

CITY OF WINTER SPRINGS
VOLUNTEER POLICY

A. Purpose.

The volunteers of the City of Winter Springs play a vital role in the enhancement of public services provided by each City department. Accordingly, this Policy is designed to guide the intake of City volunteers for placement in the volunteering opportunities throughout the City of Winter Springs.

B. Volunteer: Definition; General Policies.

1. *Definition:* For purposes of this Policy, a *volunteer* is an individual who performs hours of service in a City department for civic, charitable, health, humanitarian, recreational, public safety or general welfare reasons, without promise, expectation or receipt of compensation for services rendered, except for reimbursement of expenses, nominal fees, or a combination thereof.
 - (i) This policy applies only to non-elected volunteers. This policy does not include volunteers appointed to a City board or committee.
 - (ii) Volunteers do not supplant City employees; they assist paid staff or provide services that constitute elements of major regular positions and augment the established and mandated services of the City.
 - (iii) City employees may volunteer their services to the City as long as the work they perform as a volunteer is outside their scope of duties as City employees.
 - (iv) Individuals or entities that are (1) volunteering or working for independent contractors hired by the City or (2) individuals or associations retained by the City by separate agreement are not volunteers of the City for purposes of this Policy. Such volunteers under separate agreement shall be subject to the terms and conditions of such agreement.
2. *Minors:* Volunteers who have not reached the age of eighteen years must have the written consent of a parent or legal guardian prior to volunteering.

C. City Manager or Commission Approval Required.

1. All City volunteer positions shall require prior approval by the City Manager, the City Manager's designee, or the City Commission. Such approval shall be based on whether the volunteer position furthers the purpose of a City department.

2. City departments may make requests to the City Manager for volunteer authorization based on the needs of the Department. When making such a request, the Department shall provide the following information:
 - (i) the purpose and scope of proposed duties for the volunteer position;
 - (ii) the Department's need for the volunteer position; and
 - (iii) any special qualifications required of a successful applicant.

D. Application and Enrollment Process.

1. The process for selection of City volunteers is as follows:
 - (i) Applicants must submit a completed Volunteer Application Form to the supervisor of the volunteer position for which the application is submitted ("Supervisor"). The Supervisor shall then forward such applications to the head of the City Department that is seeking to fill such volunteer position ("Department Head"). The Department Head shall forward a copy of all such applications to HR for record-keeping purposes.
 - (ii) The Department Head shall review Volunteer Application Forms received and may select applicant(s) for interview(s).
 - (iii) The Department Head may conduct one or more interviews of each selected applicant, in the discretion of the Department Head. Prior to being assigned to a position, all volunteers will be interviewed to ascertain their suitability for and interest in the position. The interview should determine the qualifications of the volunteer, their commitment to fulfill the requirements of the position, and should answer any questions that the volunteer might have about the position.
 - (iv) Upon making an initial determination that an applicant is qualified for a volunteer position, the Department Head shall request that HR provide the required background checks and screening as set forth in Paragraph E of this Policy.
 - (v) HR shall determine, in its discretion and in accordance with law, whether an applicant's background checks and screening reveal any disqualifying information. If there is no such disqualifying information, HR shall authorize the applicant for the volunteer work. The applicant may commence work as a City volunteer upon HR's authorization.
2. Enrollment. All City volunteers shall read, sign, and submit the following forms

prior to commencing their term as a City volunteer:

- (i) City Volunteer Application form, attached hereto as Exhibit “A”;
- (ii) City Standard Volunteer Consent form, attached hereto as Exhibit “B”;
- (iii) City Volunteer Enrollment form, attached hereto as Exhibit “C”; and
- (iv) City Volunteer Release of Liability form, attached hereto as Exhibit “D”.

The Department Head is responsible for forwarding all such forms to HR for record-keeping.

3. HR shall establish record-keeping procedures and maintain City volunteer records as required by Florida Statutes.

E. Screening and Background Checks.

1. *Sensitive Positions.* A criminal background investigation shall be completed on all volunteers applying for a sensitive position, as identified in Section E(2), herein. Each City department has the authority to determine which volunteer assignments constitute sensitive positions.

The applicant must sign the statement set forth on the Volunteer Application Form authorizing the City to conduct a criminal background investigation prior to initiation of such background check. A volunteer may not commence volunteer services until after completion of such background check.

