



Alpine County Volunteer Handbook

The Alpine County Volunteer Manual contains important information for Alpine County volunteers including:

- Letter from the Alpine County Board of Supervisors
- Alpine County Volunteer Program
- Safety, Resolutions, and Policy Statements
- Volunteer Protection Act of 1997
- Volunteer Applications and Forms



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ABOUT ALPINE COUNTY

Alpine County is located on the border of California and Nevada, approximately 25 miles south of Lake Tahoe, in a singularly beautiful portion of the Central Sierra Nevada. With a total land area of 465,030 acres (726.6 square miles) comprised of rugged mountainous terrain, elevations range anywhere from 4800' to 11,400'. Alpine County ranks 8th smallest and the least populated of California's 58 counties, with an estimated 96% of the land held in public ownership.

The County borders the State of Nevada on the east slope, just south of Minden-Gardnerville, and Calaveras County on the west slope, near Arnold. The population is approximately 1,200 with a large influx of recreational visitors during the summer and winter months. 25% of the population is comprised of members of the Washoe Tribe of Nevada and California.

The County's main residential communities are Markleeville, Woodfords (6 miles from Markleeville), and Kirkwood (located on the crest of the Sierra Nevada 20 miles west on Highway 88; and Bear Valley (35 miles from Markleeville via Highway 4 in the summer months and 150 miles via Highway 88 in the winter months). Alpine County has no incorporated cities.



Alpine County Administration Volunteer Program

P.O. Box 387
Markleeville, CA 96120
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For information email: info@alpinecountyca.gov

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Dear Prospective Volunteer:

We are grateful for your interest in volunteering. You and the many other volunteers at work on our various County programs and projects have the power to improve the quality of life in our community.

Attached is an Alpine County Volunteer Program Application and Volunteer Acknowledgement Form. We ask you to complete these forms so we can make every effort to offer assignments that meet your interest and needs. Additionally, you will have an opportunity to review the job description for any assignment and interview the program supervisor before you commit your time and energy.

We also want to make you aware that we have established program policies and procedures that protect volunteers, citizens and the County. Depending upon the type of assignment you undertake, the procedures may include fingerprinting and background checks, DMV record review, and liability waivers, among others. We will make you aware of any such requirements at the time of your initial interview.

Again, thank you for your willingness to work toward improving our community.
We look forward to welcoming you to the volunteer program.

Sincerely,

Alpine County Board of Supervisors

The Alpine County Volunteer Program

Section 1. Overview

The Alpine County Volunteer Program is designed to coordinate and manage all volunteer efforts, which support existing services provided to the community. The program addresses community service needs, while placing special emphasis on the County's priorities. With this in mind, it is important to effectively match individuals and others interested in providing volunteer services to County departments that have exciting and fun work opportunities.

The purpose of this handbook is to provide guidance and direction to staff and volunteers alike. As you begin volunteering for the County, you may have questions. This handbook is intended to help you answer those questions and to give you the information necessary to help make your time spent volunteering a positive experience.

Section 2. Purpose

The County's volunteer program is committed to encouraging community participation and the comprehensive coordination of volunteers to enhance municipal services.

THE VOLUNTEER PROGRAM OBJECTIVES

- A. To develop a reliable and varied skilled network of resources to support the delivery of services to the community.
- B. To provide opportunities for all segments of the community to participate in local government.
- C. To bring together volunteer resources and augment municipal services including, but not limited to the following areas: first responders, emergency medical services, volunteer fire services, search and rescue services, public safety, information and service referrals, resource preservation, and maintenance of County facilities and other public grounds.

Section 3. Becoming a Volunteer

We are pleased that you have expressed interest in becoming a volunteer with the County. Others like you have volunteered for many reasons, including learning new skills, meeting new people or making a difference in our community.

Each volunteer must complete the Volunteer Program Application Form and the Volunteer Acknowledgement Form. It is important for us to know of any medical conditions which may affect your volunteering. If you are a minor, your parents must also sign these forms. No one may volunteer unless a completed Liability Waiver Form is on file with the department where services will be rendered.

All volunteers go through a formal screening process and must be accepted by the County as a volunteer. The amount of screening will depend upon the type of volunteer opportunity you choose. A motor vehicle driving record check and/or a criminal record background check may be required.

Section 4. Being a Volunteer

COUNTY POLICIES

There are several County policies that apply to volunteers. Please read through this entire handbook for information regarding these issues and policies. Complete copies of these policies are available in the Alpine County Administration (Human Resources) Department.

INSURANCE

Liability insurance is provided to you as a volunteer for the County. As a volunteer, you are covered by the County's general liability policy so long as you are acting within the scope and course of your assigned duties.

Automobile insurance follows the automobile. If you are driving a County vehicle, County insurance will be in effect. Likewise, if you are driving your own vehicle, even while on County business, your automobile insurance will be applicable on a primary basis per the California Vehicle Code, CVC 17152.

