

Volunteer Management Policy

POLICY NUMBER: HR-21-01

TYPE OF POLICY: Human Resources and Personnel

EFFECTIVE: March 1, 2021

The most current version of this policy will always be the online version.

PURPOSE

Texas Parks and Wildlife Department (TPWD) staff are responsible for managing volunteers in accordance with best practices and policies laid forth by [Government \(Gov't\) Code Ch. 2109](#). In addition, volunteers must adhere to all TPWD policies, procedures, and guidelines.

The purpose of this policy is to comply with state and federal laws while managing TPWD volunteers, as well as, to provide guidance to TPWD staff who utilize volunteers at TPWD facilities, programs, or events.

BACKGROUND

TPWD established an agency-wide Volunteer Management Program in 2016 to assist in the management of all volunteers who support TPWD sites, programs and events. This policy establishes volunteer management practices in accordance with the Fair Labor Standards Act of 1938 (FLSA) ([29 USC §201 et seq.](#); [29 CFR Part 553](#)) and relevant state laws, including [Gov't Code Ch. 2109](#); [Gov't Code §2113.202](#); [Parks and Wildlife Code §§11.028-.0281](#); and the [General Appropriations Act \(GAA\)](#).

DEFINITIONS

appropriated money

money appropriated by the state legislature through the [GAA](#) or other law ([Gov't Code §2113.001](#)).

employee

a person who performs services or tasks related to TPWD's mission and receives compensation from TPWD.

TPWD Volunteer Program

all of the individual volunteer programs within each division that collectively form TPWD's official program for volunteers, as mandated by [Gov't Code §2109.003](#).

volunteer

a person who contributes their time and services to TPWD for civic, charitable, or humanitarian purposes without expectation or receipt of payment from TPWD, excluding reimbursement of expenses or reasonable benefits.

Volunteer Advisory Committee Board

the committee that supports the TPWD Volunteer Program Manager in administering the TPWD Volunteer Program.

volunteer management practices

the program methods and tools used to provide volunteers with meaningful roles and effectively train, supervise, and recognize those volunteers.

Volunteer Management System (VMS)

the agency-wide online database software system that tracks various aspects of volunteer management. System features include:

- web-based application processing
- criminal history check tracking
- documentation of certifications and awards
- service scheduling and performance tracking
- documentation of hours
- report generation
- communication automation

POLICY STATEMENT

Volunteer contributions significantly enhance the mission of TPWD. TPWD Volunteer Program staff promote and support the growth and success of volunteers and the TPWD Volunteer Program by utilizing the industry best practices of volunteer management including readiness, recruitment, retention, recognition, and reporting.

I. Use of Volunteers

TPWD maintains a volunteer program that considers volunteers a resource that requires advance planning and preparation for effective use. Volunteers should assist TPWD employees in the planning and implementation of the program when practical ([Gov't Code §2109.003](#)).

- The use of volunteers is without regard to race, color, religion, sex (including gender identity and sexual orientation), national origin, age, or disability. Discrimination or other actions that violate the Equal Employment Opportunity, Sexual Harassment and Discrimination Policy ([HR-03-02](#)) are prohibited.
- All volunteers must be registered in the TPWD Volunteer Management System (VMS).
- Volunteers under the age of 16 must always be accompanied by a parent or guardian.
- Volunteers must follow all TPWD policies and procedures when fulfilling duties and assignments.
- Volunteering for TPWD is a privilege, not an entitlement, and volunteer opportunities and participation are at TPWD's sole discretion. TPWD may terminate a volunteer's relationship with the agency at any time for any legal reason.
- Volunteers enhance the work of employees and should never replace or supplant it.

- Volunteering for TPWD in no way creates an employment relationship. TPWD volunteers are not entitled to a salary, retirement, or other benefits given to state employees. Volunteers are not covered by workers compensation.
- Volunteers may be utilized in-person or remotely, on TPWD property, or as representatives of TPWD off-site. TPWD encourages the use of virtual volunteers when feasible.
- Every volunteer must have a clearly identified Volunteer Coordinator who is responsible for day-to-day consultation, support, and direction.