In evaluating whether a volunteer applicant may be rejected for work placement or transfer to a sensitive position, HR shall consider the following criteria:

- (i) The nature and seriousness of the offense(s), and the circumstances under which the offense(s) occurred;
- (ii) The age of the person at the time of the offense(s);
- (iii) The recency of the offense(s);
- (iv) The number of convictions;
- (v) The relationship of the offense(s) to the sensitive position for which application is made;

- (vi) Evidence of rehabilitation and maturation, including the volunteers employment record with respect to job responsibility and duration and other volunteer efforts;
 - (vii) Truthfulness in admitting previous record;
 - (viii) Attitude of applicant;
 - (ix) Other factors relevant to the volunteer’s suitability, including but not limited to maturity, attitude and honesty.
2. *Guidelines for Identifying Sensitive Positions:* A sensitive position may include, but is not limited to, positions that involve access to custody of cash, equipment or confidential information; involves the rendering of services to at-risk persons (such as children or the elderly); or involves dispensing City benefits to the public.
 3. *Contact with At-Risk Persons.* Where volunteers are to be placed in direct contact with at-risk persons (such as children or the elderly), additional screening procedures may be instituted. These procedures may include reference checks, direct background investigation, criminal investigation, etc., as authorized or required by law. Volunteers who refuse permission for conduct of these checks will not be accepted for the volunteer position.
 4. *Potentially Disqualifying Job-Related Offenses:* The following is a list of offenses in general/common terms, which, under certain conditions, may be incompatible with specific functions associated with volunteer work assignments; however, the list is intended only as a guide, is not comprehensive, and does not reference specific statutory terms:

(i) *List of Offenses*

Function - Access to funds or negotiable instruments

- Bribery
- Embezzlement
- Forgery
- Fraud
- Receiving Stolen Property
- Robbery
- Theft

Function - Access to confidential or classified materials

Extortion
Forgery
Fraud
Perjury
Receiving Stolen Property
Robbery
Theft

Function - Charge of or access to City property

Embezzlement
Robbery
Receiving Stolen Property
Theft

Function - Protection of persons or property (Law Enforcement)

Assault
Drug or Narcotics Offenses
Child Molestation/Abuse
Embezzlement
Forgery
Fraud
Homicide
Intoxication
Kidnapping
Robbery
Sex Offenses
Theft

Function - Individual contact with or care or supervision of minors

Assault
Child Molestation/Abuse
Chronic or Recurrent Alcoholism
Drug or Narcotics Offenses
Homicide
Kidnapping
Manslaughter
Offenses Against Minors

Sex Offenses
Rape
Robbery
Theft

Function - Individual contact with or care or supervision of the elderly

Assault
Child Molestation/Abuse
Drug or Narcotics Offenses
Embezzlement
Forgery
Fraud
Homicide
Intoxication
Kidnapping
Manslaughter
Rape
Receiving Stolen Property
Robbery
Sex Offenses
Theft

5. *Certification and Licensing.* Violation of any certification or licensing requirements relating to the duties of the position in question may be the basis for disqualification.

(A) The City recognizes that in some cases, volunteers must have certification or a license in order to provide certain volunteer services. To the extent that the City requires such a volunteer, and the volunteer does not yet have the required certificate or license, the City Manager may authorize, in the City Manager's discretion, the expenditure of City funds for the purpose of assisting the volunteer in obtaining such certification or license needed to provide the services required by the City. However, if said funds are paid by the City, the City Manager may require the volunteer to commit, in writing, to providing said services for a specific period of time, or the volunteer will be required to repay the funds to the City. This provision does not obligate the City to expend funds for any volunteer in need of certification or licensing for the performance of any volunteer services.

6. *Dishonesty in Application.* Dishonesty during the application process for a volunteer position may be the basis for disqualification.
7. *Criminal background data obtained for employment screening purposes pursuant to Chapter 435, Florida Statutes, shall be used only for such screening purposes. Such data shall be kept confidential and is exempt from the Public Records Law.*
8. *Medical Treatments.* Any potential volunteer who indicates that they are under the care of a physician for either physical or psychological treatment may be asked to present a certificate from the physician as to their ability to satisfactorily and safely perform their volunteer duties. Volunteers under a course of treatment which might affect their volunteer work will not be accepted without written verification of suitability from their physician.

Any volunteer who, after acceptance and assignment by the City, enters a course of treatment which might adversely impact upon the performance of their volunteer duties should consult with their supervisor.