The County conducts a motor vehicle driving record check for all volunteers who drive as part of their volunteer work, so we ask that you submit a copy of your driver's license to the respective department supervisor if this applies to you.

MEDICAL SCREENING

All emergency response and search and rescue volunteers are required to undergo an initial and annual medical evaluation and certification prior to volunteering for physically arduous positions, such as fire fighting. Please contact your volunteer supervisor to determine if you are required to submit to a physical fitness test.



Alpine County Volunteer Program (continued)

All medical information received related to a volunteer's physical condition is confidential and will not be used for any other purpose than to determine a volunteer's physical condition prior to service.

EXPENSES

Volunteers are reimbursed for some expenses which have been pre-approved by the respective volunteer coordinator. You may, however, claim a mileage tax deduction instead of taking the reimbursement. Please consult with your accountant or the Internal Revenue Service for current mileage reimbursement rates or tax benefits. If you do choose to claim mileage, you will be required to complete the County's *Mileage Reimbursement Form* and obtain approval from your supervisor before payment can be made to you.

You may also be eligible for a number of other tax benefits as a volunteer under the general charitable contribution deduction of the Internal Revenue Code. Deductions are explained in Internal Revenue Service Publication Number 526, *Income Tax Deduction for Contributions*. A copy of this document is available in the Administration Department. Please be sure and check with your tax advisor or the Internal Revenue Service for specific deductions allowed, as the County does not provide this service.

VOLUNTEER HOURS

The County must keep track of the hours you volunteer to assure coverage under our self-insured liability and workers' compensation programs. Time records are used to determine how service levels have increased and which services have been enhanced by volunteers. Time sheets are to be filled out each time a volunteer works, at the end of the month, or whenever stipulated by the supervisor. Each volunteer is asked to follow this practice. Volunteers might also want to maintain this record to document their experience and commitment.

PLACEMENT AND SCHEDULES

Work schedules of volunteers are diverse and varied depending on the department, program and or location of volunteers. Volunteers should work with their coordinator to set a schedule that is mutually acceptable. If a volunteer cannot make it to his or her assignment on a scheduled day, the volunteer should notify his or her volunteer supervisor as soon as possible.

VOLUNTEER DUTIES

A description of your assignment will be developed prior to your volunteer placement so that you are provided a clear, complete and current description of the duties and responsibilities of your assignment. You may not perform professional services for which certification is required, unless you already hold the appropriate certificate or license, and have received approval from the Coordinator of Volunteer Services. Upon seeking approval, please make sure to provide copies of any certificates or licenses, including any special driving licenses, first aid or CPR or EMT certification.

PROBLEM SOLVING

If a problem should arise concerning any condition of your volunteering with the County, you should attempt to reconcile the matter with your supervisor. All volunteers are encouraged to attempt to settle problems or issues requiring attention within the department to which the volunteer is assigned.

OTHER RESPONSIBILITIES

- Keep your work commitment.
- Inform your supervisor if you have a planned absence.
- Accept training and participate in other job development activities.
- Adhere to all confidential requirements in the course of carrying out duties and responsibilities.
- Never use job knowledge or contacts for personal gain.
- Treat citizens, co-workers and others with respect.
- Be aware of procedures and rules, including safety rules.
- Report all on-the-job accidents and injuries to your supervisor immediately.
- Report any unsafe practices or procedures to your supervisor.
- Cooperate and assist in the investigation of any work accident.
- Follow personal hygiene and grooming habits, as well as manner of dress, that allow you to safely complete volunteer duties.
- Obtain and wear/use any specialized safety clothing or equipment.
- Wear seat belts when driving on County business.
- Be cooperative by accepting instructions, guidance, and suggestions from staff.

If you have questions about any of this information, you should speak with your volunteer supervisor.

Section 5. County Policies

RISK MANAGEMENT

Risk management explores safety risks involved in work and volunteer tasks. The respective volunteer coordinators and the Risk Manager work together to minimize any potential risks to the volunteer or County. This means that before volunteers begin their service, the supervisor is responsible for informing the volunteer of safe work practices as required for all employees. Any injury to the volunteer or losses to any third party which involved a volunteer must be reported and processed in accordance with existing County policies on matters of this nature.

Alpine County Volunteer Program (continued)

ACCIDENTS IN COUNTY VEHICLES

In the event of an accident involving a County vehicle or your own vehicle, you should immediately contact the local sheriff and CHP. You are also responsible for immediately notifying your supervisor, who will help you complete a County accident investigation form along with any other required documents.

Any volunteer, during the course of volunteering, involved in a serious motor vehicle accident may be required to take a urine, blood or breath test to determine whether or not that volunteer's ability to drive was impaired by alcohol or a controlled substance as defined by state statutes. For purposes of this policy, a serious accident is defined as one that injures someone, or where property damage exceeds \$750.

SMOKING

Smoking is prohibited in all County facilities, including all County vehicles. Volunteers and employees who wish to smoke may do so at least twenty (20) feet away from any County facility or building.

