



CITY COUNCIL OF THE CITY OF ATWATER

CITY COUNCIL POLICY

ADOPT-A-PARK VOLUNTEER POLICY

BACKGROUND

The City of Atwater's ("City") Adopt-A-Park Program provides an opportunity for Volunteers to maintain, preserve, protect and enhance parks and recreational facilities in the City. This Volunteer Policy ("Policy") will guide the City's efforts in the recruitment, management and recognition of Volunteers working under the Adopt-A-Park Program.

PURPOSE

To provide a framework and a process to guide the City's Public Works Department ("APW") in the recruitment, management and recognition of Volunteers in order to enhance park and recreational facilities maintenance and to provide meaningful opportunities for civic engagement. Capitalized terms used but not defined in the body of this Policy are defined in the Definitions Section at the end of this Policy.

POLICY

The City recognizes the value of community participation and welcomes the invaluable partnership with Volunteers in the enhancement of public parks and recreational facilities. This Policy provides guidelines for staff to work with Volunteers in the completion of approved meaningful projects that supplement and enhance APW's resources throughout the City's neighborhoods.

This Policy covers the work of Volunteers on behalf of APW at all parks and recreational facilities and provides a procedural structure that adjusts to the different types of volunteer activities and levels of volunteer commitment.

IMPLEMENTATION GUIDELINES

Volunteer Registration

Each new volunteer must complete the required volunteer agreement(s) developed by APW and the City Attorney's Office and must meet all appropriate fingerprinting and TB test requirements. The City's Adopt-A-Park Handbook ("Handbook") will provide guidelines for selecting the appropriate forms and volunteer training.

Volunteer Qualifications

1. Age. Volunteers under the age of 18 must be accompanied by a parent or legal guardian during their volunteer service. Alternatively, if approved by the parent or legal guardian, an authorized adult representative or supervisor of an educational or vocational organization may supervise Volunteers under 18 years of age, provided that the organization has signed an agreement with the City confirming that the organization is taking responsibility for the Volunteers. All Volunteers, both adults and persons under the age of 18, must sign and date, or have their parent or legal guardian sign and date, the appropriate volunteer applications and agreements as described in the Handbook depending on the type and scope of the service. Volunteers under the age of 18 will only perform volunteer services during non-school hours, unless the City's volunteer service is a recognized part of a civic educational component of the school attended by the volunteer.
2. Fingerprinting and Background Check.
 - a. Consistent with California Public Resources Code § 5164, the City will fingerprint any volunteer, who may be assigned to a volunteer project in a position having supervisory or disciplinary authority over any minor, to screen for any and all criminal convictions as set forth in the above-referenced section before s/he can begin delivering the services.
 - b. APW reserves the right to conduct reference checks in order to ensure safe and appropriate assignment of Volunteers.
 - c. APW will follow all City policies governing maintenance of records to ensure the privacy of Volunteers' sensitive information, including, but not limited to, background checks, medical records, or other sensitive information.
 - d. All costs of fingerprinting and background checks of Volunteers will be paid by APW.

3. Requirement for TB Testing.

- a. City Council extends the State requirement for TB testing to Volunteers. TB testing will be conducted consistent with California Public Resources Code § 5163, which states the following: (a) No person shall initially be employed in connection with a park, playground, recreational center, or beach used for recreational purposes by a city or county in a position requiring contact with children, or as a food concessionaire or other licensed concessionaire in that area, unless the person produces or has on file with the city or county a certificate showing that within the last two years the person has been examined and has been found to be free of communicable tuberculosis.
- b. For persons with a positive TB skin test reading, a physician's medical clearance must be obtained prior to services being provided as specified above. APW shall keep on file each "Certificate" of clearance for the persons described above. For purposes of this Policy, the term "Certificate" means a document signed by a licensed examining physician or a notice from a public health agency or unit of the tuberculosis association which indicates freedom from active tuberculosis.

Volunteer Assignment

1. Volunteer positions may include assignments or projects that are:
 - a. Short-term or which will take place over multiple days;
 - b. To be completed by an individual, or
 - c. Shared among group members.
2. Every assignment or activity for which Volunteers are utilized must have a written volunteer position description, which shall provide both staff and Volunteers with a clear explanation of the project scope, all tasks to be completed, start and end date, and a description of any follow up expected to be needed.
3. No volunteer shall perform any tasks or deliver any services that have not been requested and approved by the appropriate APW staff, as designated by the Public Works Director in the Handbook. Some of the factors to consider in approving the scope of volunteer activities or projects include staff's ability to provide quality volunteer orientation, training, and supervision, as well as contributions to the operational needs of APW.
4. It is the goal of APW to assign appropriate and meaningful activities to Volunteers while safeguarding the safety and well-being of the public.

5. To the extent possible and necessary, APW will assign staff to supervise and/or evaluate the work of Volunteers for consistency with the goals of the program. Volunteer groups may also be supervised by approved adult program liaisons or coordinators who have received appropriate training and have met all background requirements.
6. Volunteers shall not perform law enforcement services on behalf of APW.
7. Volunteers, who do not adhere to the rules, policies, or regulations of the City, or who fail to perform their assignments satisfactorily, are subject to release from the program. In addition, APW may release any existing volunteer from providing volunteer services with or without cause and with or without notice.