F. Orientation and Training.

1. *Orientation.* All volunteers will receive a general orientation on the nature and operation of the program or activity for which they are recruited, and a specific orientation on the purposes and requirements of the position which they are accepting in that effort.
2. *On-the-Job Training.* Volunteers will receive specific on-the-job training to provide them with the information and skills necessary to perform their volunteer assignment. The timing and methods for delivery of such training should be appropriate to the complexity and demands of the position and the capabilities of the volunteer.

G. Supervision. Volunteers shall be supervised by the Department Head, or the Department Head's designee.

Exhibit "A"
City of Winter Springs
Volunteer Application Form

Thank you for considering the City of Winter Springs as an opportunity for your volunteer activity. Please provide the following information:

Your name: _____

Your organization: _____

Street Address: _____

City _____ State _____ Zip _____

Telephone _____ Choose one: Home Business Cellular

Place checks in the following chart to indicate the periods of time which you currently have available for volunteer activity:

	Morning	Mid-Day	Afternoon	Evening
Monday				
Tuesday				
Wednesday				
Thursday				
Friday				
Saturday				
Sunday				

For what volunteer position(s) are you applying? _____

What skills do you have, such as typing, use of a computer, artistic abilities, etc.?

Are you under 18 years of age? _____ If so, Date of Birth _____

Are you currently employed? _____ If yes, where? _____

Are you currently a student? _____ If yes, where? _____

Are you a City employee? _____ Department? _____

Are you a retired City employee? _____ Department? _____

I am able to volunteer only until: (date) _____

Please describe your areas of interest and describe any related education or work experience.

Do you have any prior volunteer experience? _____

If yes, please describe:

Are you under care of a medical professional for any physical or psychological treatment that may affect your ability to safely and satisfactorily perform your volunteer duties?

Have you ever been convicted of, or pled “nolo contendere” to, a felony? _____

If yes, please explain:

I hereby certify that all statements made in connection with this application for volunteer work are true to the best of my knowledge.

Signature _____ Date: _____

Print Name _____

I hereby authorize the City of Winter Springs to obtain a record of my criminal convictions (including but not limited to pleas of “nolo contendere”) from the Florida Department of Law Enforcement or any other agency that collects records of criminal convictions.

Signature _____ Date: _____

Print Name _____

Signature of Parent or Guardian (minors only) Date: _____

Printed Name of Parent or Guardian (minors only)

Exhibit "B"
City of Winter Springs
Standard Volunteer Consent

I agree to read and abide by the policies relating to appropriate behavior and standards of conduct to be displayed by the City volunteers. I acknowledge that, if at any time such policies are amended, I will be provided the amended policies and at such time will be responsible for abiding by any amended provisions of the policy in addition to those included in the original policy.

I further understand and agree to accept the responsibilities of the volunteer position and participate in any training required by the City. I accept the guidance of my supervisor and shall notify my supervisor of absences and incidents of injury. I acknowledge that I freely donate my time without any expectation or promise of compensation. Lastly, I agree to abide by the following in carrying out my duties and understand that a violation of any of the below statements may result in my disqualification or termination:

1. I will keep confidential all information as required.
2. I will refrain from publishing any data gathered during the volunteer term and from disseminating commercial advertisements, press releases, or opinions without prior written consent of the Human Resources Coordinator.
3. I will refrain from any type of solicitation or charging, requesting or accepting any fee, gift, reward or payment of any kind for my volunteer services.
4. I will refrain from offering medical and/or legal advice even though I may be asked for such.
5. I will maintain a current driver's license and automobile liability insurance if driving is required as part of my volunteer services.
6. I will report immediately any suspected incident of abuse to children, dependent adults, or elders to appropriate authorities and the Human Resources Coordinator.
7. I agree to provide an update to the Human Resources Coordinator of any change to the information I submitted on my application during the term of volunteer period.
8. I acknowledge that I have read and understand the "External Volunteer Policies" attached hereto as Attachment "1", and will not engage in inappropriate and/or illegal conduct or behavior including but not limited to harassment, discrimination, and/or drug or alcohol abuse.

Signature _____ Date: _____

Print Name _____

Signature of Parent or Guardian (minors only) Date: _____

Printed Name of Parent or Guardian (minors only)

Attachment 1.
External Volunteer Policies

1. ***Volunteers are at-will:*** The City accepts the service of all volunteers with the understanding that such service is at the sole discretion of the City. Volunteers agree that the City may at any time, for whatever reason, decide to terminate the volunteer's relationship with the City. The volunteer may at any time, for whatever reason, decide to sever the volunteer's relationship with the City. Notice of such a decision should be communicated as soon as possible to the volunteer's supervisor.

