

CHAPTER 10 - THE CORPS OF ENGINEERS VOLUNTEER PROGRAM

10-1. Purpose. This chapter establishes the policy on accepting the services of volunteers.

10-2. Policy. It is the policy of the Corps of Engineers that:

a. The Commander, HQUSACE may accept the services of volunteers and provide for their incidental expenses to carry out any activity of the U.S. Army Corps of Engineers except policy making or law/regulatory enforcement as authorized under PL 98-63. A volunteer is not an employee of the Corps of Engineers except for the purposes of Chapter 171 of Title 28 of the USC, relating to tort claims, and Chapter 81 of Title 5 of the USC, relating to compensation for work injuries. Voluntary service is official government business, having some value to the Corps, conducted by volunteers under the direction of a paid Corps staff member.

b. Volunteers will not be used to displace any personnel of the Corps of Engineers. They may, however, perform duties which once were, or are presently, performed by Corps personnel or contractors.

c. USACE elements shall utilize volunteers wherever it is feasible, cost-effective, mutually-beneficial, and safe, and shall employ the procedures for the use of volunteers and all necessary forms as contained in the Volunteer Coordinator's Handbook, EP 1130-2-429.

(1) MSC offices shall be responsible for the coordination of volunteer programs within their MSC. The MSC coordinators shall monitor and evaluate volunteer programs within their districts, provide assistance to district counterparts, and act as a liaison between the districts and HQUSACE.

(2) District offices shall be responsible for administering the volunteer program and assigning a district volunteer coordinator. The coordinator shall be responsible for managing the district program according to policy to ensure that it meets the needs of the Corps and the volunteers. The district coordinator shall assist in assessing needs and identifying work that can be done by volunteers, advise volunteer supervisors in the proper use of volunteers, assist in recruiting efforts, develop and submit reports to MSC offices, handle inquiries regarding the program, and keep the district and project staff current on ideas and procedures for utilizing volunteers.

(3) Operations Project Managers are responsible for administering the Volunteer Program at the project level and for designating ad.

(4) An accepting official, who is the Corps staff member, shall be responsible for accepting the services of volunteers and for the proper observance of regulations while services are performed. The accepting official may also serve as the project volunteer coordinator, responsible for the local administration of the volunteer program. The coordinator ensures that volunteer service agreements and, if applicable, parental consent forms are completed, and that each volunteer or group of volunteers are assigned to Corps personnel who are responsible for the work performed. The volunteer coordinator, either directly or through a volunteer supervisor, shall ensure that the volunteer is properly oriented and trained and that his/her qualifications are adequate for the work to be accomplished.

d. Volunteers must be qualified to perform the work assigned. Additionally, they must be physically able to do the work. The accepting official may request the volunteer to complete a Standard Form 256, Self-identification of Handicap, or obtain a medical examination if there is a question regarding the volunteer's ability to perform assigned work. In special circumstances, the cost of medical examinations may be considered incidental expenses of the volunteer. These circumstances should reflect the need for medical examination and the value of the voluntary services that the Corps would receive.

e. Individuals from the private sector or other agencies, whose employers are donating their services to the Corps while still keeping them on their payroll (hosted workers) can be volunteers. Hosted workers perform voluntary services for the Corps, while being compensated in some way by another organization or agency. Off-duty Corps personnel and their families can be volunteers; however, personnel shall not be accepted as volunteers at any Corps installation for duties which are a continuation or extension of their official duties. Legal aliens may be volunteers. Children under the age of eighteen years may be volunteers provided they have the written consent of their parent or guardian. All child labor restrictions must be observed. Where appropriate, a volunteer may supervise other volunteers if the volunteer's supervisor is directly responsible to a paid staff member.

f. Volunteers are authorized to sell permits and collect fees from the public at campgrounds, day-use facilities, visitor centers, administration offices and other locations where fee collection is normally performed as a government function. The accepting official shall ensure that volunteers sign a statement (on the volunteer agreement or other document) that accepts the risk and liability of handing government funds. The accepting official shall also ensure that volunteers are properly trained in accordance with EP 1130-2-429.

(1) Volunteers are agents of the Army and are protected under 31 USC 3527(a). This statute states, in part, that "the Comptroller General may relieve an accountable official or agent of the agency responsible for the non-negligence loss or deficiency of public money, when the head of the agency decides that the official or agent was carrying out official duties when the loss or deficiency occurred, and the loss or deficiency was not the result of fault or negligence by the official or agent." Volunteers are strictly liable for all funds received and may be required to prove non-negligence for any loss in order to gain relief under the above statute.