ALCOHOL

Volunteers shall not consume or possess alcoholic beverages on conducting any County business or on any County premises. Volunteers who violate this policy are subject to immediate dismissal.

DRUGS

Any volunteer who uses, brings, possesses or is suspected of being under the influence of any form of narcotic, drug, or hallucinogen, except prescribed drugs and under the direction of a physician, is subject to immediate dismissal. In addition, any volunteer who transfers, sells, or attempts to sell same on County property or while on County business, at any time, is subject to immediate dismissal.

SOFTWARE PIRACY

The County complies with all copyright laws for software programs installed and used on County-owned computers. Volunteers are expected to adhere to the County's policy, which includes prohibiting the use of unauthorized copies of software on County computers; prohibiting the installation of software on County computers that was not purchased through appropriate County policies; and understanding that all computers, software and computer information is County property. Therefore, all who use County computers cannot assume any right to privacy in such use.

VOLUNTEERS SERVING MINORS AND ELDERLY POPULATIONS

The County will exercise appropriate care in the placement of volunteers into positions serving populations that include minors, the elderly or the frail, and individuals with disabilities. Depending on the nature of the assignment, volunteers may be required to be fingerprinted and submit to a background check. You will be informed if fingerprinting is required for your position. Volunteers who do not agree to the required screening may be refused an assignment.

HARASSMENT

All County workers have a right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive or disruptive. Consistent with the County's respect for the rights and dignity of each employee and volunteer, harassment based on race, color, religion, sex, national origin, age, disability, sexual orientation or any characteristic protected by law, will not be sanctioned or tolerated.

DISMISSAL

Volunteers who do not adhere to the rules, policies and regulations of the County, or fail to perform their assignments satisfactorily, are subject to dismissal. A volunteer may be dismissed at any time. The County reserves the right to request that a volunteer leave immediately if circumstances warrant such action.

ATTENDANCE POLICY

Volunteers are expected to always be prompt and on time in reporting for their assignment and training. Being late may inconvenience those who are counting on your presence. If unforeseen circumstances make you late, please notify your supervisor in advance. For those times when you are ill and unable to work, call your supervisor or department as early in the day as possible. Excessive absenteeism from training and emergency calls may result in your dismissal from the volunteer program.

USE OF MINOR VOLUNTEERS

Because of various liability concerns, the County does not encourage the use of volunteers who are under 15 years of age.

Alpine County Volunteer Program (continued)

Section 6. Code of Ethics

We encourage you to read and practice the following code of ethics for volunteers:

CODE OF ETHICS

As a volunteer, I realize that I am subject to a code of ethics similar to that which binds the professionals in the fields in which I work.

Like them, I assume certain responsibilities and expect to account for what I do in terms of what I am expected to do.

- I will keep confidential matters confidential.
- I interpret 'volunteer' to mean that I have agreed to work without compensation, but having been accepted as a worker, I expect to do my work according to standards.
- I promise to work with an attitude of open-mindedness; to be willing to be trained for the assignment; to bring to the assignment interest and attention.
- I realize that I may have personal and educational qualities that my co-workers may not have and that I should use these to enrich the projects which we are working on together.
- I realize, also, that I may lack personal or educational qualities that my co-workers have, but I will not let this make me feel inadequate, but will contribute to the team with the assets that I have.
- I understand that I am expected to live up to my work commitment, and I will give ample notice if I cannot fulfill it.
- I believe that my attitude toward volunteer work should be professional.
- I believe that I have an obligation to my work, to those who direct it, to my colleagues, to those for whom it is done, and to the public.

Section 7. Volunteer Rights

Each volunteer in the County is viewed as an important part of the organization's ability to get the job done. As a volunteer you are accorded rights as individuals and volunteers. Below are some of the rights volunteers may expect during their tenure with the County. In addition, please refer to Attachment A, the Volunteer Protection Act of 1997.

VOLUNTEER RIGHTS

- Volunteers are to be treated with respect and courtesy.
- Volunteers are to receive proper training for the job to be done.
- Volunteers are to be informed about any reimbursement policy, e.g. for the use of private cars, etc.
- Volunteers are not to be discriminated against because of race, ethnicity, religion, gender, age, handicap, marital status, family, or sexual orientation.
- Volunteers will receive information on issues regarding legal protection, liability and other concerns.
- Volunteers will be recognized for their efforts in providing program services.
- Volunteers will be treated as co-workers.
- Volunteers will know as much about the organization as possible.
- Volunteers will be evaluated and receive recognition.

Safety Committee Employee and Volunteer Policy on Emergency Response

ADOPTED; 1994 MODIFICATION

Volunteer efforts in Alpine County are of significant value to both Alpine County residents and visitors to Alpine County and should be recognized as the gift of time, expertise and effort which they entail at a personal cost to each volunteer. Alpine County wishes to credit all its volunteers and to provide a reasonable policy for their safety during emergency response. This policy also includes provisions dealing specifically with county employees who function under the volunteer departments.