2. ***No conflicts of interest:*** No person who has a conflict of interest under Florida law with any activity or program of the City shall be accepted or serve as a volunteer with the City.

3. ***Dress Code:*** Volunteers shall dress appropriately for the conditions and performance of their duties.

4. ***Inappropriate Conduct, Discrimination and Harassment Prohibited:*** The City is an Equal Opportunity Employer and is committed to providing a workplace free of any type of unlawful discrimination or harassment.
 - (i) Volunteers are prohibited from engaging in any type of inappropriate conduct, including but not limited to unlawful discrimination or harassment on the basis of race, religion, national origin, ethnicity, age, gender, marital status, pregnancy, disability, veteran status and/or any other legally protected characteristic.

 - (ii) Volunteers are prohibited from engaging in unlawful harassment including verbal, physical and visual conduct based on any of the above legally protected characteristics which create an intimidating, offensive or hostile work environment or that interferes or could interfere with a volunteer's work performance. Some examples of harassment include racial slurs or jokes, disparaging remarks concerning any protected group, ethnic jokes, distribution or posting of offensive statements, posters or cartoons or other similar conduct.

 - (iii) Volunteers are prohibited from engaging in sexual harassment. Sexual harassment may exist where a volunteer requests sexual favors or makes unwelcome sexual advances towards another individual or makes unwelcome verbal comments or displays physical conduct of a sexual nature to another individual, where the comment or conduct is unwelcome. Sexual harassment may also exist where a volunteer makes derogatory comments to an individual based on or related to such person's gender.

 - (iv) Volunteers must report any incident involving any perceived discrimination and/or harassment experienced or witnessed by them immediately to their Supervisor and to the Department Head, as defined herein, and to the Human Resources Coordinator ("HR"). Volunteers should recognize that this policy applies equally to harassment or discrimination committed by a fellow volunteer, employee, citizen, elected official, vendor or other third parties with whom the volunteer comes into contact.

 - (v) Every complaint of unlawful discrimination or harassment that is reported will be investigated thoroughly and promptly. Retaliation against any volunteer for making such a complaint is strictly prohibited. The complainant will be made aware of the outcome of the City's investigation upon completion. If the investigation reveals reasonable cause to believe that unlawful discrimination or harassment has occurred, the City will take prompt remedial action to stop the impermissible conduct, prevent it from occurring in the future and to appropriately discipline the person responsible.

(vi) Any volunteer violating this policy is subject to discipline, up to and including termination of volunteer services. If you have questions regarding this policy or the City's complaint procedure, please direct your questions to the Human Resources Coordinator.

5. ***Substance Abuse Prohibited:*** The City is determined to eliminate the use of illegal drugs, alcohol, and controlled substances at its work sites. Volunteers are prohibited from use of such substances at all City work sites and volunteer sites. Use of illegal drugs, alcohol and controlled substances at City work sites or volunteer sites may result in discipline, up to and including termination of volunteer services.

Exhibit "C"
City of Winter Springs
City Volunteer Enrollment

Your Name _____

Organization _____

Street Address _____

City _____ Zip _____

Telephone No. _____ Choose One: Home Business Cellular

Date of Birth _____

Emergency Contact Name _____

Emergency Contact Phone _____

Relationship _____

If your volunteer assignment will include driving or operating a vehicle, please provide the following information:

Driver's License: _____ Expiration Date: _____

Auto insurance company: _____

The following information will be completed by the Human Resources Coordinator:

Volunteer Assignment

Position: _____

Location: _____

Supervisor: _____

Start Date _____ End Date _____

Background Check Required? Yes/No _____

Background Check Completion Date: _____

Vehicle Required? Yes/No _____ Type: _____

Exhibit "D"
City of Winter Springs
City Volunteer Release of Liability

In accepting a position as a volunteer with the City of Winter Springs, I agree to accept voluntary Workers' Compensation coverage as the sole and exclusive remedy for any injuries I might sustain while in such volunteer service. Such voluntary Workers' Compensation coverage will be in effect to pay for medical attention for actual injuries sustained during volunteer service subject to Workers' Compensation statutes and regulations. Since volunteer service does not include wages, such compensation does not provide for same.

HOLD HARMLESS AGREEMENT: I agree to hold the City of Winter Springs harmless for any such injuries and agree not to pursue legal proceedings against the City for any reason associated with voluntary service except through the Workers' Compensation Act.

Signature of Volunteer

Date

Print Name of Volunteer