

Volunteer Management

Improving the volunteer experience and reducing risk

Eileen Morgan Johnson
Whiteford, Taylor & Preston LLP
1025 Connecticut Avenue, N.W, Suite 400
Washington, DC 20036
202-659-6780 (office)
202-327-6180 (fax)
emjohnson@wtplaw.com

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Introduction

Volunteers are an important part of the nonprofit community. Almost all organizations started with an idea and the hard work of one or two people. Many organizations operate solely with volunteers. Others use volunteers to expand their programming efforts. The vast majority of nonprofit board members are volunteers. Savvy managers realize volunteers can pose risks to an organization if they are not well managed in the areas of recruitment, training and supervision.

Recruitment

A written volunteer application will help an organization to obtain information on an applicant so that the best use can be made of the applicant's experience and talents.

In addition to the applicant's name and basic contact information, a volunteer application should collect information on the applicant's education, work experience, previous volunteer experience, and support for your organization's mission.

Screening Volunteers

Of course, not every volunteer is right for every organization.

Organizations should require background checks of any volunteers who will be working with children, the elderly or the disabled, handling money or driving a vehicle. They can check the applicant's criminal, credit, motor vehicle and child protective services records to the extent such reviews are permitted by state law. Background checks can now be done quickly and inexpensively on the Internet.

A volunteer application should include a notice that the organization will conduct a background check, the type of background check to be conducted, and a place for the applicant to authorize it. If the volunteer application is on-line, it will need a separate form authorizing the background check that applicants can download, sign and deliver to the organization.

Special care should be taken with volunteers who drive vehicles as part of their duties. They should be asked to provide a copy of their driving record. The organization's management should review the driving record and ask if this is a safe person to be driving on behalf of the organization. The driving records of any volunteers who drive for an organization should be reviewed annually. The organization should also check with its insurance carrier to see which insurance policy, the organization's or the volunteer's, will be primary in the event of an accident and the volunteers should be given this information. As an additional step, volunteer drivers can be given an accident report form to carry in their vehicles and complete if an accident should occur.

If volunteers need any skill certifications or licenses to perform their volunteer duties, a copy of their certification should be kept in the organization's file. Examples of skill certifications are first aid, CPR and lifesaving. Licenses are required for professionals such as nurses, doctors and veterinarians. Someone should regularly check to make sure all volunteer certifications and licenses are current.

Orientation

All volunteers should receive orientation. The orientation program should be customized to fit the needs of the volunteers. At a minimum it should include a brief history of the organization, a review of the mission and current strategic goals, and a review of the volunteer handbook. The orientation should also provide information to each volunteer about what they will be doing for the organization and how their role fits into the organizational structure and meeting the organization's mission.

Volunteer Handbook

A volunteer handbook can help to quickly integrate volunteers into an organization. It can also help to reduce or eliminate potential legal problems. The volunteer handbook should clearly communicate to an organization's volunteers what they can expect from the organization and what the organization expects from them. Every volunteer should receive a copy of the handbook and sign a receipt acknowledging that they received a copy and have read (or will read) it. The volunteer handbook may also be posted on the organization's website for easy access and updating. If the handbook is posted on-line, the acknowledgment the volunteers sign should indicate that the most current version of the handbook will be on-line.

A good volunteer handbook includes:

- Basic information about the organization – its history, mission, values and strategic goals;
- Policies that impact volunteers;
- Procedures that volunteers are expected to follow;
- Information on how volunteers and staff are integrated in the organization;
- Explanation of any terms, program names or acronyms used by the organization;
- Volunteer benefits (if applicable);
- Samples of forms; and
- Volunteer recognition programs.

Policies and Procedures

Policies to include in a volunteer handbook are: nondiscrimination, sexual harassment, conflicts of interest, confidentiality, code of conduct, copyright and trademark use, e-mail use, privacy, dress code, evaluations, travel, use of property, publicity and political activity. Each policy should be reviewed by an attorney regularly to ensure that it complies with current state and federal laws. Any changes to the policies should be communicated to all volunteers.

Examples of procedures to include in a volunteer handbook are scheduling, purchasing, petty cash, expense reimbursement, and access to the organization's premises after hours. Having clear and detailed procedures on purchasing, petty cash and expense reimbursement can help to reduce the likelihood of any impropriety arising out of a volunteer's handling of money or purchases.

Training

New volunteers should receive instructions on their particular duties and training on any equipment to be used. A volunteer mentor or a staff member should be designated as the person to provide guidance as the new volunteer becomes familiar with the organization and the volunteer's duties.

All volunteers should receive training. This gives the organization an opportunity to share new information with its volunteers and review information previously presented. It is also an opportunity to correct any practices or bad habits that may have arisen that are not in compliance with the organization's policies and procedures.

Some organizations require specific training (such as youth protection) that should be repeated regularly. Other organizations keep track of who has completed a training program and the date of completion and will not allow volunteers to participate if their training has "expired."

