VOLUNTEER PROGRAM INTRODUCTION

Heather Burke National Partnership Program Manager HQUSACE 6 February 2023

238057785960.00minte









The Corps Volunteer Program



Volunteers play an important role in protecting natural resources and maintaining recreation facilities at Corps projects.

In 2022: 32,398 volunteers contributed 1,536,732 million hours of work with an estimated value of \$46 million

Volunteers can perform almost any task that a paid employee can:

- Park/Campground/Visitor Center hosts
- Interpretation/education
- Fish and wildlife habitat improvements
- Invasive species management
- Trail construction and maintenance
- ➢ GIS/mapping
- Social media
- Photography.... And more!







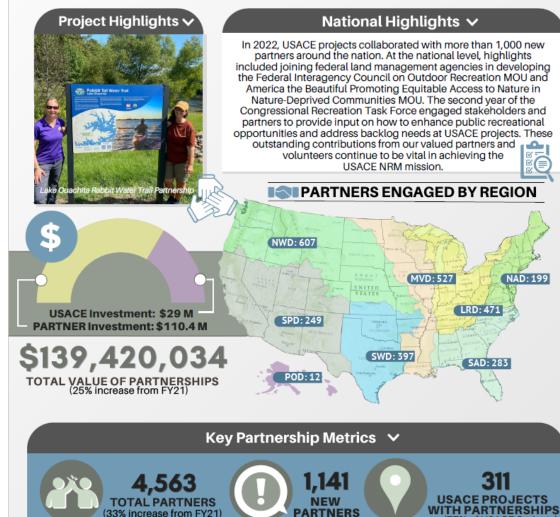
FY 22 PARTNERSHIP & Volunteer Program Summary



USACE partners and volunteers showed up in full force again during 2022 to support the Natural Resources Management (NRM) program. Although we faced a challenging third year of the COVID-19 pandemic together, things gradually began to return to pre-pandemic "normal." This resulted in an increased number of volunteers able to serve on their public lands, and more partner organizations seeking to meet mutual goals to improve recreational facilities, services, and access, while providing robust and healthy natural resources for wildlife and visitors to enjoy.

(77% of USACE Projects

of Engineers .



corpslakes.erdc.dren.mil/partners/partners.cfm

Partner Organization Type 🗸

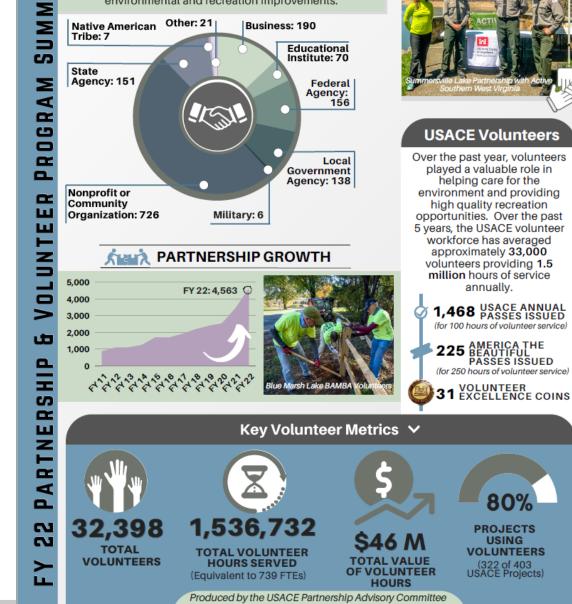
Project Highlights V

More than 4,000 state, federal, tribal and local government; public/private organizations; and local community partners engaged with USACE in 2022. A total of 141 USACE projects partnered with 31 organizations that have a national MOU in place, providing educational programs, health and safety, environmental and recreation improvements.

>

æ

4





Why You Need Volunteers

 Budget realities do not allow you to accomplish your mission with the staff and resources you have.





- Volunteers are your link to the local community. They are often some of the best advocates of the Corps of Engineers and our partners.
- Volunteers have unique skills and abilities that you can draw on.... Anything from a lifetime of experience to the strength and enthusiasm of youth

Every position we fill with paid staff, is a missed opportunity to engage the community and build our constituency.

