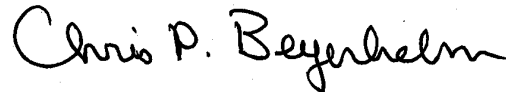


For: FSA and RMA Employees

FSA/RMA Volunteer Program Guidance

Approved by: Associate Administrator for Operations and Management



1 Overview

A Background

Food and Agricultural Act of 1981, Section 1526 and 7 U.S.C. 2272 permits establishing programs to use volunteers to carry out programs of, or supported by, the Department. The 5 U.S.C. 3111 and 5 CFR Part 308 grants agencies the authority to establish programs designed to provide educationally related work assignments for students in nonpay status.

B Purpose

This notice provides FSA/RMA volunteer program guidance.

Note: The notice will assist FSA/RMA offices in the volunteer pre- and post on-boarding process. Using this guide will ensure that the volunteer program is being administered appropriately and effectively. The information within this guide touches on every aspect of the volunteer enrollment process. If additional help/information is required for a particular subject, see subparagraph 5 C.

2 Definitions and Requirements

A Definitions and Requirements Used in FSA/RMA Volunteer Programs

Adjudicator means an individual responsible for:

- determining suitability based on background investigation results to include national criminal history check fingerprint results,
- attempting to mitigate investigation issues,
- granting the applicant access to FSA/RMA government systems and facilities.

Note: This includes eligibility for the Personal Identity Verification card, such as LincPass, or site badge issuance. The adjudicator will be a member of the Emergency Preparedness Division (EPD).

| Disposal Date | Distribution |
|------------------|--|
| February 1, 2017 | All FSA and RMA employees; State Offices relay to County Offices |

2 Definitions and Requirements (Continued)

A Definitions and Requirements Used in FSA/RMA Volunteer Programs (Continued)

HR representative means the individual designated by the selecting official to perform the HR employment services (includes HR specialists, assistants, and/or administrative officers). The HR representative schedules and coordinates background investigation activities, provides sponsorship to the applicant, and ensures that all required forms are completed. This individual will serve as the point of contact for the volunteer and volunteer program manager.

Identity source documents are documents that establish identity and/or employment authorization.

Inherently governmental is defined as an activity that is so intimately related to the public interest as to mandate performance by government personnel. These activities require the exercise of substantial discretion in applying government authority and/or in making decisions for the government. These activities normally fall into two categories: the exercise of sovereign government authority or the establishment of procedures and processes related to the oversight of monetary transactions or entitlements. Inherently governmental activity involves:

- binding the U.S. to take or not to take some action by contract, policy, regulation, authorization, order, or otherwise,
- determining, protecting, and advancing economic, political, territorial, property, or other interests by military or diplomatic action, civil or criminal judicial proceedings, contract management, or otherwise,
- significantly affecting the life, liberty, or property of private persons, and
- exerting ultimate control over the acquisition, use or disposition of U.S. property (real or personal, tangible or intangible), including establishing policies or procedures for the collection, control, or disbursement of appropriated and other federal funds.

Selecting official means an individual who requests and substantiates the need for a volunteer.

Student volunteer means an individual who is enrolled at least half-time in high school, trade school, technical or vocational institute, junior college, college, university, or other accredited educational institution who, with the permission of the institution at which enrolled, voluntarily performs services as part of an agency program established for providing educational experience.

Volunteer is an individual who offers his or her services without compensation, and who performs those services in furtherance of the programs of USDA agencies. [7 U.S.C. 2272].

Volunteer program manager serves as the subject matter expert on volunteer program activities. The FSA/RMA volunteer program manager must:

- develop policies and procedures for reviewing and implementing the mission area volunteer program,

2 Definitions and Requirements (Continued)

A Definitions and Requirements Used in FSA/RMA Volunteer Programs (Continued)

- provide technical assistance to HR representatives in FSA/RMA,
- work closely with HR representatives in FSA/RMA to promote compliance with the provisions of this notice, related regulations, and technical guidance to foster an environment to promote the volunteer program,
- review and evaluate volunteer documentation and service agreements,
- maintain data on all volunteers requested, and supporting documentation for annual reporting purposes,
- compile annual reports, and
- at the conclusion of each FY, evaluate the volunteer program to determine the relevance of the program, what impact the program has had on the mission area, and what the mission area has accomplished as a result of the program.