An organization's training program may vary depending on the material it has to convey to its volunteers and their demographics. It is important to measure the effectiveness of the training programs and make changes as needed to keep them fresh and responsive to current volunteer needs.

Expectations

No matter what their level in the organization, volunteers cannot be successful unless they have been provided the information and the opportunities they need to succeed. A good orientation and training program, volunteer handbook and clear policies and procedures will help to set the framework of the organization's expectations, but the volunteer also needs to know how all of that applies to his or her specific volunteer duties. Volunteer "job descriptions" are helpful in describing what the volunteer should be doing and in setting boundaries for what might be beyond the scope of the volunteer's authority. Setting spending limits for the organization's funds or indicating who is authorized to speak to the press are examples of setting boundaries. Rather than suffer in silence, if a volunteer has gone beyond what was expected (in a negative sense), someone in authority needs to politely speak with the volunteer and reinforce the volunteer's role in the organization and the boundaries for that role. This is especially important for volunteers at the board level where their individual actions are seen by others as the actions of the organization.

Supervision

Volunteers should be adequately supervised. The supervisor can be a staff member or an experienced volunteer. Volunteers should know who their supervisor is and they should receive regular feedback on their performance. The supervisor should treat any volunteer failures or misconduct appropriately including documenting any complaints and any action plans to improve performance.

In organizations where there is real reluctance to correct the misbehavior or over-reaching of volunteers, senior management or the board should be informed of the potential risk of liability that the misbehavior or over-reaching may pose for the organization. Those who are responsible for the governance and management of the organization have fiduciary liability for the organization that cannot be delegated to others, including well intentioned volunteers who are acting beyond their scope of authority. In today's regulatory climate, board members can no longer ignore the organization's problems and hope they resolve themselves nor can they shirk their own responsibilities.

Sometimes an organization has a problem volunteer whose service needs to be terminated. The reason for the termination should be clearly stated to the volunteer and documented. While it is always difficult to tell a volunteer to leave, sometimes it is in the organization's best interest to terminate a volunteer. Someone who is verbally abusive to staff, volunteers, members or clients is doing more harm than good. A volunteer who exceeds the given spending authority or repeats confidential business information is a serious problem. Termination is a drastic step and efforts can be made within reason to improve performance but sometimes terminating a volunteer is the only thing an organization can do to protect itself. The volunteer termination should be handled in a professional manner and the action taken and justification for the termination should be documented.

Communication

Volunteer communications are important, both to obtain information and feedback from the volunteers and to share with them news and information about the organization, its mission, goals, successes and challenges. Regular communication can help even the most geographically remote volunteer or those working irregular hours feel connected to the organization. Changes in the organization's programs or direction need to be communicated to the volunteers. To be successful, volunteers should be surveyed periodically about their successes, the challenges they face, and changes that could be made to improve their volunteer service or experience. Volunteers should also be asked about where they see opportunities for growth, both for the organization and for themselves as volunteers.

Remote Volunteers

Volunteers who are performing their duties outside of the organization's facilities and removed from daily oversight pose special challenges. It is easy for organizations to overlook remote volunteers when providing training and supervision to their volunteers. The key to the successful management of remote volunteers is continual communication with them. It is especially important that managers listed to their remote volunteers and receive as well as give information. Volunteer handbooks should provide information for remote volunteers including points of contact for questions since they may be less likely than other volunteers to know the resources of the organization and who to contact. Regular review and feedback on the volunteers' performance is important since there are fewer opportunities for informal interactions of this nature.

Insurance policies should be reviewed to ensure that activities performed by remote volunteers in their locations are covered. Depending on their activities, volunteers in another state may be deemed to be agents of the organization creating nexus with that state. (Nexus is the connection with a state that gives it the authority to regulate an organization's activities in that state.) The organization should review the level of activity and determine if it gives rise to nexus and the requirement that the organization qualify to do business in that state if it is not already registered there. Qualification to do business also raises the issue of sales and use tax exposure for any sale of the organization's materials in that state.

Virtual Volunteers

The Internet has opened up new opportunities for volunteers. Someone who is in another community, state or even another country can volunteer for your organization and provide valuable service through an Internet connection. Volunteers design and maintain websites, enter data, respond to inquiries from members or the general public, engage in lobbying activity, participate in strategic and programmatic planning, and raise funds while sitting at home or in their favorite coffeehouse. They may consider themselves to be members, activists or engaged citizens and not volunteers.

Organizations with virtual volunteers should adapt their volunteer management programs to meet the needs of this new breed of volunteer. Manuals should be provided on-line through an intranet or other private website and they should be adapted to meet the needs of the virtual volunteers. The organization should be clear in defining the scope of their volunteer duties and the demarcation between volunteer and staff duties and roles. Managing virtual volunteers can be like herding cats with them slipping off into different directions without warning. Virtual volunteers are more likely to feel empowered to act on behalf of the organization than more traditional volunteers who see the organization's management and governance structure in their interactions with the organization. It is important to have a strong volunteer management program in place with an authorized volunteer manager before engaging virtual volunteers.