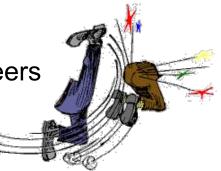




What Volunteers Can and Can't Do



- Volunteers can perform almost any task that a paid employee can do, provided they have received training or have experience.
- They can perform duties that once were or are currently performed by Corps employees.
- Cannot:
 - Enforce Title 36
 - Create policy
 - Volunteers will not be used to displace any personnel of the Corps of Engineers







Volunteer Program Authority/Policy



- 33 USC 569c (Public Law 98-63), Amended by WRRDA 2014 Sec 1047(d): Gave the Chief of Engineers the authority to accept the services of volunteers and provide for their incidental expenses, including expenses relating to uniforms, transportation, lodging, and the subsistence of those volunteers to carry out any activity of the Corps except policy making, law or regulatory enforcement.
- ER/EP 1130-2-500, Chapter 10 Corps of Engineers Volunteer Program. Superseded by 12 August 2016 "Implementation Guidance for Section 1047 (d) Services of Volunteers, of the Water Resources and Reform Development Act (WRRDA) 2014, Public Law 113-121" (Working to convert 2016 guidance into ER- Currently with Army General Counsel in the ASA's office)
- Volunteer Background Investigation Policy, March 2020: updates/supersedes background investigation policy from 12 August 2016 implementation guidance
- **Policy Letter 04-01**, October 2004: Established the Corps use of the Independent Sector's hourly rate to determine the value of service
 - FY 22 rate = \$29.95 (Typically updated each April during National Volunteer Week)

https://corpslakes.erdc.dren.mil/employees/policy.cfm?Id=volunteer&Code=All&View=Yes



Volunteer COVID Guidance



From 03 February 2023: FRAGORD 30 to OPORD 2021-38 (USACE COVID Steady State Operations)

 USACE volunteers who work indoors at USACE recreation sites or ride in enclosed GOVs formerly treated as "official visitors" as defined in Attachment 2 of the 20 December 2021 "Force Health Protection Guidance (Supplement 23) Revision 3 are no longer required to complete DD Form 3150 Contractor Personnel and Visitor Certification for Vaccination, nor show a copy of negative results from an FDA-authorized or approved COVID-19 test.



Volunteer Program Authority/Policy

- Voluntary service may be accepted from individuals or from members of organized groups. Volunteers will be recruited, and service accepted without regard to race, creed, religion, age, sex, color, national origin, sexual orientation, marital status, political affiliation, or disability.
- Volunteers must be qualified to perform the work assigned. Additionally, they must be physically able to do the work.
- Volunteer services may be accepted from the following groups:
 - Individuals from private sector, state or local government agencies whose employers donate their employees' services to USACE on a short-term, limited basis while paying the employees
 - > Off-duty USACE personnel (but must be for work which falls outside their regular job duties)
 - > Children
 - Legal aliens or foreign exchange students



Children Volunteers







- Children under the age of eighteen years may be volunteers, provided they have the written consent of their parent or guardian on the OF 301a Volunteer Service Agreement form.
- If children are volunteering as part of a group, the leader must provide a complete list of group participants and separate OF 301a agreements signed by the parents/guardians for all participants under the age of eighteen.
- Cannot accept the form of another organization (school, youth group, Boy Scouts, etc)
- Army General Counsel ruled that signing another organization's consent form is not sufficient to protect USACE.



Legal Alien/Permanent Resident Volunteers

10

Permanent Resident Card or Alien Registration Receipt Card (Form I-551)



Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa (MRIV)



Appendix E of ER: Examples of acceptable documentation forms

- Volunteer service may be accepted from legal aliens (permanent residents) or foreign exchange students.
- Must present J-1 or F-1 Student Visa (or passport if in the U.S. in tourist status from a visa-waiver country where visas are not required) or U.S. Permanent Resident Card INS Form I-551 (formerly known as Alien Registration Receipt Card) for review and verification.
- Working to get J-2 (spouse of J-1 visa) approved





Other Categories of Service



The following categories of services are authorized for use by USACE, but not under the 33 569c volunteer authority/policy:

- Partner-funded personnel services for long-term volunteers paid by another entity. Authorized by 33 USC 2328 (Challenge Partnership Agreements).
- Inmate labor services from federal, state, or local correctional facilities. Authorized by 18 USC 4125 and 33 USC 2325 (Contributions).
- Services provided by military units, to include Reserve or National Guard units. Limited instances allow for contribution of materials, supplies and services from state activated National Guard units under 33 USC 2325 Contributions authority.



