

**Subject: VOLUNTEER SERVICE PROGRAM**

**Date: June 15, 2016**

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**Replaces Policy Dated: April 14, 2003**

**PURPOSE:** To establish policies and procedures with regard to volunteer services in which individuals may volunteer their skills, knowledge and expertise in a non-paid status to Pinal County departments.

**STATEMENT OF POLICY:** Pinal County, as a public employer, is committed to complying with the applicable provisions of the Fair Labor Standards Act as they relate to volunteers. Additionally, the County recognizes that it should make an effort to provide an outlet for those who wish to volunteer their time and expertise to the County, which in turn, may provide substantial benefit to the County government. Notwithstanding the County's commitment to volunteers, the County does not permit close family members (spouses, children, brothers, sisters, parents, grand-parents, grand-children, parents-in-law, sons and daughters -in-law, nieces, nephews, aunts, and uncles) to volunteer their services under the direct supervision of another such family member.

**DEFINITIONS:**

**Bona Fide Volunteers:** A volunteer is generally defined as 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.

**Public Employee Volunteers:** County employees may volunteer hours to the County provided the services performed are not the *same type of services* they are paid to perform for the County. County employees may not volunteer other duties to the County when the volunteer hours involve the *same type of services* which the individual is employed to perform for the County; to do so will require that the employee be paid for all hours worked.

**Same Type of Services:** Duties will be considered as the same type of services if they fall within the same initial 3-digit category of occupations listed in the Dictionary of Occupational Titles. The Dictionary of Occupational Titles (DOT) organizes jobs into occupations based upon their similarities. In the DOT occupational classification system, each set of three digits in the 9-digit code number has a specific purpose or meaning. Together, they provide a unique identification code for a particular occupation that differentiates it from all others. The first two digits of the initial three digit sequence of a job code describe 83 specific occupational divisions of jobs. Each division is of sufficient similarity that the Department of Labor considers them as the same type of services.

Should a County employee volunteer services, which are categorized with the same first two digits in the initial 3-digit sequence, the Department of Labor will consider that they are of sufficient similarity that the employee must be paid their regular salary for performing them. It is for this reason that County Employees cannot volunteer to work and perform the *same type of services* that they are paid to perform within the same agency.

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The following examples are provided for clarification:

Detention Officer (DOT code 372) and Deputy Sheriff (DOT code 377) share the same first two digits of the initial 3-digit DOT code (37). Therefore, an employee engaged in a protective service function such as a Detention Officer may not volunteer as a reserve Deputy Sheriff. However, such volunteer activity is permissible provided the activity is performed for a different jurisdiction, because the employers are different.

A Secretary or Administrative Clerk may not volunteer in any secretarial or clerical function in any other County office or department, because the DOT code activity (20) is the same. However, non-clerical activities may be volunteered, as the DOT code activity is different.

A Nurse employed by the County may not volunteer nursing services to a different department of the County as the nurse would be involved in the same DOT code activity (075).

A Dispatch Communications Specialist (DOT code 235) may volunteer services as a reserve Deputy Sheriff (DOT code 377) because the DOT codes 23 and 37 are different.

No County employee may volunteer to work without pay to offset a disciplinary action.

Private Sector Volunteers: An individual who is not employed by the County and who donates hours of service with a County department is considered a volunteer so long as the services are provided with no promise, expectation or receipt of compensation for the services rendered. There are no limitations on the types of services rendered, which private individuals may provide.

#### **PERMITTED PAYMENTS TO VOLUNTEERS:**

Volunteers may be reimbursed for out-of-pocket expenses incurred while volunteering. Allowable expenses include:

1. Meals and transportation incidental to the volunteer activity (travel to and from the volunteer site will not be reimbursed).
2. Tuition, transportation and meal costs involved in attending classes (only where the purpose of the class is to teach the volunteers to perform the services they will provide).

#### **PROCEDURE:**

An Appointing Authority who desires the assistance of volunteers must first obtain approval from their respective Elected Official, or the County Manager, as appropriate. Upon approval, the Appointing Authority may then proceed to recruit volunteers.

When a candidate has been identified, the Appointing Authority and candidate shall complete the Volunteer Status Checklist. The checklist shall be forwarded to Human Resources for a determination that the candidate is a Bona Fide Volunteer.

After notification from Human Resources that the individual meets the criteria to qualify as a Bona Fide Volunteer, the Appointing Authority may contact the individual to schedule their services.

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Prior to each volunteer's first day of County service, the Appointing Authority shall submit to the Human Resources Department the following completed forms:

1. Personnel Action Form (complete sections 1 - 4, 6 - 9).
2. A minimum of two references.
3. Certification of Privately Owned Vehicle Insurance, if required to drive.
4. Drug Free Workplace Act / Statement.
5. Description of duties to be performed.
6. Volunteer Service Agreement.
7. HIPPA Statement of Use and Confidentiality.

The volunteer should be scheduled to attend sexual harassment training on the first Monday following, or coinciding with, their start date.

A file will be maintained in the Human Resources Department and a copy of the Personnel Action Form will be sent to the Risk Manager.

Upon completion of volunteer service, the Appointing Authority shall submit a Personnel Action Form to the Resources Department indicating separation from the volunteer program.

The County will cover volunteers Workers Compensation programs in the event an on-the-job injury is sustained. However, at no time shall the volunteers be eligible for any form of compensation or other benefits including, but not limited to, cash, retirement, health insurance, social security, employee assistance program access or life insurance. Additionally, at no time will the volunteer be entitled to the rights or privileges of the Pinal County Uniform Merit System Rules.

Nothing in this policy shall be construed to imply that, after participation in, or completion of the volunteer service, the volunteer will have a right to any form of employment with Pinal County.

Additionally, the Appointing Authority and the volunteer shall retain the right to discontinue the volunteer's participation in the program at any time during the period of service.

This process does not apply to a casual volunteer who does not provide regular services. In that event, the volunteer is to complete the Volunteer Status Checklist and Volunteer Service Agreement prior to the onset of activity.