



**D.C. DEPARTMENT OF CORRECTIONS
VOLUNTEER SERVICES FORM**

Pursuant to the D.C. Code §§ 1-319.01-1-319.05, Government Volunteers, and the Volunteer Services Act of 1977, Title 6, Chapter 40, B4000, et seq., of the District of Columbia Personnel Manual and the D.C. Department of Corrections Policy and Procedure entitled 1310.3, "Volunteer Services Programs," I acknowledge the following:

- (a) That I have been informed of the nature and scope of the voluntary services to be performed;
- (b) That I have read and understand the provisions of D.C. Law 2-12, (D.C. Code, §§ 1-319.01-1-319.05), and the Volunteer Services Act of 1977, DCMR Title 6, Chapter 40, B4000, et seq., of the District of Columbia Personnel Manual (attached) as well as the applicable agency guidelines for the use of volunteers set forth in Program Statement 1310.3 entitled Volunteer Services Program; and
- (c) That I agree to perform voluntary services under the terms and conditions set forth in this D.C. Law 2-12, (D.C. Code, §§ 1-319.01-1-319.05), and the Volunteer Services Act of 1977, Title 6, Chapter 40, B4000, et seq., of the District of Columbia Personnel Manual as well as the applicable agency guidelines for the use of volunteers set forth in Program Statement 1310.3 entitled Volunteer Services Program;

Signature

Name (Print)

Date



**D.C. Code Provisions §§ 1-319.01-1-319.05 “Government Volunteers”
The Volunteer Services Act of 1977, Title 6, Chapter 40, B4000, et seq.,**

D.C. Code Provisions §§ 1-319.01-1-319.05 “Government Volunteers” state as follows:

§ 1-319.01. Utilization by District government encouraged; exception

[Formerly § 1-304]

It shall be the policy of the District of Columbia government to utilize volunteer citizens in as many governmental programs as is practicable to serve the interests of the community. No volunteer person shall be used to fill any position or perform any service which is currently being performed by an employee of the District of Columbia government.

§ 1-319.02. Promulgation of regulations [Formerly § 1-305]

The Mayor is directed to promulgate regulations governing the use of volunteers by agencies, departments, commissions, and instrumentalities of the District of Columbia: Provided, that the District of Columbia Board of Education and the Council of the District of Columbia may promulgate regulations governing their respective use of volunteers.

§ 1-319.03. Conflicts of interest; ineligibility for employee benefits; liability of District for torts of volunteers [Formerly § 1-306]

(a) Volunteer citizens may not assist governmental programs until regulations have been properly promulgated under the authority of §§ 1-319.01 to 1-319.05. No volunteer may be placed in any position likely to constitute a conflict of interest or the appearance of a conflict of interest in violation of the provisions of Chapter 29 of Title 18, United States Code, or part F of subchapter I of Chapter 11 of this title.

(b) Persons engaged as volunteers by the District of Columbia government as authorized by this section shall not be eligible for benefits provided to employees of the District of Columbia government under Chapters 81, 83, 85, 87, and 89 of Title 5, United States Code.

(c) All volunteers shall be considered employees of the District of Columbia government for the purposes of §§ 2-411 to 2-416.

(d) The District of Columbia shall be liable to third parties for tortuous injury caused by volunteers under its supervision and control.

§ 1-319.04. Inapplicability to offices of United States Marshal or United States Attorney for the District of Columbia [Formerly § 1-307]

No provision of §§ 1-319.01 to 1-319.05 shall be deemed to apply to volunteers in the



Offices of the United States Marshal or the United States Attorney for the District of Columbia.

§ 1-319.05. Definitions [Formerly § 1-308]

For the purposes of this subchapter:

- (1) The term "employee" means a person who is paid by the District of Columbia government from grant or appropriated funds for his or her services.
- (2) The term "volunteer" means a person who donates his or her services to a specific program or department of the District of Columbia government, by his or her free choice and without payment for the services rendered. The reimbursement of the actual expenditures by a volunteer on behalf of the District of Columbia government shall not make that person an employee of the District of Columbia for the purposes of this section.
- (3) The term "agencies, departments, commissions, and instrumentalities of the District of Columbia" means all governmental instrumentalities and bodies of the District of Columbia government, except the Superior Court of the District of Columbia and the District of Columbia Court of Appeals.

The Volunteer Services Act of 1977, Title 6, Chapter 40, B4000, et seq., of the District of Columbia Personnel Manual states as follows:

6-B4000. UTILIZATION OF VOLUNTARY SERVICES.

4000.1 For the purposes of this section, the following terms have the meaning ascribed:

Agency -- Any governmental instrumentality or body of the District Government, except the Superior Court of the District of Columbia and the District of Columbia Court of Appeals.

Employee -- A person who is paid by the District Government from grant or appropriated funds for his or her services.

Volunteer -- A person who donates his or her services to a specific program or department of the District Government, by his or her free choice and without payment for the services rendered, except that reimbursement for actual expenditures by a volunteer on behalf of the District Government shall not make that person an employee for the purposes of this section.

4000.2 Agencies of the District of Columbia are authorized to accept and utilize the services of persons on a voluntary basis in accordance with the provisions of D.C. Law 2-12 (D.C. Code, §§ 1-304-308, 1981 ed.) and the provisions of this section.



4000.3 Volunteers may be utilized to perform services for any purpose which is in the interests of the government, except where specifically provided otherwise by this section, any rule or regulation, or the laws of the District of Columbia.