Partner Funded Personnel



- January 31, 2017 Policy memo: Provided guidance on the use of partner-funded personnel and an updated Challenge Partnership Agreement template and documents for acceptance of longterm partner funded services
- Differs from short-term/one-time events where volunteers are being paid by their employee for the volunteer day.
- Allows USACE to accept contributions of services from non-federal public and private entities that have entered into a challenge partnership agreement, which may include a Partner paying for their personnel's labor to perform services for the benefit of the Corps, at no cost to the Corps.
- Authorized by 33 USC 2328 Challenge Partnership authority instead of 33 USC 569c Volunteer authority



Partner Funded Personnel Paperwork



13

CHALLENGE PARTNERSHIP AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND [INSERT PARTNER]

(This is an EXAMPLE agreement. Modify as appropriate.)

THIS AGREEMENT, entered into this day of _____, 20____, by and between the Department of the Army (hereinafter the "Government"), represented by the District Commander, U.S. Army Corps of Engineers ______District, and _____, (hereinafter the "Partner"), represented by

WITNESSETH, THAT:

WHEREAS, the Government manages lands and waters at *[Insert Corps project name here]* which includes recreational opportunities for the public, and

WHEREAS, the provision of [List type of service here. i.e. education and interpretation, visitor information, environmental stewardship, facility improvement, trail maintenance, etc.] services at [Insert project site area] on [Insert Corps project name here] will enhance the recreational opportunities for the public, and

WHEREAS the Partner is interested in promoting and assisting the Government in providing [List type of service(s) here] services, and

WHEREAS, it is mutually beneficial to the Government and the Partner to work cooperatively to make [List type of service(s) here.] services available to the public, and

WHEREAS, the Partner, in order to assist the Government in this project has offered to provide certain *[List type of service(s) here.]* services at no cost to the Government, and

WHEREAS, Section 225 of the Water Resources Development Act of 1992, as amended (33 U.S.C. 2328) authorizes the Secretary of the Army to accept contributions of funds, materials, and services from the Partner and apply those contributions to the Project, and

WHEREAS, the Government and the Partner have the full authority and

Addendum A Partner-Funded Personnel Information Sheet

Project Name: [List district or division office, lake or river project.]

Corps Point of Contact: [List Corps personnel who will be supervising or coordinating work of Partner-funded personnel.]

Address: [List Corps office or project address.]

Phone: [List Corps point of contact phone.]

Partner: [List name of Partner organization providing personnel.]

Partner Point of Contact: [List Partner-funded personnel's supervisor.]

Partner Address: [List Partner organization address.]

Partner Phone: [List Partner-funded personnel supervisor's phone.]

Partner-Funded Personnel Name(s): [List name of personnel performing services for the Corps.]

Partner-Funded Personnel Phone(s): [List phone numbers of personnel performing services for the Corps.]

Proposed Dates of Work:

Work Schedule: _____ hours/week

Description of Services to be Performed: (Service description should include details such as use of government vehicle, use of personal equipment and/or vehicle, fee collection duties, skills required (note certifications if necessary), level of physical activity required, etc.)

Addendum B Partner-Funded Personnel Status Recognition Statement

I [INSERT FULL NAME OF THE INDIVIDUAL] agree and understand that by providing my services to the U.S. Army Corps of Engineers (herein after "the Government") as contemplated under the Challenge Partnership Agreement between the Government and [INSERT NAME OF THE PARTNER] (hereinafter "Partner"), executed on [INSERT AGREEMENT EXECUTION DATE]:

· I do not gualify as a federal government employee or a federal volunteer;