The following volunteer organizations are subject to this policy:

- Bear Valley Volunteer Fire Department
- Emergency Medical Technicians
- Markleeville Volunteer Fire Department
- Woodfords Volunteer Fire Department
- Search and Rescue
- Reserve Deputies

PHYSICAL EVALUATION

All current volunteers will undergo a baseline physical evaluation conducted by the Alpine County Health Department. New volunteers will undergo a physical evaluation at the time of enrollment in County volunteer programs. After their initial physical, all volunteers under the age of 45 will undergo a physical evaluation every two years. At age 45, physical evaluations will be conducted annually. All physical evaluations will be provided by the Alpine County Health Department at no cost to the volunteer. The Alpine County Health Department may request that a volunteer provide further information from a physician who is treating a volunteer for a current condition. Hepatitis-B vaccinations are also available to each volunteer through the Health Department at no cost to the volunteer.

LIMITATION OF RESPONSE DUE TO CONDITION

Volunteers may have a temporary physical condition, which may inadvertently jeopardize their own well being, as well as the well being of others, in an emergency situation. Certain restrictions must apply to volunteers when pre-existing physical conditions may prove detrimental to response situations.

Volunteers who are under the care of a physician or who have active worker's compensation claims filed with the County are prohibited from responding to emergency calls, unless the condition or injury is not affected by the duties of the responder, the volunteer is restricted to specific limited duty, and a doctor's release to this effect is provided.

If an employee or volunteer is under the care of a physician or is aware of a pre-existing condition which may affect his or her ability to provide emergency response, he/she must report it to their respective volunteer chief or coordinator immediately and prior to any participation in emergency response activities.

Failure to do so will release Alpine County and any other participating jurisdictions from liability related to aggravation of that condition or injury resultant from that condition. The responsible chief or coordinator will be responsible to assure that any assignment made for that volunteer will be of a nature that will not give cause for aggravation of the condition.

The program chief or coordinator will provide the County Risk Manager with documentation regarding a current condition, limitations to which a volunteer is subject and a copy of any release or limitations set by a physician.

COUNTY EMPLOYEE VOLUNTEER RESPONSE

It is the Department Head's responsibility to see that coverage of their department is adequately maintained. Therefore, a County employee volunteer should obtain the approval of their Department Head, his or her designated representative, or, in their absence, of the Administrative Coordinator or the County Sheriff, prior to responding to an emergency call. Only in the critical instances may a department be closed for the purpose of emergency response. The determination of a critical instance will be made by the responsible Department Head, or parties designated above, when it appears, from the information available, that the need for the volunteer services outweighs the basic public service requirement for maintaining a functioning office.

Upon release the employee will return to work within a reasonable time frame, given the opportunity for a meal and cleanup.

SALARY OF COUNTY EMPLOYEE VOLUNTEERS

County employees who are also volunteers will receive their regular salary when an emergency situation arises during normal work hours. However, these employees may not claim overtime compensation when the response exceeds the normal workday, nor will they complete their normally scheduled work during overtime hours, unless PRIOR approval, in writing, is obtained from the Department head. Such overtime will only be approved by the Department Head upon a clear showing of immediate need.

Any compensation for emergency response available from any other agency will be paid directly to the employee by the reimbursing agency. The employee will reimburse Alpine County for any duplication of compensation received from both Alpine County and their reimbursing agency.

County employees functioning in their official capacity during emergency response will be compensated as provided by their bargaining unit memorandum of understanding,

Policy Statement: County Indemnity of Volunteer Fire Fighters Acting within the Course and Scope of Their Support



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Alpine County is served by various volunteer fire departments. To provide assurances to the volunteers within those departments that they will not incur personal liability while acting within the course and scope of their employment the Board of Supervisors hereby adopts the policy set forth below.

As set forth in California Government Code Section 825 to 825.6 the County of Alpine has a statutory duty to indemnify County employees including volunteer firefighters, from personal liability for actions taken within the course and scope of their employment. This indemnity requirement shall not apply where the employee commits fraud, acts with malice, engages in corruption, falls or refuses to cooperate with the County in defense of any action brought, or is otherwise acting outside the course and scope of employment. Indemnification from any cause of action seeking punitive damages must be approved by separate action of the Board of Supervisors in accordance with the provisions then applicable of California law regarding any such requested indemnification.

Further, as required by Government Code Sections 995 to 996.6 the County will provide upon the employee's written request a defense of its employees including volunteer firefighters, in any litigation for which indemnity is required under his policy, including the payment of the reasonable attorneys fees and costs incurred in any such defense. Any such defense shall be subject to any reservation of rights required by the County prior to the conduct of any such defense.

