

## City of Bozeman Volunteer Policy

### I. Purpose and Scope

The City of Bozeman ("City") understands the value to the community and to the City in providing volunteer opportunities. The purpose of this policy is to establish guidelines and the procedure for utilization of volunteers for City projects. This policy applies to all City departments.

### II. Definitions

- a. *Volunteer* means an individual who performs services on behalf of an employer as defined in MCA 39-71-117 but who does not receive wages as defined in MCA 39-71-123.
- b. *Consistent volunteer* means an individual who volunteers more than 15 hours per month.
- c. *Regular volunteer* means an individual who volunteers between one (1) and 15 hours per month.
- d. *Casual volunteer* means an individual who volunteers for a special activity that takes place only once or twice in a calendar year.

### III. Policy

- a. Volunteers must be of the legal age to perform the duties assigned. As defined in MCA 41-2-105, a minor who is under 14 years of age may not be employed in or in connection with an occupation, as such the City does not utilize volunteers under the age of 14. The City requires any volunteer under the age of 18 to provide the consent of a parent or guardian prior to volunteering.
- b. Individuals will be considered volunteers only where their services are offered freely and without pressure or coercion, direct or implied, from the City.
- c. Volunteers are not considered employees or agents of the City and cannot enter into any agreement on behalf of the City.
- d. Volunteers will not receive compensation or benefits for their time in accordance with the Fair Labor Standards Act.
- e. Volunteers are not permitted to drive City vehicles.
- f. Volunteers must receive adequate supervision, and work performed should take place during normal business hours. Exceptions to this may be considered on an individual basis or program basis by the applicable volunteer coordinator in coordination with the Human Resources department.
- g. Volunteers do not displace regular employed workers, and may not be used in lieu of paid positions.
- h. A volunteer's service may be considered when evaluating the qualifications of the volunteer seeking employment with the City of Bozeman.
- i. City employees may volunteer with the City so long as the scope of work is substantially different from their employment. City employees may volunteer to do similar work in a different jurisdiction, as long as it does not interfere with their regularly scheduled work hours. The Department of Labor's Regulations 29 C.F.R. §553.103, define "same type of services" to mean similar or identical services. For example:

- i. A City firefighter cannot volunteer as a firefighter for the City but could volunteer as a firefighter at another jurisdiction.
  - ii. A City librarian cannot volunteer at the City of Bozeman Library, but could participate in the Snow Angel program.
  - iii. An IT employee could “adopt” a Storm Drain.
- j. Volunteers should receive the minimum training necessary to conduct their service safely and effectively. The emphasis should be on training specific to volunteer activities, and which can be immediately applied to the volunteer position.
- k. A volunteer assignment can be terminated at the City’s sole discretion at any time, with or without cause or notice.

#### IV. Procedure

- a. Individuals interested in becoming a volunteer must complete a City Volunteer Application. Alternative application procedures may be authorized by the Human Resources Department when unique to a certain project or initiative.
- b. The Human Resources Department will coordinate a background check on all consistent and regular volunteers. Casual volunteers do not require a background check and thus are not eligible for volunteer opportunities where the primary or sole purpose is to interact with children, elderly individuals or individuals with disabilities.
- c. All volunteers will be required to review and acknowledge a Volunteer Agreement and a Volunteer Waiver prior to beginning their assignment. This is to ensure the City is able to keep facilities and programs safe for the public and employees. Any volunteer who fails to adhere to their Volunteer Agreement will be dismissed from their volunteer assignment.
- d. All consistent and regular volunteer hours must be tracked and recorded. These hours are provided to Payroll on a quarterly basis for reporting and to ensure appropriate workers compensation coverage.

#### V. Responsibility for Review

The Human Resources Director, or designee, shall be responsible for reviewing this policy as needed, or at least every two (2) years.