- I am ineligible for the liability protection and work injury compensation benefits provided respectively under chapter 171 of Title 28 and chapter 81 of Title 5 of the United States Code;
- I am not authorized to receive reimbursements from the Government for incidental expenses as provided for volunteers under 33 U.S.C. 569c;
- · My pay and benefits are the sole responsibility of the Partner;
- I must resolve all issues, disputes, or claims involving my pay and/or benefits directly with the Partner;
- By signing this statement, I agree to hold and save the Government free from all damages arising from any issues, disputes, or claims related to my pay and/or benefits;
- Upon request from the Government, I may be subject to background checks, requests for information relating to my general physical and mental fitness to perform assigned task, and other security/safety related requirements; and
- [INCLUDE THIS STATEMENT IF PERFORMING FEE COLLECTIONS DUTIES, OTHERWISE DELETE] I acknowledge that I accept the risk and liability of handling government funds and accountable property. I may purchase a bond from a federally-approved bonding institution at my own expense, understanding that a bond is not a grant of relief, nor does the Government relinquish its rights against me or the bond in a non-negligent loss case. I have read and understand Corps policy EC 1130-2-550, Chapter 9, and will follow the procedures to maintain funds security.
- Regardless of any employment agreement that I may have with the Partner, the Government at its sole discretion, may refuse to accent my services and

https://corpslakes.erdc.dren.mil/employees/policy.cfm?Id=challenge&Code=All&View=Yes



Civilian Inmate Labor Program



- The CILP benefits both USACE and corrections systems by providing meaningful work for inmates and providing a source of labor at <u>no direct labor cost</u> to USACE Civil Works projects to accomplish tasks that would not be possible otherwise due to staffing and funding constraints.
- Services provided by inmates may include but are not limited to:
 - Environmental protection
 - Constructing or repairing roads
 - > Clearing, maintaining and reforesting public lands
 - Building levees
 - Providing repair and maintenance work such as mowing, painting, carpentry, cutting trees, landscaping, planting, trash pickup, custodial work
 - Constructing or repairing any other public works financed wholly or in major part by funds appropriated by Congress.
- Only minimum-security community custody inmates are authorized to perform tasks at Army Civil Works projects.

DEPARTMENT OF THE ARMY U.S. ARMY CORPS OF ENGINEERS INMATE LABOR PROGRAM FOR FEDERAL AND STATE/LOCAL INMATE LABOR AT ARMY CIVIL WORKS PROJECTS

1. <u>Purpose</u>. This memorandum establishes guidelines for the Department of the Army, U.S. Army Corps of Engineers (USACE) Civilian Inmate Labor Program and prescribes policies, procedures, and responsibilities for using civilian inmate labor at Army Civil Works projects.

2. References.

a. 18 U.S.C. 4125(a)

b. 33 U.S.C. 2325

c. 28 C.F.R. Part 301

d. Secretary of the Army memorandum, subject: Delegation of Authority to Establish Civilian Inmate Labor Programs at Army Civil Works Projects, dated 5 February 2020.

e. ER 1130-2-500, Ch. 11, Project Operations—Partners and Support, Contributions Program (27 December 1996).

f. EP 1130-2-500, Ch. 11, Project Operations—Partners and Support, Contributions Program (27 December 1996).

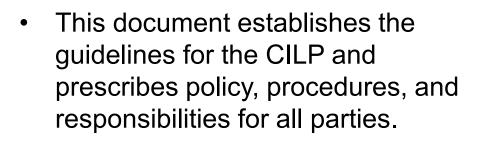
3. General

a. The Secretary of the Army has delegated to the Assistant Secretary of the Army for Civil Works (ASA(CW)) the authority to establish civilian inmate labor programs for use of Federal and state/local inmate labor at Army Civil Works projects and the responsibility for providing overall program direction (reference 2.d.).

b. Title 18 U.S.C. 4125(a) provides that the services of U.S. civilian inmates may be made available to perform work set forth under terms, conditions, and rates mutually agreed upon, for constructing or repairing roads, clearing, maintaining and reforesting public lands, building levees, and constructing or repairing any other public ways or works financed wholly or in major part by funds appropriated by Congress.

c. Title 33 U.S.C. 2325 authorizes the Secretary of the Army to accept contributions of services from persons, including governmental entities but excluding the project sponsor, in connection with carrying out a water resources project for environmental protection and restoration of a water resources project for recreation. The acceptance of civilian inmate labor services from state and local correction facilities meets the statutory requirements of 33 U.S.C. 2325.

Approved Inmate Labor Plan for All USACE CW Projects



 It is considered the foundational/ reference document and must be accompanied by a Memorandum of Agreement using the approved templates. 2 March 2020

MEMORANDUM OF AGREEMENT

BETWEEN

(NAME AND LOCATION OF CORRECTIONS FACILITY PROVIDING CIVILIAN INMATES)

AND

THE DEPARTMENT OF THE ARMY

FOR

THE USE OF FEDERAL CIVILIAN INMATE LABOR ON PROPERTY UNDER CONTROL OF (DISTRICT)

THIS MEMORANDUM OF AGREEMENT is entered into by, and between, (the name and location of the local Federal corrections facility), represented by its (insert title) and the Department of the Army (hereinafter referred to as "the Army"), represented by the (insert title).