Adopted by the Board of Supervisors June 15, 2004

Terry Woodrow
Chair of the Board

Alpine/policy statement—volunteer firefighters 060904

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF ALPINE, STATE OF CALIFORNIA, DECLARING PERSONS PERFORMING VOLUNTEER SERVICES TO BE COUNTY EMPLOYEES FOR PURPOSES OF WORKERS COMPENSATION LAWS)))

RESOLUTION NO. R95-33

WHEREAS, Alpine County receives great benefit from the volunteer services rendered by numerous County residents for fire suppression, emergency medical response, Sheriff’s reserve, Sheriff’s search and rescue operations, library services, and community service, and

WHEREAS, state law provides that the County may, by adoption of appropriate resolution, deem such volunteers to be County employees for purposes of workers compensation laws while rendering such services,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Alpine, State of California, that, pursuant to California Labor Code Section 3363.5, and notwithstanding Labor Code Sections 3351, 3352, and 3357, a person who performs voluntary service without pay for Alpine County, as designated and authorized by the Board of Supervisors or the Alpine County Auditor as Risk Manager, is hereby deemed an employee of Alpine County for the purposes of Division 4 of the California Labor Code, including, but not limited to, the following services:

- 1. Emergency medical response;
2. Sheriff’s search and rescue;
3. Fire suppression
4. Library services
5. Recycling services
6. Community service workers engaged in court authorized work assignments, and
7. Other services in support of county functions.

BE IT FURTHER RESOLVED that, for purposes of persons deemed to be volunteers under Labor Code Section 3363.5, “voluntary service without pay” shall include services performed by any person, as outlined above, who received no remuneration other than meals, transportation, lodging, or reimbursement for incidental expenses.

BE IT FURTHER RESOLVED that, pursuant to California Labor Code Section 3364, and notwithstanding subdivision (d) of Section 3352, a volunteer, unsalaried member of a Sheriff’s reserve in Alpine County who is not deemed an employee of the County under Section 3362.5, is hereby deemed an employee of Alpine County for the purposes of Division 4 of the California labor Code for any injury sustained by him or her while engaged in the performance of any active law enforcement service under the direction and control of the Alpine County Sheriff.

BE IT FURTHER RESOLVED that, pursuant to California Labor Code Section 3364.55, a ward of the juvenile court engaged in rehabilitative work without pay, under an assignment by order of the Juvenile Court to a work project on public property within the jurisdiction of any governmental entity, including the federal government, is hereby deemed an employee of Alpine County for the purposes of Division 4 of the California Labor Code for injury sustained while in the performance of such assigned work project, provided:

- (a) That such ward shall not be entitled to any temporary disability indemnity benefits, and
(b) That in determining permanent disability benefits, average weekly earnings shall be taken at the minimum provided therefore in Section 4453 of the California Labor Code.

BE IT FURTHER RESOLVED that, pursuant to California Labor Code Section 3364.6, and notwithstanding Labor Code Sections 3351 and 3352, juvenile traffic offenders pursuant to Section 564 of the Welfare and Institutions Code, or juvenile probationers pursuant to subdivision (a) of Section 725 of the Welfare and Institutions Code, engaged in rehabilitative work without pay, under an assignment by order of the Juvenile Court to a work project on public property within the jurisdiction of any governmental entity, including the federal government, are hereby deemed employers of Alpine County for the purposes of Division 4 of the California labor Code for injury sustained while in the performance of such assigned work project, provided;

- (a) That such traffic offender or probationer shall not be entitled to any temporary disability indemnity benefits, and
(b) That in determining permanent disability benefits, average weekly earnings shall be taken at the minimum provided therefore in Section 4453 of the California Labor Code.

BE IT FURTHER RESOLVED that, pursuant to California Labor Code Section 3364.7, and notwithstanding Labor Code Sections 3351 and 3352, a ward of the juvenile court committed to a regional youth educational facility pursuant to Article 24,5, commencing with Section 894 of the Welfare and Institutions Code, engaged in rehabilitative work without pay, under an assignment by order of the Juvenile Court to a work project on public property within the jurisdiction of any governmental entity, including the federal government, is hereby deemed an employee of Alpine County for the purposes of Division 4 of the California Labor Code for injury sustained while in the performance of such assigned work project provided:

- (a) That such ward shall not be entitled to any temporary disability indemnity benefits, and
(b) That in determining permanent disability benefits, average weekly earnings shall be taken at the minimum provided therefore in Section 4453 of the California Labor Code.

PASSED AND ADOPTED by the Board of Supervisors, County of Alpine, State of California, on June 6, 1995, by the following vote:

AYES: Supervisors, Jardine, Craik, Wade and Jang
NOES: None
ABSENT: Supervisor Blum

ATTEST: Barbara K. Jones, County Clerk and ex-officio Clerk of the Board
Cameron Craik, Chair, Board of Supervisors, County of Alpine, State of California

By: Judy Molnar, Assistant County Clerk
Approved as to Form: Timothy W. Pemberton, County Counsel

Volunteer Protection Act of 1997

This is the text of Public Law 105-19; the Volunteer Protection Act of 1997 as signed into law by President Clinton on June 18, 1997:

One Hundred Fifth Congress of the United States of America AT THE FIRST SESSION begun and held at the City of Washington on Tuesday, the seventh day of January, one thousand nine hundred and ninety-seven.