B Authorization

According to USDA Departmental Regulation 4230-1, agencies are authorized to advertise volunteer opportunities to the general public, and to train and accept, without regard to civil service classification laws, the services of individuals serving without compensation.

C Requirements

Service under FSA/RMA volunteer programs must be without compensation. Volunteer service, in general, may not displace any USDA employee nor may it be used to perform any work which is inherently governmental as defined by OMB Circular A-76. Volunteers must meet minimum age requirements within federal, state, or local laws governing the employment of minors. All federal, state, and local laws and standards about employment of minors must be adhered to when using volunteer service.

Volunteers should commit to a minimum of four weeks with the agency while providing voluntary services. Individuals considered as selecting officials may authorize or accept volunteer services. Volunteers may use government equipment at the supervisor's discretion.

Note: Department of Labor regulation 29 CFR Part 570 provides specific information regarding employment of minors. HR representatives and selecting officials should reference 29 CFR Part 570.

Individuals providing voluntary service under FSA/RMA volunteer programs are **not** employees, **except** for the purposes of 5 U.S.C. 81 (relating to worker's compensation program), and 28 U.S.C. 2671 through 2680 (relating to tort claims).

2 Definitions and Requirements (Continued)

C Requirements (Continued)

All federal, state, and local laws and standards about employment of minors must be adhered to when using volunteer service. **Not** being in compliance with Department of Labor regulations may lead to a finding that an employer is indulging in oppressive child labor. Some pertinent parts of these regulations are found in 29 CFR Part 570, specifically the following:

(7) subpart E provides special conditions for apprentices plus other exceptions along with a detailed explanation of prohibitions about occupations and situations that are particularly hazardous for 16-18 year olds, such as the operation of motor vehicles, being an outside helper, logging and mill operations, the operation of power-driven woodworking machines, exposure to radiation or radioactive substances, other power-driven machinery, excavation and agriculture [i.e., farm bin inspection].

(8) 570.123 discusses the agricultural exception as it relates to the term outside of school hours. It makes the application of this term dependent on the school's hours and not on a student's schedule.

Note: Agencies are expected to maintain and become familiar with 29 CFR Part 570 regulations as they apply to workers who are under 18 years of age.

Volunteers are subject to acceptability for contract employment under the volunteer program, and the ethical requirements of 5 CFR 735.203 and 5 CFR 2635.101(a) and (b).

All managers/supervisors should review and discuss ethical standards with volunteers. Additional information can be found on the USDA Office of Ethics webpage.

3 Information about Volunteer Service

A Student Volunteers

Students enrolled in the volunteer program for purposes of obtaining academic credit and educational experiences may begin after the following occur:

- EPD approval to work is received,
- official/unofficial transcript,
- AD-2022: Student Volunteer Program Service Agreement, and
- the school and the agency have entered into a written agreement that outlines the condition or limitations of the student's volunteer assignment.

Note: Participants must be enrolled at least half-time at an educational institution. The agency may provide attendance and performance records to the institution for the experience to be properly credited assignments should be made according to the academic aims of the student and the institution whenever possible.

3 Information about Volunteer Service (Continued)

B Nonemployee and Nonstudent Volunteers

Individual volunteers **must** complete the AD-2023: Individual Volunteer Program Service Agreement.

C Volunteer Recognition

Officials authorized to accept volunteers may recognize the contributions made by volunteers. Cash awards may **not** be given, but certificates of accomplishment or similar forms of nonmonetary recognition are appropriate. The HR representative will provide the volunteer program manager with the tenure end date at least **two weeks** before the termination, so a certificate of appreciation can be generated.

