



MONTGOMERY COUNTY ADMINISTRATIVE PROCEDURE

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

NO. 1-15

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DATE
April 14, 2015

TITLE

Volunteerism

CAO APPROVAL

PURPOSE

- 1.0 To establish policies and procedures for incorporating volunteers into the Montgomery County government in order to augment and enhance government services.

DEFINITION

- 2.0 Volunteer - A person who, upon mutual agreement with the County government, and under its control and direction, provides services to the County. Volunteers serve without compensation and include individuals working directly in the County government, members of boards and commissions, student interns, and alternative community service volunteers. For purposes of this definition, reimbursement for expenses incurred in connection with a volunteer's services does not constitute compensation. Volunteers in private nonprofit organizations under contract with the County and volunteer members of independent, incorporated fire departments and rescue squads are not considered volunteers subject to this Administrative Procedure.
- 2.1 Volunteer Supervisor - A person designated by a Department or Division to oversee the activities of the volunteers. Volunteers will be screened commensurate with the level of responsibility of their prospective positions. Reference checks must be performed in accordance with departmental policy before accepting volunteers into positions with high levels of responsibility, or which involve working with vulnerable populations such as children, the elderly, or people with disabilities.
- 2.2 Department Liaison - A Department Head or person designated by a Department Head to oversee all volunteer activity within a department who will have the authority to reassign volunteers to different Supervisors should the need arise.

POLICY

- 3.0 It is the policy of Montgomery County to encourage volunteerism throughout the County and to incorporate volunteers into the County government in order to enhance the delivery of programs and services, to allow increased participation in government and to enhance the quality of life for all County residents.
- 3.1 Montgomery County reserves the right to dismiss volunteers for unsatisfactory performance, inappropriate behavior or because their services are no longer necessary.

GENERAL

- 4.0 A qualified person will not be excluded from volunteering for the County government on the basis of political affiliation, race, color, religion, national origin, sex, marital status, age, disability, or sexual orientation.



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- 4.1 Volunteers may have many of the same rights and privileges as paid employees including:
 - A. Use of County vehicles or other equipment as required performing volunteer duties upon completing any required safety checks, driver’s license checks in accordance with AP 1-4, Assignment and Use of County Vehicles and Use of Personal Vehicles While on County Business or training.
 - B. Opportunity to be a member of the Montgomery County Employees Federal Credit Union;
 - C. Exemption from the fingerprint service fee listed under Executive Regulation 31-01 AM Fingerprint Service Fee, when fingerprinting is required by the host department;
 - D. Opportunity to attend County training and brown bag sessions at their supervisors discretion, although priority will be given to merit system employees; and
 - E. Protection under the Americans with Disabilities Act.
- 4.2 Volunteers for Montgomery County government will be provided legal defense, in accordance with the Local Government Tort Claims Act, in all actions for damages arising from tortuous acts or omissions by the volunteers while performing services within the scope of their duties. Volunteers must comply with all County regulations, including the registration requirements in this Administrative Procedure, and cooperate with County attorneys and officials who provide their legal defense.
- 4.3 The Montgomery County government will provide medical benefits for volunteers who incur an “accidental injury” or “occupational disease” arising out of and in the course and scope of their duties as defined by the Maryland Workers’ Compensation law while providing services to the County, Volunteers will receive medical benefits comparable to those stated in the Maryland Workers’ Compensation law for reasonable medical treatment only, to the exclusion of any and all other compensation and/or benefits. In order to be eligible for such benefits, departments must register volunteers with Risk Management through the use of the Risk Management Volunteer Registration System (RMVRS). Participation in Risk Management’s managed care program will be required of all County volunteers to receive the benefits under this Administrative Procedure.
- 4.4 Volunteers must be able to perform the essential job functions in the positions to which they are assigned.
- 4.5 Volunteers will not displace paid County employees.
- 4.6 In accordance with the Fair Labor Standards Act, a County department may not do the following:
 - A. Require any County employee to perform volunteer services;
 - B. Permit a County employee to perform volunteer services with the same functions or tasks as the employee performs in his or her paid position in County government; and



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C. Allow any County employee to perform volunteer services within that department, without paying the employee overtime, unless the volunteer work is intermittent, is significantly different from the employee's regular work, and the employee volunteers under his or her own free will.