An Act To provide certain protections to volunteers, nonprofit organizations, and governmental entities in lawsuits based on the activities of volunteers. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

Section 1. Short Title

This Act may be cited as the 'Volunteer Protection Act of 1997'.

Section 2. Findings and Purpose

(a) FINDINGS

The Congress finds and declares that:

- (1) the willingness of volunteers to offer their services is deterred by the potential for liability actions against them;
- (2) as a result, many nonprofit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, and other civic programs, have been adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities;
- (3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;
- (4) because Federal funds are expended on useful and cost-effective social service programs, many of which are national in scope, depend heavily on volunteer participation, and represent some of the most successful public-private partnerships, protection of volunteerism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is an appropriate subject for Federal legislation;
- (5) services and goods provided by volunteers and nonprofit organizations would often otherwise be provided by private entities that operate in interstate commerce;
- (6) due to high liability costs and unwarranted litigation costs, volunteers and nonprofit organizations face higher costs in purchasing insurance, through interstate insurance markets, to cover their activities; and
- (7) clarifying and limiting the liability risk assumed by volunteers is an appropriate subject for Federal legislation because:
 - (A) of the national scope of the problems created by the legitimate fears of volunteers about frivolous, arbitrary, or capricious lawsuits;
 - (B) the citizens of the United States depend on, and the Federal Government expends funds on, and provides tax exemptions and other consideration to, numerous social programs that depend on the services of volunteers;
 - (C) it is in the interest of the Federal Government to encourage the continued operation of volunteer service organizations and contributions of volunteers because the Federal Government lacks the capacity to carry out all of the services provided by such organizations and volunteers; and
 - (D) (i) liability reform for volunteers, will promote the free flow of goods and services, lessen burdens on interstate commerce and uphold constitutionally protected due process rights; and (ii) therefore, liability reform is an appropriate use of the powers contained in article 1, section 8, clause 3 of the United States Constitution, and the fourteenth amendment to the United States Constitution.

(b) PURPOSE

The purpose of this Act is to promote the interests of social service program beneficiaries and taxpayers and to sustain the availability of programs, nonprofit organizations, and governmental entities that depend on volunteer contributions by reforming the laws to provide certain protections from liability abuses related to volunteers serving nonprofit organizations and governmental entities.

Section 3. Preemption and Election of State Non-applicability

(a) PREEMPTION

This Act preempts the laws of any State to the extent that such laws are inconsistent with this Act, except that this Act shall not preempt any State law that provides additional protection from liability relating to volunteers or to any category of volunteers in the performance of services for a nonprofit organization or governmental entity.

(b) ELECTION OF STATE REGARDING NON-APPLICABILITY

This Act shall not apply to any civil action in a State court against a volunteer in which all parties are citizens of the State if such State enacts a statute in accordance with State requirements for enacting legislation:

- (1) citing the authority of this subsection;
- (2) declaring the election of such State that this Act shall not apply, as of a date certain, to such civil action in the State; and
- (3) containing no other provisions.

Section 4. Limitation On Liability for Volunteers

(a) LIABILITY PROTECTION FOR VOLUNTEERS

Except as provided in subsections (b) and (d), no volunteer of a nonprofit organization or governmental entity shall be liable for harm caused by an act or omission of the volunteer on behalf of the organization or entity if:

- (1) the volunteer was acting within the scope of the volunteer's responsibilities in the nonprofit organization or governmental entity at the time of the act or omission;
- (2) if appropriate or required, the volunteer was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred, where the activities were or practice was undertaken within the scope of the volunteer's responsibilities in the nonprofit organization or governmental entity;
- (3) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the volunteer; and
- (4) the harm was not caused by the volunteer operating a motor vehicle, vessel, aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to:
 - (A) possess an operator's license; or
 - (B) maintain insurance.

(b) CONCERNING RESPONSIBILITY OF VOLUNTEERS TO ORGANIZATIONS AND ENTITIES

Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(c) NO EFFECT ON LIABILITY OF ORGANIZATION OR ENTITY

Nothing in this section shall be construed to affect the liability of any nonprofit organization or governmental entity with respect to harm caused to any person.

(d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION

If the laws of a State limit volunteer liability subject to one or more of the following conditions, such conditions shall not be construed as inconsistent with this section:

- (1) A State law that requires a nonprofit organization or governmental entity to adhere to risk management procedures, including mandatory training of volunteers.