4000.4 No volunteer shall fill an authorized position or be utilized to perform any function or service which is currently being performed by an employee of the District of Columbia, provided that volunteers may be utilized to perform the following:

- (a) Any service or function which augments or supplements an existing function, service, or program which is staffed by employees of the District of Columbia;
- (b) Any service or function which creates a community service capability which would not be available under existing programs or within the level of available resources;
- (c) The duties assigned to a regular employee during the temporary absence of the regular employee, provided the volunteer is qualified to perform the assigned duties; or
- (d) The duties assigned to a regular employee on a temporary basis during periods of heavy workload or to assist in relieving an existing backlog of work.

4000.5 Volunteers may be used only to enhance District functions by contributing a service which would not otherwise be available. Therefore, normal recruitment, employment, and internal placement activities will not be affected by the use of volunteers.

4000.5 In no case shall the utilization of voluntary services or the availability of voluntary services be used as the basis for a reduction in force. The availability of voluntary services may be considered as a factor in determining the allocation of limited resources.

4000.6 The standards of conduct prescribed for employees of the District of Columbia shall be applicable to all volunteers.

4000.7 The services of a person on a voluntary basis shall not be accepted or utilized where such services or the use of such services would constitute a conflict of interest or could reasonably give rise to the appearance of a conflict of interest, as set forth in § 4 of D.C. Law 2-12 (D.C. Code, § 1-306, 1981 ed.).

4000.8 Except as provided in subsection 4000.9 below, persons whose services are utilized on a voluntary basis shall not be eligible for any benefits normally accruing to employees of the District of Columbia, including health insurance, retirement, life insurance, leave, or the right to organize for collective bargaining purposes, unless such benefits are specifically provided by the laws of the District of Columbia.



4000.9 Persons whose services are utilized on a voluntary basis are eligible for compensation for work-related injuries to the extent authorized by Section 2301(a)(2) of

D.C. Law 2-139, except that, in cases of organizations which supply volunteers to perform services for the District of Columbia also provide disability or workers' compensation for such volunteers, in which event the coverage provided by such organizations would be applicable.

4000.10 Persons whose services are utilized on a voluntary basis shall be considered employees of the District of Columbia for the purposes of liability for tortious injuries caused by the volunteer while acting within the scope of duty under the supervision and control of the District of Columbia.

4000.11 All rules and procedures with respect to the confidentiality of personnel records and release of personnel information which are in effect for employees of the District of Columbia shall be applicable to persons whose services are utilized on a voluntary basis.

4000.12 The acceptance and utilization of the services of any person on a voluntary basis shall be at the discretion of each agency, and the utilization of such services may be discontinued by the agency at any time for any reason.

4000.13 The decision by an agency official to discontinue the utilization of the voluntary services of any person shall not be considered an adverse action and shall not give rise to any right or process of appeal.

4000.14 Each volunteer shall be assigned to an employee of the agency utilizing the volunteer's services, who shall be responsible for assignment of duties; supervision and control of the activities of the volunteer; evaluation of performance; and establishment and monitoring of the hours during which voluntary services are performed, if appropriate.

4000.15 Volunteers shall not engage in political activities during the time voluntary services are being performed.

4000.16 Persons who offer services on a voluntary basis shall only be utilized to perform services for which they are qualified based on training, education, experience, and maturity.

4000.17 Volunteers must be mentally and physically capable of performing the duties assigned without unreasonable danger of harm or injury to the volunteer or any other person.

4000.18 Although physical examinations shall not ordinarily be required, the agency head or designated supervisor may require a physical examination where voluntary



services involve the handling of food or participating in activities which may be strenuous or potentially hazardous.

4000.19 Any volunteer whose services are utilized to perform duties which would ordinarily require that the person be licensed in a trade or craft under the laws of the District of Columbia shall be required to have or obtain the required license(s) prior to the performance of voluntary services.

4000.20 No offer of voluntary services by any person shall be unlawfully rejected on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibilities, matriculation, political affiliation, physical handicap, source of income, place of residence or business, or any other basis of unlawful discrimination under the laws of the District of Columbia.

4000.21 ~~The Director of Personnel~~ Chief of Human Resource Management shall establish guidelines for the acceptance and utilization of voluntary services in the agency, including guidelines for the deployment and supervision of volunteers pursuant to the provisions of this section. Agency heads may supplement such guidelines when appropriate.

4000.22 The residency requirements contained in chapter 3 of these regulations shall not apply to volunteers under this section.

4000.23 No agency head, supervisor, or other employee of the District of Columbia shall be authorized to limit, waive, amend, or otherwise modify the restrictions and requirements on the use of voluntary services set forth in this section without the approval of the ~~Director of Personnel~~ Chief of Human Resource Management.

4000.24 Each volunteer shall be informed of the requirements and restrictions set forth in this section and in the guidelines established by the agency head.

4000.25 Prior to engaging in the performance of voluntary services for the District of Columbia, each volunteer shall be required to sign a statement which acknowledges the following:

- (a) That the volunteer has been informed of the nature and scope of the voluntary services to be performed;
- (b) That the volunteer has been informed of and understands all of the provisions of this section, of D.C. Law 2-12, and of the applicable agency guidelines for the use of volunteers; and
- (c) That the volunteer agrees to perform voluntary services under the terms and conditions set forth in this section, in D.C. Law 2-12, and in the applicable agency guidelines for the use of volunteers.



4000.26 The ~~Director of Personnel~~ Chief of Human Resource Management shall issue such procedures as he or she deems appropriate to implement the provisions of this section.