4.7 Volunteers must be registered by the Departments for which they serve. Departments must use the RMVRS administered by Risk Management. There are three types of volunteer registration assignments available through the RMVRS: (1) a General volunteer (2) Driver volunteer - volunteers who drive on County business; and (3) Professional volunteer - for volunteers who are performing professional services such as medical, dental, or legal services. The RMVRS is available on the Montgomery County intranet through the single sign-on e-portal. <http://portal.mcgov.org/>

Registration must be completed only after a volunteer is accepted by a department. Separate application and screening procedures may be developed by each department for their own volunteers. Forms for collecting Volunteer demographic information are available at <https://mcgov.sharepoint.com/fin/rm/Pages/Volunteers.aspx>.

4.8 Someone applying to perform volunteer services for the County does not have to answer questions about medical conditions or to submit to a medical examination. After acceptance in a volunteer program, a volunteer may be required to give medical information to ensure that he/she is able to perform the essential functions of the proposed assignment without posing a risk to others. Records of medical examinations or inquiries made after a volunteer is accepted must be kept separate from other volunteer records.

4.9 Volunteers will be screened commensurate with the level of responsibility of their prospective positions. Reference checks must be performed in accordance with departmental policy before accepting volunteers into positions with high levels of responsibility, or which involve working with vulnerable populations such as children, the elderly, or people with disabilities. Volunteers driving on behalf of the County will be subject to the provisions of AP 1-4, Assignment and Use of County Vehicles and Use of Personal Vehicles While on County Business.

4.10 Volunteers may only perform service that involves risk such as operating heavy equipment or accompanying a police officer on routine assignments if adequately trained.

4.11 The Federal Right to Privacy Act and the Maryland Access to Public Records Act allow for the confidentiality of certain records and other material. Volunteers may have access to confidential information under certain circumstances, but must be made aware by the department for which they serve of any requirements for privacy, especially of medical and/or mental health information.

4.12 A department must determine whether the volunteer is within the definition of a public employee as defined in section 19A-4(m) (5), and, if so, advise the volunteer to act in accordance with the ethics law.

4.13 Parental/guardian consent forms must be obtained if a volunteer is under the age of majority and must be kept on file by the supervising department/division.



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RESPONSIBILITIES

5.0 Department

- A. Designate a person(s) to coordinate the departmental volunteer program.
- B. Ensure each volunteer is aware of his/her following responsibilities:
 - 1. Adherence to the County's sexual harassment policy;
 - 2. Prohibition from the possession of unauthorized firearms and other dangerous weapons, such as knives, in the workplace, or in a vehicle on County property;
 - 3. Prohibition from involvement in the use, distribution, possession, etc. of controlled substances in the workplace;
 - 4. Prohibition from reporting for work under the influence of alcohol or illegal drugs;
 - 5. Prohibition from the consumption of alcohol, using illegal drugs, or abusing prescription drugs while on duty, on County property, or in a County vehicle;
 - 6. Prohibition from smoking in all facilities owned or leased by the County government;
 - 7. Compliance with all rules and regulations of the department to which he or she is assigned; and
 - 8. Compliance with rules if driving on behalf of the County.
- C. Medical information may be required of County volunteers to ensure their safety and well being while on the job as stated under Paragraph 4.8.
- D. When volunteers have access to confidential information, inform volunteers of their responsibility when handling the matters (see Paragraph 4.11).
- E. Ensure that volunteers driving on behalf of the County provide driver's license information as required under AP1-4, Assignment and Use of County Vehicles and Use of Personal Vehicles While on County Business.
- F. Make reasonable efforts to recognize volunteers for services contributed to the Department.



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PROCEDURES

6.0 Department

- A. Designate a person(s) to coordinate the volunteer program within the department. This individual will be designated the Departmental Liaison.
- B. Register volunteers using the RMVRS referred to in Paragraph 4.7 of this procedure.
- C. Train volunteers appropriately to perform the duties required of them.
- D. Assign supervisors to the volunteers who will provide clear job descriptions, on-going supervision, and regular evaluations.
- E. Provide volunteers with the basic supplies and equipment necessary to perform their assigned job functions.
- F. Provide notice to Risk Management of any injury to a volunteer or any allegation of injury or damage to any third party property or person(s).

6.1 Volunteers

- A. If involved in a job in which there is access to confidential information, sign an agreement with the department that outlines the volunteer's responsibilities concerning the information.
- B. If involved in an accident, cause harm to a third party or are injured while performing duties, report the incident immediately to supervisor.

DEPARTMENT AFFECTED

7.0 All County Departments

REFERENCES

Local Government Tort Claims Act