Attachment A: Volunteer Protection Act of 1997 (continued)

- (2) A State law that makes the organization or entity liable for the acts or omissions of its volunteers to the same extent as an employer is liable for the acts or omissions of its employees.
 - (3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.
 - (4) A State law that makes a limitation of liability applicable only if the nonprofit organization or governmental entity provides a financially secure source of recovery for individuals who suffer harm as a result of actions taken by a volunteer on behalf of the organization or entity. A financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the organization or entity will be able to pay for losses up to a specified amount. Separate standards for different types of liability exposure may be specified.
- (e) **LIMITATION ON PUNITIVE DAMAGES BASED ON THE ACTIONS OF VOLUNTEERS:**
- (1) **GENERAL RULE**—Punitive damages may not be awarded against a volunteer in an action brought for harm based on the action of a volunteer acting within the scope of the volunteer’s responsibilities to a nonprofit organization or governmental entity unless the claimant establishes by clear and convincing evidence that the harm was proximately caused by an action of such volunteer which constitutes willful or criminal misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed.
 - (2) **RULE OF CONSTRUCTION**—Paragraph (1) does not create a cause of action for punitive damages and does not preempt or supersede any Federal or State law to the extent that such law would further limit the award of punitive damages.
- (f) **EXCEPTIONS TO LIMITATIONS ON LIABILITY**
- (1) **GENERAL RULE**—The limitations on the liability of a volunteer under this Act shall not apply to any misconduct that:
 - (A) Constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18) for which the defendant has been convicted in any court;
 - (B) Constitutes a hate crime (as that term is used in the Hate Crime Statistics Act (28 U.S.C. 534 note));
 - (C) Involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court;
 - (D) Involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law; or
 - (E) Where the defendant was under the influence (as determined pursuant to applicable State law) of intoxicating alcohol or any drug at the time of the misconduct.
 - (2) **RULE OF CONSTRUCTION**—Nothing in this subsection shall be construed to effect subsection (a)(3) or (e).

Section 5. Liability for Non-Economic Loss

- (a) **GENERAL RULE**—In any civil action against a volunteer, based on an action of a volunteer acting within the scope of the volunteer’s responsibilities to a nonprofit organization or governmental entity, the liability of the volunteer for non-economic loss shall be determined in accordance with subsection (B).
- (b) **AMOUNT OF LIABILITY**
 - (1) **General Rule**—Each defendant who is a volunteer, shall be liable only for the amount of non economic loss allocated to that defendant in direct proportion to the percentage of responsibility of that defendant (determined in accordance with paragraph (2)) for the harm to the claimant with respect to which that defendant is liable. The court shall render a separate judgment against each defendant in an amount determined pursuant to the preceding sentence.

- (2) **Percentage of Responsibility**—For purposes of determining the amount of non-economic loss allocated to a defendant who is a volunteer under this section, the trier of fact shall determine the percentage of responsibility of that defendant for the claimant’s harm.

Section 6. Definitions

For purposes of this Act:

- (1) **ECONOMIC LOSS**—The term ‘economic loss’ means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.
- (2) **HARM**—The term ‘harm’ includes physical, nonphysical, economic, and non-economic losses.
- (3) **NON-ECONOMIC LOSSES**—The term ‘non-economic losses’ means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation and all other non-pecuniary losses of any kind or nature.
- (4) **NONPROFIT ORGANIZATION**—The term ‘nonprofit organization’ means:
 - (A) Any organization which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code and which does not practice any action which constitutes a hate crime referred to in subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note); or
 - (B) Any not-for-profit organization which is organized and conducted for public benefit and operated primarily for charitable, civic, educational, religious, welfare, or health purposes and which does not practice any action which constitutes a hate crime referred to in subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note).
- (5) **STATE**—The term ‘State’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.
- (6) **VOLUNTEER**

The term ‘volunteer’ means an individual performing services for a nonprofit organization or a governmental entity who does not receive:

 - (A) Compensation (other than reasonable reimbursement or allowance for expenses actually incurred); or
 - (B) Any other thing of value in lieu of compensation, in excess of \$500 per year, and such term includes a volunteer serving as a director, officer, trustee, or direct service volunteer.

Section 7. Effective Date

- (a) **IN GENERAL**—This Act shall take effect 90 days after the date of enactment of this Act.
- (b) **APPLICATION**—This Act applies to any claim for harm caused by an act or omission of a volunteer where that claim is filed on or after the effective date of this Act but only if the harm that is the subject of the claim or the conduct that caused such harm occurred after such effective date.

Time Sheet

Volunteer Name:

Supervisor:

Assignment:

Department:

Month/Year

Enter the total number of volunteer hours worked for each day. Total all hours worked in each week, and enter it in the "Total" column.

	MON	TUES	WED	THURS	FRI	SAT	SUN	TOTAL
Week 1								
Week 2								
Week 3								
Week 4								
Week 5								
Week 6								
Week 7								
Week 8								
Week 9								
Week 10								
Week 11								
Week 12								

Volunteer Signature

Date

Supervisor Signature

Date

Expense Claim Form

Volunteer Name:

Supervisor:

Assignment:

Department:

Month/Year

Attach receipts for all listed expenses.

DATE OF EXPENSE	DESCRIPTION OF EXPENSE	AMOUNT

Volunteer Signature

Date

Supervisor Signature

Date

Charge Account

Date Paid

Volunteer Program Application

If you are between the ages of 15 and 17, please fill out the Minor Volunteer Program Application.