Volunteer Recognition

Although volunteer recognition programs are often focused on recognizing and rewarding devoted volunteers, they have other uses as well. Recognition – even if it is as simple as a service pin or an annual luncheon – can help to motivate and retain volunteers who might otherwise lose interest in their volunteer work. Recognition can also be used to help guide the behavior and improve the performance of volunteers who are not meeting the organization's expectations. By recognizing outstanding volunteers, the organization is affirming for the other volunteers what it takes to be a successful volunteer. Events that recognize outstanding volunteers also open the door for conversations with other volunteers as to why they were not selected and what they can do to improve their performance.

Volunteer Protection

Federal and most state laws (including the District of Columbia) give special protections to volunteers. The federal Volunteer Protection Act of 1997 protects volunteers from personal

liability for harm they cause unintentionally while serving as volunteers. This protection only applies to the volunteers and it only protects them for claims by injured parties. It does not protect a volunteer from claims of sexual harassment or claims by the nonprofit organization nor does it protect the organization from liability for failure to adequately train or supervise the volunteer.

To qualify for the federal protection, a volunteer must meet four conditions: 1) the volunteer must have been acting within the scope of his or her responsibilities as a volunteer at the time of the act or omission; 2) if a license is required for the volunteer's activities, the volunteer must have been properly licensed; 3) the volunteer must not have been acting with willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed; and 4) the harm may not have been caused by the volunteer operating a motor vehicle, vessel, aircraft, or other vehicle for which the state requires the operator to have a license or the owner to maintain insurance.

Most state volunteer protection statutes are modeled on the federal law. Some states have separate statutes that provide protection from liability for medical personnel (doctors, nurses, EMTs) performing volunteer emergency service at the scene of an accident or natural disaster. A few have similar protection for veterinarians providing emergency veterinary services. A summary of the state volunteer protection laws can be found on the AMA's website at <http://www.ama-assn.org/ama1/pub/upload/mm/395/goodsamaritansurvey.doc>.

Insurance

Organizations should regularly review with their insurance broker any changes in their programs and their use of volunteers. Directors and officers liability policies (known as D&O policies) cover the actions of volunteers serving as board members and officers but rarely cover other volunteers. Most nonprofit association liability policies cover volunteers. Organizations should have both a D&O policy and a general liability policy. Additional insurance such as automobile or multimedia coverage may also be advisable. Organizations should make sure all of their policies cover their volunteers. Depending on the type of coverage, the organization's policy may be primary or secondary to the volunteer's own policy. The volunteer handbook should clearly communicate to the volunteers what insurance coverage the organization has to protect them and when their own insurance policies might be called upon as the primary insurance.

Member Volunteers

Organizations whose members serve as volunteers face unique challenges. Whether it is service on a committee or in the direct provision of services, member volunteers are deepening their relationship with the organization through their volunteer service. This is one of the positive aspects of a volunteer program although it can present a challenge to staff who supervise member volunteers. These are often the very people the organization is committed to serving, particularly for associations. This can cause problems as staff may be hesitant to hold volunteer members to the same standards of performance as other volunteers. Staff may be reluctant to correct volunteer behavior or performance when a member is involved. What might typically be

handled at the volunteer supervisor level can quickly escalate to a senior management or even board level issue if it is mishandled.

One way to prevent problems from arising in conjunction with member volunteers is to clearly articulate in the volunteer handbook that all volunteers are subject to the same rules and policies and that member volunteers are welcome to volunteer under those terms. This means that member volunteers will be subject to the same supervision, evaluation and potentially the same termination process as other volunteers. Another way to prevent problems is to identify volunteer assignments as discrete projects with specific goals and definite timelines. This allows a member volunteer to complete service on a specific project. If the experience was positive for everyone, the organization can invite the member to volunteer again. If it was not the best use of the member's time, this can be pointed out in a diplomatic way. In any case, the organization is not left with a member in a permanent volunteer position doing more harm than good.

Volunteers Officers and Board Members

Volunteers who serve as officers or board members of the organization are in a unique position. In addition to the usual issues presented by volunteers, they have special duties and responsibilities under the organization's articles of incorporation and bylaws and under state and federal laws. Managing volunteers who serve in the governance structure of the organization is tricky as the volunteer board members and officers are the ones who hire and fire the chief staff person and are not subordinate to any staff member. Some resist the idea that they can or should be managed by staff in the performance of their volunteer duties. Careful attention needs to be paid to give due deference to them when they act in their governance roles without failing to provide training and supervision for any services they provide that are normally provided by the organization's volunteers.

Conclusion

Volunteers are an important asset of any organization. The volunteers and the organization will all benefit from an appropriate recruitment, training and management program. It takes time and organizational resources to have a strong volunteer program but the rewards are worth the effort.

For more information about legal issues associated with volunteers, contact:

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