II. Agency Employees and Family Members

- The FLSA ensures that individuals providing services to public entities are compensated for work that is properly considered employment while encouraging volunteer activities undertaken for civic, charitable, or humanitarian purposes without compensation ([29 CFR §§553.101\(a\)-\(b\)](#), [553.104](#)). Whether an individual is considered an employee, or a volunteer is a legal determination.
- Under the FLSA, TPWD employees may not volunteer for TPWD to perform the same type of services that the employees perform in their jobs ([29 CFR §§553.101\(d\)](#), [553.102\(a\)](#)).
 - “Same type of services” means similar or identical services. In determining whether a volunteer activity is the same type of service as what an employee performs in their job, TPWD may review occupational information from the Department of Labor and relevant facts and circumstances for a particular situation ([29 CFR §553.103](#)).
- A TPWD employee who wishes to volunteer for the agency must meet the definition of “volunteer” in this policy.
- In addition, any volunteer service for the agency by a TPWD employee must be completely voluntary, with no direct or implied pressure or coercion ([29 CFR §553.101\(c\)](#)).
- The decision about whether a TPWD employee may volunteer for TPWD will be determined by the Division Director or designee.
- TPWD employees should not volunteer for or serve on the board of a “friends group” that directly supports a TPWD-managed site. As these groups are involved in raising and spending funds that directly impact TPWD sites, having a TPWD employee volunteer in this capacity creates potential conflicts of interest.
- Family members of TPWD employees may volunteer for the agency but cannot be placed under the chain of command of the related employee.
- State of Texas retired employees must wait 90 days from date of retirement to be eligible to volunteer. Retirement annuities could be affected if a retiree volunteers within the 90-day period. Other retirees should consult their retirement systems for any return to work restrictions or conditions.

III. Travel and Meals for Volunteers

- The TPWD Volunteer Program may reimburse volunteers for actual and necessary expenses incurred in the performance of volunteer services ([Gov’t Code §2109.004](#)).

- Volunteers must follow the same laws and policies as TPWD employees for travel (refer to the Travel Policy ([BF-20-01](#))); however, volunteers' travel reimbursement is not processed through the TPWD Travel Voucher ([PWD-0256](#)). Volunteers must have prior approval from their supervisor before being reimbursed for travel expenses, and they may receive travel reimbursement through the procurement process in accordance with the Purchasing and Contracting Policy ([BF-07-02](#)) and the TPWD Contract Management Guide ([BF-18-01](#)).
- **TPWD is prohibited from using TPWD funds to purchase food or beverages for volunteer meetings or appreciation events.** However, meals may be purchased for volunteers who are on-site providing labor and/or performing services for state parks, wildlife management areas, and other agency programs ([GAA Art. VI-42, Rider 22](#)).
- Purchasers must ensure:
 - all transactions follow TPWD purchasing policies and procedures;
 - vendors are in the Centralized Accounting and Payroll/Personnel System (CAPPS);
 - meal transactions do not include tax; and
 - transaction documentation includes the date, location, number of volunteers, and services provided.
- In accordance with [Comptroller of Public Accounts policy](#), a state agency has implied authority to purchase items to ensure the safety of its employees and volunteers. Therefore, TPWD may use appropriated funds to purchase water and ice for outdoor employees and volunteers working in hazardous heat conditions.

IV. TPWD Volunteer Program

A. Overview

- All TPWD divisions are encouraged to identify and create volunteer opportunities.
- Each division that uses volunteers must provide one representative to serve on the Volunteer Advisory Committee. The board acts to support the TPWD Volunteer Program Manager in developing and implementing the policies and procedures of the TPWD Volunteer Program.
- Within the TPWD Volunteer Program, each division will train employees to plan and implement the division's volunteer programs or opportunities and address the elements of readiness, recruitment, retention, recognition, and reporting as detailed below ([Gov't Code §2109.004](#)). TPWD will endeavor to cooperate with private organizations that provide similar services.

