

PER.02
VOLUNTEER PROGRAMS

“VOLUNTEERS”

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POSSIBLE EXPOSURES:

Volunteers appear to align with five separate categories. These categories are:

- (1) Public Safety Workers (i.e., volunteer fire, police reserves)
- (2) continuous volunteer service by individual (i.e., instructor, coaches, clerical assistance, program coordination),
- (3) work release or court referred alternative sentencing i.e., community service workers See [PER.04 Community Service Workers Guideline](#),
- (4) various organizations (i.e., Boy Scouts, Brownies, Girl Scouts, community organizations),
- (5) and open invitation (i.e., advertisements requesting assistance from community for specific project).

Each of these categories may be handled differently as the potential exposures change, ability of the Member to transfer risk, and level of supervision needed changes.

In each of the categories, there is a potential loss exposure that the volunteer will:

- (1) suffer injury incurred while performing the assigned duties
- (2) cause injury or property damage to another individual while performing the assigned duties.

Either could result in possible negligence claims against the Member.

RECOMMENDED CONTROLS:

Develop and adopt a written policy that identifies:

- (A) the type of volunteer service;
- (B) scope of duties;
- (C) responsibilities of supervision;
- (D) training required;
- (E) use of personal protective equipment;
- (F) needed background checks and driver license checks if applicable;
- (G) Department of Labor & Industries coverage for injuries to volunteer;
(Note: L&I coverage for volunteers is limited to medical payments if

premiums have been paid. It does not preclude lawsuits by volunteers for general damages).

- (H) documentation of records (safety orientation, emergency contact information, training records, time sheets, etc.).
- (I) Hold harmless agreements with volunteers and/or their organization.

A Selection and Screening

Individuals volunteering their time to the Member should be properly screened for acceptance by the Member. All individuals should complete a volunteer application form. The application form should contain the following:

- A criminal history disclosure including a statement that a WSP background check may be performed
- At least three personal references that are not family members
- Waiver of liability related to obtaining personal history information
- Emergency contact information
- A section for the applicant to disclose any physical limitations that the Member should be made aware of

Selected applicants should then be requested to sign a Volunteer Agreement. The Volunteer Agreement should include:

- A waiver of liability and hold harmless agreement
- Rules of conduct and pertinent policies and procedures
- The scope of the volunteer's duties
- A release for a WSP criminal background check

Background checks should be performed in accordance with RCW 43.43.830–839 for all volunteers who have regularly scheduled unsupervised access with children, the elderly or the developmentally disabled. Volunteer applicants should be provided a copy of their background check if one is performed.

B Orientation & Handbooks

Selected volunteers should be given an orientation and/or a handbook. The orientation/handbook should cover the following:

- Lists of Duties and Defined Responsibilities
- Supervisory & Training Responsibilities
- Benefits & Insurances
- Age Requirements
- Safety
- Rules of Conduct
- Waiver & Release Forms
- Role in Organization
- Prohibited Acts
- Recordkeeping
- General Safety
- Behavioral Standards

- Confidentiality
- Dress Code
- Anti-Harassment/Discrimination
- Emergency Procedures
- Accident/Incident Procedures

B Supervision

Appropriate supervision should be provided by the Member when individual volunteers are utilized. When organizations are used for volunteer service, the organization should provide adequate supervision and the Member should provide overall supervision of the project.

C Scope of Work

Individual volunteers working within their scope and at the direction of the Member are covered for their liability under the WCIA Coverage Document.

WCIA strongly recommends against using volunteers under 14 years of age due to the level of supervision necessary. Organizations whose membership consists of children under this age should be required to provide proof of liability insurance, and provide all the necessary adult supervision needed to perform the activity safely.

Volunteers should not be allowed to work in dangerous areas or on heavy equipment. Generally, the Member should not allow volunteers to operate Member vehicles and should identify that their own personal auto insurance is primary coverage if the volunteer drives their own vehicle. If volunteers are allowed to operate city vehicles, the Driver Selection section of the Fleet Loss Control Guidelines should be followed which addresses basic practices in evaluating driving abilities.

Experience has shown some jobs are potentially hazardous for young workers. Washington State WAC 296-125-030 spell out which jobs are prohibited for minor workers.

All Minor volunteers should be prohibited from performing the following tasks:

- Explosives
- Mining
- Elevators
- Flagging
- Excavating
- Roofing
- Driving, if younger than 17. Seventeen-year olds may drive legally under very limited circumstances however, WCIA recommends against this activity
- Firefighting

- Boilers or in engine rooms
- Earth-moving machines
- Logging and sawmill work
- Power-driven machines
- Nurses aide or assistant, unless the minor is in a state-certified program
- Work in freezers, meat coolers and in preparing meats for sale
- Operating or cleaning meat slicers
- Selling candy, flowers, etc., to passing motorists on the public right of way
- Work performed more than 10 feet above ground or floor level
- Manufacturing of brick, tile and kindred products
- Wrecking, demolition and shipbreaking operations
- Slaughtering, meat packing or processing
- Work in saunas or massage parlors
- Jobs requiring personal protective equipment except those occupations where the only requirement is the wearing of gloves, boots, or eye protection if the occupation is not otherwise prohibited by this section or by WAC 296-125-033
- Jobs with possible exposure to bodily fluids, or radioactive and hazardous substances

Minors under age 16 are prohibited from performing certain hazardous work, including:

- House-to-house sales
- Manufacturing
- Processing operations
- Public messenger
- Amusement parks
- Loading or unloading trucks
- Any power-driven machinery
- Transportation, warehouse, storage and construction
- Ladders and scaffolds

D Organizational Agreements

A distinction should be made regarding organizational volunteer workers and individual volunteer service workers. Contracts should be developed with the appropriate organizations that provide volunteer workers and all contracts should be reviewed by the Member's Attorney. The contracts should require the agency providing the volunteers to hold harmless, defend and indemnify the Member from any claims by the volunteers or liability caused by the volunteers.

E Medical Coverage

Individual volunteers should be covered for medical through the State Labor and Industries for volunteer workers and records should be maintained on hours worked and activities performed. Labor and Industries does not cover individuals

under the age of 14, therefore, WCIA strongly recommends against using volunteers under the age of 14 years of age. L&I volunteer medical coverage does not protect the member from liability claims or lawsuits by the volunteer for general damages.

F Recordkeeping

The Member should require all volunteers to complete an application to identify skill limitations for each individual.

Volunteers should be provided with a description of duties and scope of project so there is complete understanding of expectation of their service. This document should clearly identify the essential job functions the volunteer is authorized to perform.

G Training

The Member should provide adequate instruction and, where necessary, training to ensure all workers perform a task properly and safely. The Member should provide individual volunteers with adequate supervision and knowledge of Member rules and requirements. In compliance with WAC Part A-2, 296-24-075, personal protective equipment should be provided by the Member, if necessary, and required to be worn when necessary to complete the work assigned.

SEE:

[PER.02.1 Sample Agreement regarding Individual Volunteer Service with the Member](#)

[PER.02.2 Sample Agreement regarding Organizational Volunteer Service with the Member](#)

[PER.02.3 Sample Policy & Procedures for Individual/Organizational Volunteer Workers](#)