



## St. Johns County Administrative Code Section: Personnel

<b>Title: 403 Volunteers</b>	<b>Issued: Jan 2006</b>
<b>Reference: Fair Labor Standards Act (FLSA) F. S. 435</b>	<b>Revised: Apr 2008 June 2012</b>

### **403.1 Policy**

Under the Fair Labor Standards Act, the term employee does not include any individual who volunteers to perform services for a governmental agency. An employee of the County cannot volunteer to perform the same type of service for which the employee is paid. If the volunteer work is considered the same, then the employee must be compensated for all hours worked and this would include overtime for any hours worked over forty (40).

A volunteer is a person who gives time or expertise to St. Johns County departments, their staff and clients with no compensation for service. This may include donating time or expertise or may be in a service-learning project for school. Persons may volunteer on a day-to-day basis or as a one-time-only project volunteer. Additionally, a person may provide funds, materials, or opportunities as a material donor without receiving monetary or material compensation. 501c3 organizations in contractual relationships with the County shall not be considered volunteers for the purposes of this policy.

County employees are not permitted to volunteer in any County department or office without prior approval from their Department Director and verification from the Personnel Services Department that the activity complies with FLSA requirements. Leave requests may be required if such volunteer work is performed during the employee's assigned work schedule.

Children under the age of fourteen (14) are not permitted to volunteer with St. Johns County unless they are supervised by a parent or guardian while in the conduct of their volunteer service. Persons volunteering who are under the age of eighteen (18) shall be closely supervised by a department staff member while the minor volunteer is in the conduct of their duties.

Relatives (blood, adoption, or marriage) are permitted to volunteer in the same department but may not be directly or indirectly supervised by a family member (blood, adoption, or marriage).

No volunteer shall have access to County owned or controlled buildings unless under the direct supervision of a paid County employee when any of the following conditions exist:

- The volunteer would have access to the County's communications, computer or information management systems.
- The volunteer would have access to any personnel files, employee records, medical records, or other sensitive documents.
- The volunteer would have access to any paid employee work areas.

When any of the above conditions exist, the paid County employee supervising the volunteer(s) must be on the premises and in contact with the volunteer(s).

### **403.2 Documentation Process**

All potential volunteers shall complete an application which is located on the Internet. Applicants must agree to appropriate reference checks. Records shall be updated annually and reviewed for accuracy by the Department



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designee assigned to such task. These records shall include name, phone number, job assignment, screening records, policy acceptance documents, dates of service, and hours contributed.

#### **403.3 Background Screening**

Level I background screenings are required for all persons who have sought out volunteer opportunities with the organization. Background screenings include, but are not limited to, national and local criminal history check, driver license record checks, national sex offender check, and employment history check. Volunteers who are required by State Statute to undergo a Level II background screening shall do so in strict compliance with the Statute.

Volunteers who undergo a Level I or Level II screening and who are awaiting final disposition of a felony case or, who in the past ten (10) years were found guilty of a felony offense, have had a adjudication withheld in a felony case, or entered into pre-trial intervention in a felony case may not be selected for the volunteer position applied for if it is determined that the arrest record and/or the Court's action is relevant to the position and therefore makes the person unfit for the position.

Volunteers may be re-screened at any time for reasonable cause. If grounds exist for the release of volunteer as a result of a background screening, the volunteer shall be notified in writing, stating the specific record that indicates noncompliance with the standards in this policy. The affected volunteer may appeal the dismissal in accordance with the appeal policy. The only basis for contesting the dismissal is proof of mistaken identity. A volunteer who refuses to cooperate in such a screening or refuses to timely submit the information necessary to complete the screening, including fingerprints if required, shall be dismissed from volunteer service.

#### **403.4 Training/Orientation**

Each department is responsible for providing current and timely training to all volunteers. Included should be an orientation of expectations and responsibilities, County policies, as well as an introduction to staff and a facility tour. Volunteers are to adhere to the same policies as County employees and if policies are not followed the volunteer will not be permitted to return. Departments may have additional volunteer requirements and policies, however when in conflict this document supersedes all departmental policies.

#### **403.5 Recognition**

Recognition is an important component of the County's commitment to citizens' participation in its operations. Volunteers should be recognized for their efforts, for fulfillment of their commitment, and quality of their work. Volunteerism may be recognized during National Volunteer Week by the Board of County Commissioners. Departments may also recognize their volunteers individually. Individual groups classified as 501c3 shall not be included in Board of County Commissioners sponsored functions. They may, however be recognized in any manner the department and Board of County Commissioners deem appropriate.

#### **403.6 Insurance**

Volunteers must sign a waiver, releasing/absolving St. Johns County from any, and all, claims arising from their involvement in County volunteer programs. At its discretion or in compliance with State and Federal law, St. Johns County may offer the following protections to volunteers:

- Liability claims  
The County's Liability Coverage may be extended to volunteers to protect and defend them if sued for an action taken while conducting County business within the scope of their volunteer responsibilities. Volunteers may be covered for claims made against them individually or as part of a joint claim.
- Auto Liability Claims



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The primary insurance coverage will be through the volunteer's personal automobile insurance policy for liability claims arising from accidents involving the use of a volunteer's private vehicle while conducting County business under normal circumstances.

- **On the Job Injuries**

Workers' Compensation insurance will be provided for volunteers injured while conducting County business.