(2) Volunteers must also obtain a surety bond from a federally-approved bonding institution for losses outside the purview of the above statute. Government funds may be used to cover the cost of surety bonds for volunteers. A surety bond is not a grant of relief for the volunteer nor does the Corps relinquish its rights against the bond or volunteer in a non-negligent loss case.

g. Commanders may enter into agreements with Federal Bureau of Prisons and State Correctional Systems concerning the use of civilian prison labor of Corps-managed water resource development projects. Individuals convicted of Federal and state crimes and participating in court-approved probation, work release, or alternate sentencing programs may serve as volunteers at the discretion of the accepting official; however, no person referred from a court-approved program, who has been convicted of any violent crime, crime against person, or crime involving the use of a weapon shall be utilized in the Corps of Engineers volunteer program in any manner.

h. Volunteers may be authorized to operate government-owned or leased vehicles,

vessels, or other equipment by the accepting official if deemed appropriate and beneficial. Government licensing policies apply to volunteers.

i. Volunteers may produce products for the Corps at off-site locations.

j. Personal safety equipment shall be provided by the government, if necessary, or purchased by the volunteer and considered incidental expenses of the volunteer. Injuries to volunteers shall be reported in the same manner as those involving Corps personnel. Volunteers shall not be used in work assignments in which Corps personnel would receive hazardous duty pay.

k. Volunteers receive the same benefits and protection as Federal employees under the Federal Employees Compensation Act (5 USC, Chapter 81) and the Tort Claims Act (28 USC, 2671-2680) and are considered to be Federal employees for only those purposes. Volunteers are offered this protection for personal liability as long as the volunteer is within the scope of his/her responsibilities. Volunteers are entitled to first aid and medical treatment for on-the-job injuries, as well as hospital care when necessary. When travel for receiving medical care is necessary, transportation may be furnished or travel expenses reimbursed.

l. Volunteers may be reimbursed for actual out-of-pocket expenses they incur in performing voluntary service when approved in advance and identified on the individual's Volunteer Agreement form. Such expenses might include, but are not limited to, local transportation costs, meals during duties hours, and personal safety equipment. Reimbursement for transportation expenses to and from the volunteers place of residence should be considered reasonable if, as a minimum, they are within the normal commuting distance from the work site.

(1) Meals and/or refreshments may be provided to large groups of short-term volunteers participating in special events if the cost per volunteer is reasonable in light of the service performed.

(2) Long distance travel expenses may be reimbursed in cases where it can be shown that the services of the volunteer will be of exceptional value to the Corps, and then only with the approval of the Commander. Such long distance travel must be accomplished under the authorities of Invitational Travel Orders and may be approved at the district level. The rate that volunteers may be reimbursed for long distance travel will not exceed the amount identified under the Joint Travel Regulation for Government employees under similar circumstances.

(3) Volunteers may also be provided campsites at civil works projects where their voluntary service occurs and not be required to pay a user fee. Corps policy on the use of government housing is provided in Chapter 13 of this regulation. If volunteers are housed in government provided quarters, they shall not normally be charged for such occupancy.

(4) Reimbursement of incidental expenses is not to be understood as salary, but as a compensation to offset the volunteer's personal cost of volunteering

m. Volunteers who come in contact with the public must be recognized as Corps volunteers as detailed in EP 1130-2-429. Volunteers are not authorized to wear the Corps Natural Resources Management (NRM) uniform patch or any other item of the official NRM Class A-B-C Park Manager/Ranger uniform.

n. Volunteers may be issued a certificate of appreciation, plaque or some other acknowledgment of voluntary service. Awards for volunteers cannot be considered incidental expenses. Special Act Awards or other cash awards are not authorized for volunteers. Special awards of appreciation may be awarded by a source outside the Corps. MSC offices are encouraged to develop award programs which recognize varying levels of volunteer service. Individuals or groups who perform exceptional voluntary service to the Corps of Engineers may be recommended to HQUSACE (CECW-ON) for possible special recognition.

o. Accurate records regarding the number of volunteers utilized, the number of volunteer hours donated, the value of those hours to the government, and the cost to the government of this volunteer service shall be maintained by project and reported annually as required by ER 1130-2-550, Chapter 12, "Natural Resource Management System." Letter reports may be required more frequently by district or MSC offices.

p. An Honorary Junior Ranger Program may be implemented, at Corps projects to foster proper stewardship of public lands and to reward children for commendable services on Corps projects. Specific implementation instructions shall be formulated by the District Commander with MSC concurrence, in accordance with the guidelines found in Chapter 10 of EP 1130-2-500.