D Separations

Appointments in the volunteer program may be terminated at any time by the agency or volunteer.

E Nondiscrimination Statement

“In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA’s target center at (202) 720-2600 (voice and TTY) or contact USDA through the federal relay service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

3 Information about Volunteer Service (Continued)

E Nondiscrimination Statement (Continued)

(1) mail:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

4 Non-Federal Employee/Volunteer Background Investigation, Fingerprinting Requirements, and Identity Verification

A Overview

Background investigation and fingerprinting requirements for volunteers can be found in Notice SEM-33: Alternative Card for Short Term Employees, Interns, Volunteers, and Contractors

B Required Identity Source Documents

FSA/RMA is required to use OMB-approved forms for the process of identity proofing and registration. USDA utilizes the following forms as part of the identity proofing and registration process to fulfill information gathering requirements.

The following is a list of approved forms for use in the identity proofing and registration process:

- AD-2109: Non-Employee Request for Investigation,
- Form I-9: Non-Employee Request for Investigation Processing,
- Non-employee resume, and
- OF-306: Declaration For Federal Employment.

Note: All non-federal employees must bring two forms of identity source documents in original form. These documents must be presented to the HR representative and a photocopy will be made. See Form I-9 for approved forms of identity from lists A and B, and required documents from list C.

5 Fingerprinting and USDA Site Badge Process

A Fingerprinting Process

Volunteers must submit all completed, required forms, and the proper ID for fingerprinting. HR representatives must ensure that the volunteer correctly completes the forms.

The volunteer must bring two forms of identity source documents in **original form**. These documents **must** be presented to EPD and a photocopy must be made. State and county offices should contact the volunteer program manager for fingerprinting instructions.

Note: Volunteers must **not** go for fingerprinting without approval from the HR Representative authorizing fingerprinting.

B Initiating Request for USDA Site Badge

All volunteers must be issued site badges. See Notice SEM-33.

C Contacts

If there are questions about the USDA site badge process, contact the following.

| IF located in... | THEN contact... |
|------------------|--|
| Washington, DC | EPD by telephone at 202-720-7696. |
| Kansas City, MO | EPD staff by one of the following: <ul style="list-style-type: none"> • telephone at 816-926-1937 • e-mail at EPD@fsa.usda.gov • or visit Room 196 during business hours |

6 Initiating Security Awareness Training and Obtaining Computer Access

A Initiating Security Awareness Training

Volunteers must be provided the mandatory USDA Information Security Awareness Training **before** receiving computer access.

All managers/supervisors have responsibility to confirm that volunteers have completed their computer security awareness training and forms are filled out completely and returned to the appropriate office. All new volunteers that need computer access are **required** to submit required forms **before** being given access to computers and applications.

6 Initiating Security Awareness Training and Obtaining Computer Access (Continued)

A Initiating Security Awareness Training (Continued)

Additionally, requests to modify, add, or delete access to applications must be submitted using agency request forms.

All managers/supervisors are responsible for contacting the volunteer program manager when removing access privileges of volunteers because of transfer, job change, resignation, termination, or any other separation from the manager's/supervisor's organization or change in business need; this request should be submitted **before** the volunteer is no longer with the agency.

B Contacts for the Security Awareness Training for FSA and RMA

Contact the volunteer program manager or below employees for the mandatory USDA Information Security Awareness Training for volunteers.

