

VOLUNTEER POLICY STATEMENT  
PARKS DIVISION  
MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS

I. Purpose:

It is the purpose of this policy to define the guidelines necessary to establish and operate a volunteer program within the Parks Division of the Department of Fish, Wildlife and Parks. These procedures are to be followed in the usage of volunteers in the Parks Division.

II. Definitions:

1. VOLUNTEER - 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 during such hours.
  - a. It is the Parks Division intention to encourage volunteer activities undertaken for civic, charitable, or humanitarian purposes, without any manipulation or abuse of minimum wage or overtime requirements through coercion or undue pressure upon individuals to "volunteer" their services.
  - b. Individuals shall be considered volunteers only where their services are offered freely and without pressure and coercion, direct or implied, from a public agency.
  - c. An individual will 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.
2. VOLUNTEER ACTIVITY - Activities that would not normally be provided if not for volunteers. Volunteers should not perform duties that are normally done by paid staff. Volunteers do not displace or replace existing employees or contractors.
3. SUPERVISOR - Recommends hiring, discharge, and promotion of volunteers; evaluates training needs, proposes training programs, and evaluates training effectiveness; determines task standards and time lines; conducts formal and informal performance evaluations, implements corrective action, provides discipline; approves leaves, travel vouchers, and work schedules; resolves technical and administrative problems having to do with detail and procedure, coordinates

the work with other volunteer units within the division; and reports to higher level supervisor on status of work, need for changes, performance of individual volunteers, and success of program within their unit.

4. AUDIT - An annual audit and report will be done by someone outside each region to make sure that all volunteer guidelines are being properly followed.

### III. Objectives:

The objectives of the Parks Division in the use of volunteers are:

1. To obtain the services of volunteers to perform those activities and tasks that would not normally be provided, if not for the efforts of volunteers. Volunteer's provide service support and supplement regular Parks Division employees or contractors. The work accomplished by volunteers enables the park division to meet higher standards of service than would otherwise be possible and to accomplish work that would not otherwise be done.
2. To improve the level and quality of service provided by the Parks Division.
3. To provide handicapped and the disadvantaged an opportunity to gain specific experience through volunteer activities.

### IV. Policy:

The policy of the Parks Division, of the Department of Fish, Wildlife and Parks, is to accommodate the services of volunteers in Parks programs or activities when those services benefit and enhance the resources and the citizens of the State of Montana and do not displace or replace existing employees or contractors.

### V. Guidelines for Implementation:

1. RECRUITMENT - Volunteers are not considered employees of the State of Montana, the Parks Division or the Department. Volunteers may be recruited from any source or location. Minority groups and handicapped persons shall be included in the recruitment efforts. The Parks Division shall provide equal opportunity and equal park services to all persons regardless of race, color, religion, creed, sex, age, physical, mental or sensory disability, marital status, national origin, or political belief with the exception of special programs established by law. Equal opportunity applies to all aspects of policy and practice in the recruitment, utilization, development, and treatment of volunteers.

2. VOLUNTEER SERVICE AGREEMENT - A Volunteer Service Agreement shall be signed by both parties prior to any volunteer service being performed. Items that must be covered in the agreement include, but are not limited to:
  - a. volunteer activities, approximate time commitment, and approximate duration of volunteer position;
  - b. training to be provided by the Parks Division;
  - c. information, materials or supplies to be furnished by the Parks Division, of the Department of FWP;
  - d. equipment that the volunteer will furnish to perform the activity (if any);
  - e. how, and/or where lodging will be provided (if applicable);
  - f. identification of what costs, if any, will be reimbursed and by what method;
  - g. other pertinent information; and
  - h. signatures of volunteer and agency representative.

VI. Insurance, Worker's Compensation, Usage of State Property and Incidental Expenses:

1. INSURANCE - Volunteers will not be eligible to participate in state employee group benefit plans. When volunteers are involved in the course and scope of state activity, they will normally be covered under the state Tort Claim Act and the state self-insurance plan for liability claims resulting from a negligent act, error or omission committed while acting within the course and scope of the volunteers state activity. Under Section 2-9-305, MCA, volunteers will be defended and personally indemnified from liability claims against them for any claims within the course and scope of their duties while volunteering for the state. No protection is afforded by the state against claims determined to be based on conduct constituting oppression, fraud or malice, or for any other reason does not arise out of the course and scope of the volunteer's duties; the conduct constitutes a criminal offense as defined in Title 45, Chapters 4 through 7, MCA; the volunteer settles the claim without the consent of the state; or the volunteer fails or refuses to cooperate reasonably in the defense of the case.

If volunteers use personal or private vehicles for state business, the vehicle owner must carry minimum coverage for bodily injuries and property damage as required by law. The vehicle owner's insurance will provide primary coverage before any coverage would be afforded by the state.

