

**FISH AND WILDLIFE SERVICE
VOLUNTEERS**

2.1 What is the purpose of this chapter? This chapter includes information on U.S. Fish and Wildlife Service (Service) volunteer eligibility requirements and agreements.

2.2 What is the scope of this chapter? This chapter applies to personnel working with individuals and groups who dedicate time and skills to assist the Service.

2.3 Who is eligible to volunteer? We accept volunteers without regard to race, color, religion, age, disability (physical or mental), national origin, reprisal, sex (whether or not of a sexual nature), sexual orientation, marital or family status, genetic information, or any other non-merit factor.

2.4 What do Service employees need to understand about international volunteers?

Anyone from outside the United States who is not a U.S. citizen or a legal resident is an "international volunteer." Although we do not limit acceptance to U.S. citizens, we are required to obtain documentation as to their residence status. They must also have the appropriate visa from their country of origin (see our [Volunteers Web site](#) for more information).

A. To volunteer in the United States at a Service site, most international volunteers will need to obtain a J1 Visa (Exchange Visitor). Foreign nationals currently residing in the United States who are attending university and have F1 Visas are also eligible, with the appropriate authorization from a designated school official.

(1) The J1 Visa is a special entry visa sponsored by the U.S. Department of State International Exchange Visitor Program. The objective of the J1 Visa is to increase mutual understanding between the people of the United States and people of other countries through educational and cultural exchanges.

(2) The F1 Visa (Student) is issued to foreign nationals currently enrolled in accredited universities. They may be able to volunteer by arranging an internship for the summer or at the end of their program through their university's foreign student advisor (i.e., designated school official) and the Service site.

B. The B2 Visa (Tourist) is issued for personal visits or travel for leisure. A foreign national can volunteer using this visa, but he/she must not receive any housing or compensation. If foreign nationals receive housing or compensation, then the State Department classifies the activity as work. As a Federal Government entity, the Service cannot sponsor individuals for work permits.

C. We may only reimburse foreign nationals for their expenses if they have a J1, Exchange Visitor Visa, or F1, Student Visa (see 150 FW 3 for more information about reimbursements).

2.5 Is there an age limitation? There is no minimum age or maximum age limit to volunteer.

A. However, Project Leaders/supervisors must comply with Federal and State laws and standards when using the services of minors (see 240 FW 9, *Safety for Volunteer and Youth/Collegiate Program Participants*, specifically Table 9-2 listing prohibited activities for those 14-15 years of age; Table 9-3 listing prohibited activities for those under 16 years of age; and Table 9-4 listing prohibited activities for those under 18 years of age).

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B. There are age limits for volunteers to operate Service-owned or leased motor vehicles and motor equipment (see 150 FW 3, section 3.9; 320 FW 5; and 321 FW 1 for requirements).

C. A volunteer who is under the age of 18 must have a parent or legal guardian sign the parental agreement section on the Volunteer Service Agreement (OF 301A).

2.6 What qualifications does the Service require? Volunteers must meet required training certification before we assign them to potentially hazardous work (see 150 FW 1 and 240 FW 1, *Safety Program Management*). Project Leaders/supervisors or their designees must ensure that volunteers understand the health and physical condition requirements for doing the work planned and documented in the Volunteer Service Agreement. Any limitations must also be listed in the agreement.

2.7 How does the law differentiate volunteers from Federal employees?

A. A volunteer is not a Federal employee, so he/she is not subject to the provisions of law relating to Federal employment, including those provisions relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

B. For purposes of the Federal Tort Claims Act (28 U.S.C. 2671-2680), a volunteer must be considered an employee of the Government (as defined in section 2671) when performing work on behalf of the Service. As a result, the Government may be liable if the volunteer engages in a negligent or wrongful act or omission if the volunteer's action is not within the scope of the volunteer activity. Refer claims that are a result of volunteer participation to the Regional Tort Claims Officer (see 401 FW 1-3).

C. Relative to compensation to Federal employees for work injuries, a volunteer is considered an employee (as defined in 5 U.S.C. 8101) if the following conditions are met:

(1) The volunteer was rendering personal services to the United States,

(2) The volunteer rendered the services without pay,

(3) The services that were rendered were similar to those provided by an employee of the United States, and

(4) The agency was authorized to accept or use the volunteer's services.