Name: _____

Address: _____

City: _____ State/Zip: _____

Daytime phone: _____ Evening phone: _____

Cell phone: _____ Email: _____

Emergency contact: _____ Contact phone: _____

Occupation: _____

Do you have a driver's license? ___ Yes ___ No State of issue: _____

Drivers license number: _____

Special skills, training, and languages: _____

Certifications or licenses held: _____

How did you become interested in the volunteer program? _____

Do you have any limitations related to health or physical ability? If so, please explain: _____

Other names you have used, including maiden name, and the date(s) your name(s) changed: _____

Have you ever been convicted of a crime (other than minor traffic offenses)? ___ Yes ___ No

If yes, please explain charges and list the County/State where the conviction(s) occurred:
(please use an additional sheet of paper if necessary)

Have you ever been convicted of a violation or attempted violation of Section 243.4 of the Penal Code, a sex offense against a minor, or of any felony, which requires registration pursuant to Section 290 of the Penal Code? ___ Yes ___ No

Applicant Signature: _____

Date: _____

Completion of the remainder of this form is optional

Volunteers are recruited and selected on their interests, skills, knowledge and abilities. A diverse corps of volunteers is both necessary and desirable. The program office uses the following demographic information to meet diversity goals.

Race

Please Check One:

- _____ Black (Not Hispanic)
- _____ White (Not Hispanic)
- _____ Hispanic
- _____ American Indian or Alaskan Native
- _____ Asian or Pacific Islander

Age

Please Check One:

- _____ 18-25
- _____ 26-35
- _____ 36-45
- _____ 46-55
- _____ 56-65
- _____ Over 65

Return this form to:

Alpine County Administration Volunteer Program

P.O. Box 387
Markleeville, CA 96120
530-694-2287
530-694-2491 (fax)

For information email:
info@alpinecountyca.gov

Volunteer Application for Minors (Ages 15-17)

Name: _____

Address: _____

City: _____ State/Zip: _____

School: _____ Grade: _____

Phone: _____ Email: _____

Date of birth (Month/Day/Year): _____

Names(s) of parents or guardians: _____

Emergency contact: _____ Contact phone: _____

Do you have a driver's license? ___Yes ___No State of issue: _____

Drivers license number: _____

Career interests or preferred volunteer assignments:

Special skills, training, and languages:

Previous volunteer or other applicable experience:

How did you become interested in the volunteer program?

Do you have any limitations related to health or physical ability? If so, please explain:

Have you ever been convicted of a crime (other than minor traffic offenses)? ___ Yes ___ No
If yes, please explain charges and list the County/State where the conviction(s) occurred:
(please use an additional sheet of paper if necessary)

Have you ever been convicted of a violation or attempted violation of Section 243.4 of the Penal Code, a sex offense against a minor, or of any felony, which requires registration pursuant to Section 290 of the Penal Code? ___ Yes ___ No

Applicant Signature: _____

Parent or Guardian Signature: _____

Date: _____

Hours Available

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Completion of the remainder of this form is optional

Volunteers are recruited and selected on their interests, skills, knowledge and abilities. A diverse corps of volunteers is both necessary and desirable. The program office uses the following demographic information to meet diversity goals.

Please Check One:

- _____ Black (Not Hispanic)
- _____ White (Not Hispanic)
- _____ Hispanic
- _____ American Indian or Alaskan Native
- _____ Asian or Pacific Islander

Return this form to:

Alpine County Administration Volunteer Program

P.O. Box 387
Markleeville, CA 96120
530-694-2287
530-694-2491 (fax)

For information email:
info@alpinecountycalifornia.gov

Volunteer Acknowledgement Form



I desire to participate as a volunteer with Alpine County in the _____ department.

I understand that I will provide volunteer services to the County freely and without pressure or coercion, direct or implied, from the County.

I have been informed and fully understand that I am a "volunteer" performing volunteer service for Alpine County and that I will not receive any compensation or benefits for services.

Return this form to:

**Alpine County Administration
Volunteer Program**

P.O. Box 387
Markleeville, CA 96120
530-694-2287
530-694-2491 (fax)

For information email:
info@alpinecountyca.gov

I acknowledge that I have read the Alpine County Volunteer Handbook and will adhere to the rules and regulations contained in the handbook. I also understand that I may be subject to a background investigation including a DMV and criminal background check.

By signing this Volunteer Acknowledgment Form, I understand that I am not an employee of the County, but that I am covered under the County's workers' compensation plan while I am performing services for the county as directed by my supervisor. I have received a copy of the County's resolution extending workers' compensation coverage to certain volunteers in specified categories pursuant to Labor Code Section 3363.5.

As a volunteer who is covered under the County's workers' compensation plan, I expressly agree and acknowledge that workers' compensation is my exclusive remedy for any injury suffered while performing said volunteer duties, and that I cannot and will not seek to bring any other claim or actions of any type whatsoever against the County, its employees, officers, agencies, other volunteers and officials.

Date: _____

Signature: _____

Print Name: _____

Parent or Guardian Signature (if minor):

Witness Signature:
