



Loss Control Best Practice

Line of Business: General Liability

Subject: Volunteers

Purpose:

The purpose of this document is to assist public entities with the recognition of exposures and controls that can be employed when volunteers are utilized.

Recommendations:

Roles and Responsibilities

Volunteer Role Descriptions: Similar to how job descriptions are developed for paid positions, volunteer positions should also have documents that outline the roles, duties and responsibilities of each position. Volunteer role descriptions may be posted on the municipality's website for recruitment purposes, but should also be provided to the volunteers selected by your organization – along with access to any volunteer handbooks – as a reference material.

Nonprofit Risk Management Center: Volunteer Position Description Worksheet and Sample

http://nonprofitrisk.org/tools/volunteer/review/vol_pos_descript.htm

Volunteer Screening

Interviews and Applications: Interviews and applications should be used to screen volunteer candidates as much as possible. This is a mandatory step in the process for those volunteer positions involving interaction with youth, elderly, and vulnerable persons.

Background Checks: Beyond the interview process, pre-employment/background check screening tools currently used can be transferred for use with prospective volunteers (as allowed by state and local regulations), and should be commensurate with the volunteer tasks. For example, look to include driver's license, MVR checks and certificates of insurance where volunteers will be driving (whether personal or public entity vehicles) in the course of their assignments. Criminal history checks, references and sexual offender database searches must be performed on volunteers working with

youth, elderly, and vulnerable persons. Public entity Human Resources departments can be helpful in setting up the screening and helping to determine the frequency of periodic volunteer checks. They can also assist with the necessary pre-screening consent forms.

If some volunteer positions require credentials (e.g. youth counselors), then credential and licensure checks should be performed.

Guidelines should also be developed which outline criteria for the rejection of volunteers similar to how you would handle paid staff.

Drug testing is sometimes carried out on volunteers, usually when the volunteer is working in a healthcare setting. Volunteers in healthcare facilities may require additional health screening (e.g. medical history, vaccinations, etc.).

Training

Much like you do for your employees, training plans need to be outlined for volunteer positions as well. Again, this is critical when it comes to those volunteers interacting with youth, elderly, and vulnerable persons.

Orientation training is essential to managing this exposure and should follow a prescribed training plan. Safety training should include training on equipment used while volunteering, hazardous material handling if applicable, personal protective equipment needed for the position, and any role-specific training such as blood borne pathogens. Volunteers should also be reminded about safe driving practices as part of the orientation. As with paid employees, volunteer training should be documented and included in the personnel file.

Given the sensitivities surrounding the youth, elderly, and vulnerable people, it goes without saying that training must be provided to these volunteers to mitigate any allegations of physical or sexual abuse. The CDC document *Preventing Child Sexual Abuse Within Youth-serving Organizations: Getting Started on Policies and Procedures* provides some very good information on the elements related to these training plans as well as other aspects of volunteers in youth-serving organizations.

<http://www.cdc.gov/ViolencePrevention/pub/PreventingChildAbuse.html>

This mandatory training needs to be carried out by a competent trainer and documented. It is also recommended that employees and volunteers receive refresher training on the subject periodically.

Lastly, if your volunteers will be granted access to your IT systems and computer resources, it is essential that you outline the code of conduct surrounding the use of your technology systems.

Supervision

Volunteers much like your paid employees must be supervised and the level of supervision must be commensurate with the position. The Nonprofit Risk Management Center tutorial (see link in Resources and References section) gives the example of someone stocking library shelves not needing a lot of supervision, but volunteers working with youths serving court mandated community service will need much closer supervision.

Regardless, supervisors need to ensure that volunteers act and perform according to the role for which they were accepted and that inappropriate behaviors must be dealt with accordingly. Any incidents and accidents need to be reported by the supervisor and investigated in a similar fashion as an accident involving paid staff.

Regulation

The *Volunteer Protection Act of 1997* provides protection to volunteers from liability as long as they were acting in the scope of their responsibilities, they were properly licensed, certified or authorized to perform the tasks, there was no gross negligence, willful or criminal conduct and they were not operating a motor vehicle, vessel or aircraft.

Nonprofit Risk Management Center: State Liability Laws for Charitable Organizations and Volunteers – 4th Edition (Please note this link provides the .pdf download for this publication) <https://www.nonprofitrisk.org/library/state-liability.shtml>

Additional Resources and References:

Volunteer Screening

<http://www.volunteerhub.com/blog/volunteer-screening-guide/>

Nonprofit Risk Management Center: Volunteer Risk Management Tutorial

<http://www.nonprofitrisk.org/tools/volunteer/volunteer.shtml>

Nonprofit Risk Management Center: Keeping Volunteers Safe From Harm: Street Smarts for Unfamiliar Turf

<https://www.nonprofitrisk.org/library/articles/volunteer05002002.shtml>

Nonprofit Risk Management Center: Risk on the Road: Managing Volunteer Driver Exposures

<https://www.nonprofitrisk.org/library/articles/auto050608.shtml>

Nonprofit Risk Management Center: No Surprises: Harmonizing Risk and Reward in Volunteer Management - 5th Edition (Please note this link is to the Nonprofit Risk Management Center Store/Catalog where this publication can be purchased)

https://www.nonprofitrisk.org/store/pub_detail.asp?id=226

Nonprofit Risk Management Center - Workplace Safety Toolkit: Youth as Staff

<http://www.nonprofitrisk.org/tools/workplace-safety/nonprofit/c6/youth.htm>

Nonprofit Risk Management Center - Workplace Safety Toolkit: Elderly as Staff

<http://www.nonprofitrisk.org/tools/workplace-safety/nonprofit/c6/elderly.htm>

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