B. Roles and Responsibilities

1. TPWD Volunteer Program Manager

The TPWD Volunteer Program Manager is housed in the Human Resources Division and oversees, evaluates, and promotes the TPWD Volunteer Program and VMS.

2. Division Volunteer Program Point of Contact (POC)

Each division that uses volunteers has a Division Volunteer Program POC who:

- oversees, evaluates, and promotes the division's volunteer program(s);
- provides progress reports, notice of problems or concerns, and/or input regarding volunteer work performance to the TPWD Volunteer Program Manager as needed; and
- represents the respective division on the Volunteer Advisory Committee Board, as requested.

3. Volunteer Coordinators

Volunteer Coordinators work directly with volunteers at their sites and in their programs. These employees:

- manage volunteers in their program or at their site;
- communicate with the Division Volunteer Program POC to provide progress reports, notice of problems or concerns, and/or input regarding volunteer work performance as needed;
- demonstrate a willingness to work effectively with volunteers and understand that the opportunity to work with volunteers is a privilege;
- receive training on the principles of effective volunteer management, including motivation, supervision, and recognition; and
- represent their division on the Volunteer Advisory Committee Board, as requested.

C. Volunteer Program Principles

TPWD's Volunteer Management Program uses the following principles to develop best volunteer management practices for the program.

1. Readiness

- Identify policies and procedures for volunteers.
- Develop volunteer position descriptions and recruitment tools.
- Create vetting materials (e.g., interview questions, reference check questions) to determine the qualifications, ability, and suitability of the individual to perform the duties.
- Establish training and onboarding materials.
- Procure equipment, tools, and space necessary to perform volunteer duties.
- Create a culture of volunteerism by clearly defining volunteer and employee roles and involving employees in the volunteer planning process.

2. Recruitment

- Create and publish volunteer opportunities in VMS.
- Promote volunteer opportunities through local and statewide resources.
- Require Volunteer Coordinators to communicate with potential volunteers who have registered for volunteer opportunities.

3. Retention

- Ensure volunteers have a meaningful role.
- Maintain communication with volunteers.
- Provide ongoing training to allow for the continued growth and responsibilities of volunteers.

- Provide volunteers with performance evaluations.

4. Recognition

- Establish volunteer recognition practices for each Volunteer Coordinator's program so volunteers can be recognized at the program, site, division, and/or agency level.
- Nominate outstanding volunteers for local, state, and national volunteer recognition awards (e.g., Texas Governor's Volunteer Award, President's Volunteer Service Award).

Note: TPWD may use appropriated money to purchase certificates, plaques, pins, and other similar awards to be presented to volunteers for special achievement or outstanding service. The cost of the awards may not exceed \$50 for an individual ([Gov't Code §2113.202](#)).

5. Reporting

- Submit volunteer hours in VMS. Volunteer Coordinators or their designees are responsible for the timely review and approval of those hours to meet state and federal reporting guidelines.
- Update and maintain volunteer records in VMS.
- Report volunteer program successes, challenges, and qualitative and quantitative data to TPWD leadership, grantors, and stakeholders.
- Calculate the value of volunteer hours using the most recent total provided by the [Independent Sector](#) organization.
- Federal Programs and Grants
 - For federal grants, volunteers must certify their hours utilizing a unique login and password for VMS. Any other method used must be reviewed and approved by the Federal Grants Administration staff prior to implementation.
 - For federal programs, refer to the [TPWD Federal Grants Guidance Manual](#) for the federal match procedure and the accompanying procedure developed for the specific program. Rates must be coordinated with the TPWD Federal Grants Administration staff.
 - If a volunteer labor value has been approved by a federal grant or LBB performance measure, that method must be used until it can be changed and reapproved

Note: During the preparation of budget recommendations for volunteer programs, the Legislative Budget Board (LBB) reviews the use of funds requested for volunteer programs ([Gov't Code §2109.006](#)).