Commuting between the volunteer's residence and the activity site or the use of a personal or private vehicle during off hours is not considered state business.

2. WORKER'S COMPENSATION - Volunteers will be covered under worker's compensation for medical purposes only. If a volunteer also has another occupation in which he/she is receiving pay, wage loss protection will be considered. A copy of the volunteer agreement will be sent to the payroll clerk for initiation of worker's compensation coverage. Every three months the supervisor involved must report the volunteer's time (hours) to the department payroll section. Payroll will submit a Supplemental Worker's Compensation Quarterly Report. This volunteer time report would include any changes in status (i.e. volunteer termination). The volunteer time report should include volunteer's name, social security number, hours volunteered, and program code to charge the premium cost. The payroll clerk will submit the consolidated quarterly report on letterhead to:

Employer Accounts Supervisor  
State Compensation Insurance Fund Bureau  
Worker's Compensation Division  
Helena, Montana 59620

3. MINIMUM WAGE AND OVERTIME COMPENSATION - Volunteers do not have the status of public employees under the law and are exempted from minimum wage and overtime compensation in 39-3-406, MCA, and the federal Fair Labor Standards Act.
4. USAGE OF STATE PROPERTY - Volunteers may use state property (including motor vehicles) in the performance of their volunteer activities. If an accident occurs while the volunteer is operating state equipment, state insurance coverage is provided for the state and the volunteer against claims made by others who may have been injured or whose property may have been damaged, within the limitations described above in paragraph 1 of this part. If an injury occurred to the volunteer, protection would come from worker's compensation or the volunteer's private medical plan.
  - a. all current volunteer forms MUST be on file
5. INCIDENTAL EXPENSES - Volunteers receive no salary but may be reimbursed for incidental expenses such as transportation, lodging, meals, and other volunteer-related costs, when necessary and approved in advance.

The authorizing document for such reimbursement shall be the Volunteer Service Agreement. The State of Montana travel expense voucher will be used for reimbursement. The current state rules for travel and mileage reimbursement shall apply.

## VII Selection

1. INTERVIEWS - The volunteer interview should provide both the volunteer and the Parks Division the opportunity to express their expectations. The volunteer may be seeking an opportunity for: service to others, skill building, experience, contacts, references, or social exchange. The Park Manager should strongly emphasize the role of the volunteer in regard to not performing duties that paid staff are doing by carefully outlining their specific tasks. When both parties agree on the scope of the volunteer service, the volunteer agreement should be completed and signed.
2. ORIENTATIONS - Orientation is as important for volunteers as for new employees and should include the same information. Volunteers can be much more effective when they understand Parks Division goals and objectives and in-house policies and procedures.

The orientation session should include:

- a. informing the volunteer of programs and services provided by the Parks Division (slide program recommended)
  - b. familiarizing the volunteer with the office area, the building, the park site, and the facilities
  - c. introducing the volunteer to staff
  - d. covering Parks Division policies relating to dress, telephone usage, parking, office equipment, office hours, break areas, volunteer procedures regarding absences, etc.
  - e. reviewing, in detail, the volunteer's particular duties
3. TRAINING - Volunteers should receive the minimum training necessary to enhance their service. The emphasis should be on training which is specific to volunteer activities and which can be immediately applied to the volunteer position.

## VIII Supervision

Volunteers must receive adequate supervision. A record of the number of hours volunteered and the accomplishments reported must be kept by the volunteer's supervisor. Volunteer services are ended when the volunteer agreement is terminated by either party.

Unsatisfactory performance by a volunteer is grounds for termination of the volunteer agreement. Verbally notify the volunteer of unacceptable performance immediately upon recognizing a problem and document this in writing. If possible, a letter notifying the volunteer of unacceptable performance should also be done at this time. A meeting between the volunteer, the supervisor, and the Park Manager should then be

arranged to, hopefully, correct the problem. If a satisfactory solution cannot be worked out, a two week notification of termination of the agreement letter should be sent to the volunteer. In some cases, an immediate termination may be necessary. The supervisor's decision to terminate the volunteer agreement shall be final.

IX. Record Keeping

Many volunteers seek qualifying experience. As such they expect detailed information on volunteer positions held, including starting and ending dates, numbers of hours volunteered and description of assignments. A volunteer personnel file will be maintained for each volunteer. It must contain the volunteer agreement, record of hours volunteered, accomplishments, training received, and special awards or commendations, etc. At the termination of the volunteer agreement, upon request or need of the volunteer the responsible supervisor may write a referral letter to include:

1. description of volunteer activities
2. volunteer's period of service

X. Credit For Service

A volunteer's service may be considered when evaluating the qualifications of the volunteer seeking employment with the Parks Division.

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Administrator, Parks Division

Date

I have read and understand this volunteer policy:

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Volunteer

Date