WHEREAS, Title 18 U.S.C. 4125(a) provides that the services of United States civilian inmates may be made available to perform work set forth under terms, conditions, and rates mutually agreed upon, for constructing or repairing roads, clearing, maintaining and reforesting public lands, building levees, and constructing or repairing any other public ways or works financed wholly or in major part by funds appropriated by Congress; and

WHEREAS, the Army may require labor to include, but not limited to, providing repair and maintenance work such as mowing, painting, carpentry, cutting trees, landscaping, planting, building demolition, general maintenance and repair, trash pickup, custodial work, and other similar type work on property under Army control; and

WHEREAS, the (name of local Federal corrections facility) has under its custody and control a varying number of able-bodied, minimum security, community custody status inmates who can be made available for such activities; and

WHEREAS, it is to the mutual advantage of the (name of local Federal corrections facility) and the Army to have these inmates performing such work;

https://corpslakes.erdc.dren.mil/partner s/moumoa-labor.cfm

MOA Templates for Federal Facilities and State/Local Facilities

Very similar documents, with a few minor differences:

- Different authorities referenced
- Federal facility: Warden/Administrator signs
- State/Local facility: Sheriff or title of top official signs
- Federal MOA includes clause about injuries covered by the Inmate Accident Compensation Program, 28 CFR Part 301

March 2, 2020

MEMORANDUM OF AGREEMENT

BETWEEN

(NAME AND LOCATION OF CORRECTIONS FACILITY PROVIDING CIVILIAN INMATES)

AND

THE DEPARTMENT OF THE ARMY

FOR

THE USE OF STATE/LOCAL CIVILIAN INMATE LABOR ON PROPERTY UNDER CONTROL OF (DISTRICT)

THIS MEMORANDUM OF AGREEMENT is entered into by, and between, (the name and location of the local state/local corrections facility), represented by its (insert title) and the Department of the Army (hereinafter referred to as the "Army"), represented by the (insert title).

WHEREAS, Title 33 U.S.C. 2325 authorizes the Secretary of the Army to accept contributions of services from persons, including governmental entities but excluding the project sponsor, in connection with carrying out a water resources project for environmental protection and restoration of a water resources project for recreation; and

WHEREAS, acceptance of civilian inmate labor services from State and local correction facilities meets the statutory requirements of Title 33 U.S.C. 2325; and

WHEREAS, the Army may require labor to include, but not limited to, providing repair and maintenance work such as mowing, painting, carpentry, cutting trees, landscaping, planting, building demolition, general maintenance and repair, trash pickup, custodial work, and other similar type work on property under Army control; and

WHEREAS, the (name of state/local corrections facility) has under its custody and control a varying number of able-bodied, minimum security, community custody status inmates who can be made available for such activities; and



CILP Key Governing Provisions



17

- Only minimum-security community custody inmates are allowed. i.e. Those convicted of nonviolent crimes who have been judged by the established correction facility standards to represent no threat to the population at the project and who are not considered escape risks.
- The program will be without direct labor cost/expense for inmate labor to USACE except for nominal costs for program administration, equipment, materials, supplies used by inmates, or other similar costs.
- Inmates will not operate USACE vehicles.
- USACE personnel will not transport inmates. Corrections facility personnel are responsible for all inmate transportation.
- USACE personnel will not be used to guard, control, discipline or exercise custodial supervision.
- Inmates may purchase food/drinks from vending areas, but may not be given gifts, food, money by any USACE personnel or the general public.
- To the extent practicable, inmate labor will be limited to areas not currently occupied by the visiting public.



CILP FAQs



Q: Does the CILP include community service workers who have court ordered service but are not incarcerated?

A: No. Community service workers who are not in custody of a corrections facility are treated as a regular volunteer, signed up on the OF 301a form. There may be additional paperwork/ coordination with the court system to verify hours worked.

Q: Are work release inmates (those who are incarcerated in the evenings, but released without supervision during the daytime to perform work outside the corrections facility) included in the CILP?