D. Guidelines on processing injury compensation claims are available from the servicing Human Resources Office (HRO). Supervisors must submit a Report of Accident/Incident for all work-related injuries in accordance with 240 FW 7.

E. We may reimburse volunteers while on official Government travel status using the same method we would reimburse employees. The Project Leader/supervisor must approve the volunteer's official Government travel.

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2.8 What governs volunteer conduct? Department of the Interior regulations (43 CFR 20) govern employee and volunteer conduct. The Service policy on the ethical conduct and responsibilities of employees also applies to our volunteers.

A. It is the Service's policy (see 212 FW 1) and our expectation that all employees and volunteers maintain especially high standards of honesty, impartiality, character, and conduct to ensure the proper performance of Government business and the continual trust and confidence of the citizens of the United States.

B. Field stations may develop their own volunteer conduct guidelines pertinent to individual locations and volunteer activities at those locations.

2.9 What forms are applicable to the Service's volunteer program?

A. Volunteer Service Application (OF 301). The volunteer application helps public lands officials and potential volunteers determine if there are volunteer opportunities that are a good match for the skills and interests identified.

B. Volunteer Service Agreement (OF 301A).

(1) All volunteers must complete a Volunteer Service Agreement (agreement) once they have identified and committed to a specific volunteer activity. We must have a signed agreement before volunteers can begin projects, even for projects that last only a few hours.

(a) We recommend that the Project Leader/supervisor or Volunteer Coordinator write a position description or a scope of work describing the volunteer's duties and attach it to the agreement.

(b) It should include a statement of assigned tasks, job hazards, required safety training, skills required, and level of physical activity. It should also include the volunteer's tour of duty with a beginning and end date.

(2) The agreement covers and protects the volunteer and the Service for tort and liability issues.

(3) Volunteers under the age of 18 must fill out OF 301A and have a parent or guardian sign it.

(4) Agreements are good for 1 year and can be renewed by completing a new OF 301A.

C. Volunteer Sign-up Form for Groups (OF 301B). For this form, a group means two or more people. An organized group typically has an official name and a group leader who serves as liaison to the Service. All volunteers who participate with an organized group on an episodic (e.g., one time) volunteer project on public lands must sign up using this form.

(1) By signing the group form (OF 301B), volunteers agree to the terms of the project that are in the Volunteer Service Agreement (OF 301A). This form is attached to the OF 301A, which the group leader fills out.

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(2) For a one-time, day-of-event to which the general public is invited and there is no sponsoring group, leave the group name blank.

(3) Parent or guardian consent is required for all minors in the group. If an organized group does not have records of guardian permissions (e.g., a school's permission forms), each minor must be engaged through a Volunteer Service Agreement (OF 301A). If they use the OF 301A to show permission, then a copy of those forms needs to be given to the group leader to attach to the OF 301B.

D. Claim for Reimbursement for Volunteer Expenses Form (FWS Form 3-2373). We may reimburse volunteers for actual expenses incurred that are required or directly related to their volunteer contributions. See 150 FW 3 for more information about requirements for and limitations on reimbursement.

E. Exit Clearance Form for Non-Service Employees (Form 3-2370). As with employees, volunteers should undergo an exit clearance. We recommend that the exit clearance process begin 10 business days prior to the volunteer's anticipated separation date. Part of this process involves the disposition of the Personal Identity Verification (PIV)/access card.

(1) If the volunteer is leaving the Service and not going to another Department of the Interior bureau to volunteer, then the Project Leader/supervisor or Volunteer Coordinator must destroy the PIV/access card.

(2) If the volunteer is transferring to volunteer at another Department of the Interior bureau, then the volunteer keeps the PIV/access card and the Project Leader/supervisor or Volunteer Coordinator must notify the servicing HRO using the [Exit Clearance Form for Non-Service Employees](#).

2.10 How long must the Service maintain volunteer records? Project Leaders/supervisors must ensure staff maintain copies of all volunteer records at the site location or office for 3 years after termination of the volunteer's service. These records include annual renewals.

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