background Checks

1. Consistent use of appropriate screening and background checks will help ensure that only qualified individuals are selected to perform volunteer activities and that unqualified or unsuitable individuals are not selected.
2. Screening and background checks are required by law for volunteer positions that involve work near or contact with children, youth, the elderly or other vulnerable groups. When the volunteer work will not involve these exposures, screening and background checks shall be at the discretion of Human Resources. City staff interested in supervising volunteers for these varied tasks shall communicate with Human Resources prior to volunteer recruitment and/or placement to determine the scope of pre-volunteer screening necessary to protect the health and safety of our citizens and the City of Manitowoc.
3. As part of the screening process, it may be necessary to obtain the applicant's authorization to conduct appropriate screening and background checks. The scope of these activities will be determined by the particular volunteer activities and may include:
 - a. Contacting personal and employment references.
 - b. Criminal background checks, including the use of information from the National Crime Information Center (NCIC), state crime information center, and state/local sex offender registries, and forms requesting information on prior convictions and misconduct.
 - c. Motor vehicle records checks.
 - d. Prior employment and military background checks.
 - e. Verification of education, training, certification and licenses.
 - f. Personal, face-to-face interviews.

B. Vehicle Operation

1. Some volunteers may be asked to operate their own motor vehicle during the course of their volunteer work.

- a. Volunteers are expected to maintain the proper personal automobile insurance. If approving use of personal vehicles, supervisors are responsible for ensuring that employees hold the proper coverage and reserve the right to request documentation. Supervisors should consult with the City Attorney's Office about appropriate coverage limits.
- b. Volunteers are required to hold a valid driver's license.
- c. Volunteers shall not drive City owned vehicles or operate powered motor vehicle equipment such as tractors, forklifts, loaders, or other equipment.

C. Safety Hazards

1. Volunteers must possess the necessary knowledge and skills to perform their tasks in a safe manner. The volunteer's supervisor is responsible for ascertaining the volunteer's skill level and ability and for providing supplemental training necessary for safe completion of the task before such task is attempted. The extent of safety training depends upon the nature of the assigned activities.
2. Volunteers shall be provided with personal protective equipment (PPE), when appropriate depending on the specific activity, which may include safety vests, eye protection, hand protection, hearing protection and head protection. Supervisors shall train volunteers on use of PPE and enforce its use.
3. Any volunteer applying herbicide, insecticide or other chemical applications must be certified by the State of Wisconsin.

D. Volunteer Liability

1. Various laws limit the liability of volunteers. The most pertinent law is the Volunteer Protection Act of 1997, which includes volunteers who act on behalf of public entities. This act provides that no volunteer of a public entity is liable for harm caused by an act of omission when working on behalf of the entity. In order for a volunteer to be protected, the following requirements must be met:
 - a. The volunteer must have been acting within the scope of their responsibilities for the City.
 - b. Where appropriate or required, the volunteer must have been properly licensed, certified or authorized to perform the activity by state authorities.
 - c. The harm must not have been caused by willful, reckless or criminal misconduct, gross negligence or a conscious, flagrant indifference to the rights or safety of the individual who suffered the harm; and,
 - d. The harm must not have been caused by the volunteer's operation of a vehicle for which the state requires the vehicle's owner or operator to possess a driver's license or to maintain insurance.

E. Compensation

1. A volunteer is a person recognized and authorized by the City to perform services for the City without promise, expectation, or receipt of compensation for services rendered. Failure to manage a volunteer under this premise can convert the volunteer to an "employee," whereby compensation and benefits might then be mandated.
2. Volunteers are not eligible for worker's compensation.
3. Volunteers must fill out a Volunteer Application and sign the City of Manitowoc Volunteer Waiver Form, which shall be submitted to Human Resources prior to volunteering.
4. Per the Fair Labor Standards Act (FLSA) (29 CFR 553.103) City employees are prohibited from volunteering without pay to perform the same type of services the individual is employed to perform.

F. Youth Volunteers

1. Individuals younger than age 14 may not perform volunteer work for the City unless directly and continuously supervised by their parent/guardian. Individuals aged 14-17 may perform volunteer work without parent/guardian supervision only when the parent/guardian has authorized such work in writing prior to the work beginning. Authorization shall be documented by completion and submission of the volunteer application and waiver of liability form.
2. No person 17 years old or younger shall be permitted to perform activities in any occupation determined to be “particularly hazardous” under the FLSA. Minors may not:
 - Drive or help a driver, load or unload goods on or off trucks or conveyors.
 - Work on a ladder, scaffold, etc.
 - Operate power driven hoists.
 - Operate power woodworking tools, circular saws, band saws, grinders, cutters, drills, and any similar power hand tool or equipment.
 - Work on construction or building repair projects.
 - Operate power mowers.
 - Work on wrecking, roofing, excavating and similar projects.
3. Volunteers ages 17 and under must abide by [WI State Stat. 118.15](#).
4. Parental Consent: Volunteers under the age of 18 must have documented parental consent. The parent or legal guardian must sign the City of Manitowoc Volunteer Waiver Form and the Volunteer Application.

G. Rights of Volunteers

1. To be respected and valued and to know what their rights and responsibilities are.
2. To be provided necessary information to carry out their role as volunteers and to know what is expected of them.
3. To be provided with orientation and training appropriate to their tasks.
 - a. To be given support and supervision from a designated person in their work group.
 - b. To be provided a safe working environment.
 - c. To be free from harassment or discrimination.

H. Volunteer Responsibilities

1. To carry out the agreed upon duties to the best of their abilities.
2. To work with the aims, objectives, values and goals of the City.
3. To work under the City of Manitowoc rules, regulations and policies.
4. To be honest and reliable.

I. Responsibilities of City Supervisors Who Utilize Volunteers

1. To provide orientation, training, personal protective equipment (PPE) and assistance to enable volunteers to meet the expectations of their volunteer positions.
2. To provide ongoing support and supervision.
3. To treat the volunteer as an equal partner in achieving the goals of the City.
4. To ensure compliance with all aspects of this policy.