Use of Tools or Vehicles

1. In general, subject to approval of City staff, Volunteers may use recreation equipment, supplies and hand tools (excluding power tools) provided by staff and, with proper training and permission, some power equipment may be used in the completion of the designated project or service. APW shall create a "Policy on Volunteer Use of Tools and Equipment," along with a "List of Approved Hand Tools and Power Equipment for Volunteer Use". Staff shall keep a centralized database of information about approved Volunteers who are trained and certified to use power equipment to ensure that they are provided with additional training, if appropriate. No volunteer under the age of 18 shall be permitted to use power equipment requiring additional training.
2. From time to time, APW may determine that it is beneficial for Volunteers to use their own tools or equipment to complete a project. While APW staff may request such assistance, Volunteers are not required to use their own tools or equipment, and to the extent that they choose to do so, said Volunteers shall voluntarily assume full responsibility for use of their tools or equipment, including all risks associated with wear and tear, damage and destruction. Each such Volunteer shall sign a release form confirming that the City is not liable for damage, destruction replacement or maintenance of privately-owned tools and equipment. Only those tools that are identified in the "List of Approved Hand tools and Power Equipment for Volunteer Use" will be permitted.
3. Volunteer use of City vehicles is prohibited.
4. Based on the scope and time period of a proposed project, the age and skill of the Volunteers, and the level of liability assumed by a given group or organization in writing, APW staff will determine the appropriate tools or equipment in compliance with established City policies and guidelines governing the use of tools and equipment.

Reporting of Accidents or Incidents

Volunteers must report any and all incidents or accidents to their immediate City staff supervisor or APW volunteer administration staff. An incident report shall be completed by City staff for each incident or accident, as required by law.

Volunteer Recognition

The City understands the importance of providing appropriate recognition and incentives to attract and reward Volunteers' service to the public. In general, Volunteers will be recognized based on length of service, special contributions, and/or initiative shown. Volunteer recognition and appreciation shall be practiced on an ongoing basis as well as through annual events, as feasible.

Volunteer Roles and Expectations

1. All Volunteers are required to follow APW's Safety Guidelines as identified in the Handbook for Volunteers.
2. From time to time, Volunteers may witness activity that is unsafe or illegal taking place at public parks, programs or facilities. Volunteers are to report any and all said activity, especially those that threaten persons under the age of 18, the elderly or persons with developmental disabilities, to their supervisors and/or by calling 911 when appropriate.
3. APW staff shall treat all Volunteers with the same standard of respect and professionalism required to be shown to all City staff and the public in general.

Other Applicable Policies

APW staff will work with City Manager's Office and other key City staff to implement this Policy in a manner that does not conflict with the Municipal Code, other City policies or any other applicable laws, rules or regulations.

DEPARTMENT PROCESSES

Guidelines

1. APW's Community Volunteer Coordinator shall develop the guidelines, forms, and training requirements to implement this Policy, which shall be approved by the Public Works Director in coordination with the City Attorney's Office and the Risk Management Office.

2. APW's Community Volunteer Coordinator shall coordinate the creation and updating, as necessary, of the "List of Approved Tools and Power Equipment for Volunteer Use" and the development of training for Volunteers in coordination with APW staff, the City Attorney's Office and the Risk Management Office.

GENERAL PROVISIONS

1. This Policy establishes general guidelines covering a broad range of volunteer activity and Volunteers with whom APW works. Amendments may be considered and adopted by the City Council, as appropriate.
2. All services provided by Volunteers are for the benefit of the public and are performed without any financial or other material compensation. Volunteers shall not be considered as "employees" of APW or the City of Atwater.
3. Both the Volunteer and APW may end the Volunteer's association with APW at any time, for any reason, with or without cause and with or without notice.
4. Volunteers are recruited, placed and managed without regard to race, color, religion (all aspects of religious beliefs, observance or practice including religious dress or grooming practices), sex, sexual orientation, gender (including gender identity and gender expression), marital status, registered domestic partner status, pregnancy (including childbirth, breastfeeding or related medical condition), national origin, ancestry, physical or mental disability, medical condition, age, citizenship status, military or veteran status, genetic information, or any other basis protected by applicable federal, state or local law. . Volunteers must be physically able to perform the activity that he or she has agreed to accomplish. APW staff reserves the right to determine Volunteer's ability to perform any identified activity or project.
5. APW reserves the right to accept and/or reject an individual or group's offer to volunteer, as well as the sole discretion to determine the appropriate assignment(s).
6. The Federal Labor Standards Act prohibits City employees from volunteering to do the same activities that they are normally paid to perform. APW staff may, free of coercion, volunteer to carry out activities not significantly related to their paid positions and may do so only outside of their regularly scheduled work hours.

DEFINITION OF TERMS

1. **Volunteer:** Any individual person under and over 18 years of age who provides services or park maintenance tasks free of charge or payment on behalf of the Atwater Public Works Department and/or the City of Atwater, with the exception

of possible reimbursement of costs if agreed to by the City. This term includes a single individual as well as organized groups.

2. **Volunteer Application and Volunteer Service Agreement:** Forms developed by APW with the City Attorney's Office, which must be completed and signed by each volunteer. The required forms will depend on the nature and scope of the relevant service.
3. **Master Volunteer:** The title given to individuals selected by APW after completing at least a six (6) month of Volunteer service, showing exceptional skills and reliability on City Volunteer projects, and completing Master Volunteer training workshops. This volunteer level may involve use of permitted power tools and equipment, being certified to provide more technical support, and signing the appropriate agreements for Master Volunteers. The individual must be fingerprinted and meet all other program requirements.
4. **Federal Labor Standards Act:** Federal law governing the standards for, among others, minimum and overtime wages of public and private employees.