V. Evaluation and Dismissal

A. Employee Evaluation

- Volunteer supervision and support require special skills and expertise. Employees who work well with volunteers will be acknowledged for their contributions and abilities, and their entire job performance will be evaluated and rewarded as appropriate ([Gov't Code §2109.005](#)).

- TPWD allows volunteers to contribute feedback on their volunteer supervisor, program, and overall experience.

B. Volunteer Program Evaluation

- Volunteer Coordinators must develop an evaluation mechanism to ensure the effectiveness of their volunteer program by assessing the:
 - volunteer performance,
 - cooperation of employees with volunteers, and
 - the individual volunteer program overall.
- Volunteer Coordinators must also conduct follow-up studies to ensure the effectiveness of each individual volunteer program ([Gov't Code §2109.004](#)).

C. Dismissal of Volunteers

- TPWD reserves the right to place, decline to place, reassign, or dismiss any volunteer at any time for any legal reason. Volunteers who do not adhere to TPWD policies and procedures or do not satisfactorily perform assigned volunteer duties are subject to dismissal.
- Under certain circumstances, TPWD may determine that a volunteer should not volunteer at or with a particular site or program, but they are not dismissed and remain eligible to volunteer at or with other sites or programs.
- The decision to dismiss a volunteer is made by the TPWD Volunteer Program Manager with approval from the applicable Division Director. However, the dismissal of a volunteer from the Texas Master Naturalist (TMN) Program will be made in accordance with the TMN Program's written protocols.
- If a volunteer is dismissed from a volunteer program, they are not eligible to volunteer for any other TPWD volunteer programs.
- TPWD may suspend a volunteer's service during an ongoing investigation into allegations involving the volunteer.
- There is no appeal process to contest a dismissal decision.

VI. Safety and Conduct

A. Overview

- All Volunteer Coordinators are responsible for knowing and complying with the current laws, regulations and TPWD policies that govern volunteers, and relaying this information to the volunteers.
- TPWD volunteers must represent their respective volunteer program(s), the agency, and the State of Texas in an appropriate manner at all times (refer to the Performance, Conduct and Disciplinary Action Process policy ([HR-18-01](#))). TMN volunteers are subject to the TMN Program's policies and protocols regarding conduct.
- All volunteers must comply with TPWD safety and risk management requirements to maximize the safety and health of employees, volunteers, visitors, and resources.
- Volunteers under the age of 16 must always be accompanied by a parent or designated guardian and are restricted in their use of machinery and hazardous duties.

- Volunteers who handle money for TPWD within the scope of volunteer duties must follow the Revenue Policy ([BF-07-01](#)) and any division revenue policies.
- Staff should include volunteers in safety training when possible and record safety certifications in VMS.
- As appropriate and directly required for TPWD purposes, volunteers may have access to TPWD property and materials necessary to fulfill assigned duties and must receive training in the operation of any equipment. This includes access to and use of TPWD vehicles and watercraft. Volunteers' use of their own personal equipment for volunteer duties (e.g., lawn mower, handheld tools, recreational vehicles) is prohibited.
 - TMN volunteers are allowed to use their personal hand tools during the scope of their volunteer work on non-TPWD property, if authorized by TMN. However, the use of personally-owned equipment affects the volunteer's eligibility for statutory liability protection and insurance coverage.
- The Volunteer Coordinator will record any incidence of a volunteer injury during the scope of their volunteer activities in TPWD's [Incident Reporting System \(IRS\)](#). Additionally, a volunteer insurance claim should be submitted by the Volunteer Coordinator or Division POC as necessary.
- Volunteers will not openly carry weapons either on TPWD premises or while completing the scope of assigned volunteer activities. However, volunteers may openly carry a weapon if the volunteer has specific duties that require weapons handling and is handling the weapon(s) in the manner required for performing those duties. Volunteers who hold a handgun license under [Gov't Code Ch. 411](#) may possess a handgun on TPWD property if carried in a manner in which the presence of the handgun is not openly discernible to the ordinary observation of a reasonable person. The Executive Director or Chief Operating Officer may grant exceptions for special ceremonies or historical reenactments in accordance with the Weapons Policy ([HR-12-03](#)).