A: Yes, however the requesting site would need to request a deviation from the DCW for the approved template MOA regarding unsupervised inmates.

Q: Can USACE pay the corrections facility for transport of the inmates?

A: No, the correction facility must handle all inmate transportation, including the cost to transport.



Volunteer Duties, Rights, and Responsibilities



19

- Volunteers may be authorized to sell permits and collect fees from the public.
 - Must be properly trained and provided security awareness briefing
 - > Must sign statement on OF 301a accepting risk and liability of handling funds and property
 - Fiscal law training is not required.
- Volunteers may operate government owned or leased vehicles, vessels, machinery or equipment.
 - > Must have proper training, license and experience in accordance with USACE policies
 - For positions that require the use of government vehicles, vessels, etc., the requirement should be stated on the OF 301a
- Volunteers are liable for damages to government property if found negligent.



Volunteer Duties, Rights, and Responsibilities



 Volunteers receive the same benefits and protections as Federal employees under the Federal Employees Compensation Act (5 U.S.C., Chapter 81) and the Tort Claims Act (28 U.S.C., Chapter 171). Volunteers are offered this protection for personal liability, provided they are acting within the scope of their responsibilities.

 Volunteers are not typically considered to be part of the USACE covered population for Employee Assistance Program (EAP) Services or Critical Incident Stress Management (CISM). On a case-by-case basis, EAP and/or CISM services may be offered, or the Federal Occupational Health may offer courtesy services to volunteers in the event of an emergency, including traumatic, distressing events during the volunteer's duties.



Resources: NRM Gateway



https://corpslakes.erdc.dren.mil/employees/volunteer/volunteer.cfm



Natural Resources Management Gateway

Home Visitors Lake Discovery Recreation Env Compliance Env Stewardship Partners Revealed to the second seco

Volunteer Program

Headquarters POC

Corps projects offer many volunteer opportunities in recreation and natural resources management. Volunteers can serve as park and campground hosts, staff visitor centers, conduct programs, clean shorelines, restore fish and wildlife habitat, maintain park trails and facilities, and more. Corps personnel can recruit their own volunteers or post opportunities on <u>www.volunteer.gov</u>, an interagency volunteer portal that is used by the Department of Interior, Department of Agriculture, Department of Defense, and Department of Commerce to recruit volunteers for natural and cultural resources programs. Volunteers may find opportunities on <u>www.volunteer.gov</u> and may also call 800-VOL-TEER for more information.

- National Volunteer Week
- News / Current Issues
- FAQs
- Good Enough to Share
- Volunteer Clothing, Brochures, and Posters
- Volunteer Plans and Handbooks
- Related Sites
- Background Checks/Volunteer Computer Access
- Corps Photo Album for Volunteers
- Volunteer Pass Program
- Volunteer Program Annual Reports
- Volunteer App

- Policy & Procedures
- Volunteer Forms
- Program History
- Training
- Volunteer.gov
- Job/Activity Hazard Analyses
- National Public Lands Day
- Division & District POCs
- Volunteer Awards
- Workamper News
- Corporate Social Responsibility/Volunteer Programs

to the future . . .



Upcoming Volunteer Webinars / Important Dates



- Feb 8, 10:00 11:00 Pacific/ 1:00 2:00 Eastern: Volunteer job design, recruitment and selection
- Feb 10, 9:00 10:00 Pacific/ 12:00 1:00 Eastern: Volunteer in-processing and paperwork
- Feb 13, 12:00 1:00 Pacific/ 3:00 4:00 Eastern: Volunteer orientation, training, supervision. Incidental expenses and reimbursements
- Feb 15, 8:30 9:30 Pacific/11:30 12:30 Eastern: Volunteer evaluations and awards. Entering volunteer data in CWBI
- Feb 16, 10:00 11:00 Pacific/1:00 2:00 Eastern: Trout Unlimited National MOU
- Apr 16 22: National Volunteer Week

**This webinar has been recorded and will be posted along with the slides on the NRM Gateway Partnerships and Volunteer training pages: <u>https://corpslakes.erdc.dren.mil/employees/training.cfm?Id=partner&View=yes</u> https://corpslakes.erdc.dren.mil/employees/training.cfm?Id=volunteer&View=Yes