B. Vehicles and Watercraft

- Volunteers are allowed to drive TPWD vehicles in accordance with all applicable laws and the TPWD Driver Safety Policy ([OP-15-01](#)), upon approval from the Volunteer Coordinator.
- Volunteers may operate TPWD watercraft in accordance with all applicable laws and the [TPWD Safety Manual](#), upon approval from the Division Director. Please note liability and insurance issues below.

C. Statutory Liability Protection and Insurance

- TPWD is liable for property damages, personal injury, or death caused by volunteers operating TPWD-owned or leased motor-driven vehicles or motor-driven equipment in the scope of assigned volunteer activities ([Parks and Wildlife Code §11.0281](#)). Volunteers are immune from liability, unless their conduct is intentional, willfully negligent, or done with conscious indifference or reckless disregard for the safety of others.
- TPWD maintains two insurance policies to provide additional protection to registered volunteers. Both policies provide excess coverage for expenses not

covered by the volunteer's own insurance. The excess medical accident policy provides coverage for certain medical expenses a volunteer incurs in connection with their volunteer service. The excess liability policy provides coverage for certain third-party personal injury or property damage caused by a volunteer in connection with their volunteer service, and for which TPWD is not liable under [Parks and Wildlife Code §11.0281](#).

- If a TPWD watercraft is motor-driven, then the volunteer is generally immune from liability for damages caused while operating it in the course and scope of a volunteer assignment, and TPWD would be liable for the damages ([Parks and Wildlife Code §11.0281](#)). However, if a TPWD watercraft is not motor-driven, there is no insurance coverage or statutory liability protection, and the volunteer may not operate it unless the volunteer shows proof of liability insurance applicable to a government-owned watercraft. Divisions may also choose to prohibit volunteers from operating a TPWD watercraft for any reason.
- Insurance coverage and statutory liability protections do not apply to court-ordered community service volunteers or inmate work crews.
- Employees and volunteers should refer to the [TPWD Volunteer Insurance Coverage and Statutory Liability Protection Summary of Coverage](#) for information and instructions for submitting claims. Employees and volunteers should contact their Division Volunteer Program POC or the TPWD Volunteer Program Manager for questions about statutory liability protection and insurance coverage.

D. Criminal History Checks

Volunteers are subject to the Criminal History Checks Policy ([HR-05-01](#)). However, criminal history checks are not conducted on volunteers for one-time volunteer events where volunteers are under the direct supervision of TPWD staff.

E. Confidentiality

- Volunteers may have access to various types of sensitive or confidential data and information concerning resources, finances, volunteers, employees, and/or members of the public. Unauthorized use of and/or disclosure of certain data and other information may create personal legal liability for the volunteer, put sensitive natural and cultural resources at risk, and/or cause a loss of public confidence in TPWD.

F. Dress Code and Identification

As representatives of the agency, volunteers are responsible for presenting a positive image to the public. Volunteers must dress appropriately for the conditions and performance of assigned duties and must be easily identifiable as volunteers.

VII. Funding for Volunteer Programs

- TPWD funds the VMS through the Human Resources Division.
- If additional funding is required for specific program or division requests in VMS, that program or division is responsible for the funding.
- Individual volunteer programs are responsible for funding their own supplies, materials, equipment, training, reimbursements, and recognition.

HISTORY

Original publication date and subsequent revisions:

- Original effective date: March 1, 2021
- Revision effective dates: New Policy