| IF the training is with... | THEN contact... |
|--|---|
| FSA in duty station Washington, DC | Marie Hubbard by one of the following: <ul style="list-style-type: none"> • telephone at 202-401-0373 • FAX at 202-205-9048 • e-mail at marie.hubbard@wdc.usda.gov. |
| FSA in duty stations Kansas City, MO, St. Louis, MO, and Salt Lake City, UT | Mark Nelson by one of the following: <ul style="list-style-type: none"> • telephone at 816-926-3420 • FAX at 816-926-1825 • e-mail at mark.nelson@kcc.usda.gov. |
| FSA state and county offices | either of the following: <ul style="list-style-type: none"> • state administrative office • state or local AgLearn administrator. |

| IF the training is with... | THEN contact... |
|----------------------------|---|
| RMA | Eric Baer, Chief, Information Systems Security Branch by one of the following: <ul style="list-style-type: none"> • telephone at 816-823-1950 • FAX at 816-926-3888 • e-mail at eric.baer@rma.usda.gov. |

C Obtaining Computer Access

In order to receive computer access, EPD must receive the signed certificate of completion for the Information Security Awareness Training from the HR representative. EPD submits the System Access Authorization Request on behalf of the hiring manager upon receipt of the:

- signed certificate of completion (Security Awareness Training), and
- approval to work determination – favorable (issued by EPD).

7 Records Requirements

A Documentation

The case file ensures coverage under either the Worker's Compensation Program or Tort Claims Act and documents service for prospective employers. A case file must be established for each volunteer. The case file is maintained at the appropriate administrative level.

The following documentation is **required** in the case file:

- approval to work determination,
- statement of services or duties to be performed,
- AD-2022: Student Volunteer Program Service Agreement, AD-2023: Individual Volunteer Program Service Agreement and AD-2024: Sponsored Volunteer Program Service Agreement as applicable, and
- resume prepared by the volunteer (official transcript, if applicable).

Note: AD-2025's must be maintained by the requesting office. AD-2025's should be accurately maintained so that they can be used to provide information when required.

B File Folders

Federal, state and county offices must establish file folders for the volunteer program and file documents listed in subparagraph A.

C Disposition Instructions

All offices must destroy the case files 15 years after termination of agreement. In the event the volunteer is injured, transfer the entire case file to the FSA/RMA Volunteer program manager.

Note: Consult the agency records officer **before** destroying records to ensure that they are not subject to any pending litigation hold and/or record freezes.

9 Reporting Requirements (PE-176R)

A Mid-Year Reporting Requirements

A mid-year report (PE-176R) is **required** from each participating state office, county office, RMA regional and compliance office, and FSA/RMA division. The information required is to be accumulated from October 1 through March 31 of each FY. AD-2052 must be used to submit mid-year report (PE-176R) to the FSA/RMA Volunteer

9 Reporting Requirements (PE-176R) (Continued)

A Mid-Year Reporting Requirements (Continued)

Program manager by April 15 of each FY. The report will include the following from each office:

- name and telephone number of person who prepared the report,
- number of volunteers who provided at least one hour of service during the first half of each FY (group members should be counted individually), and
- total number of all volunteer hours donated (include group and individual hours).

B Annual Reporting Requirements

An annual report (PE-176R) is required from each participating state office, county office, RMA regional and compliance office, and FSA/RMA Division. The information required is to be accumulated for the entire FY. AD-2052 must be used to submit annual report (PE-176R) to the FSA/RMA volunteer program manager by October 15 of each FY. The report will include the following from each office:

- name
- name and telephone number of person who prepared the report,
- number of volunteers who provided at least one hour of service during each FY (group members should be counted individually),
- total number of all volunteer hours donated (include group and individual hours),
- number of offices within jurisdiction that used volunteer resources during FY,
- total number of offices within jurisdiction; for example, area, field, resource conservation and development, soil survey, etc., and
- volunteer success stories and explanation of statewide volunteer management techniques that are successful.

C Demographic Information Reporting

The demographic information report must be submitted by April 15 and October 15 of each year.

Note: The demographic information should be collected by each participating state office, county office, RMA regional and compliance office, and FSA/RMA Division volunteer's supervisor and submitted to the FSA/RMA Volunteer program manager. Data should be collected from the SF-181: Ethnicity and Race Identification that was submitted by the volunteer at the beginning of their service and visual inspection.

10 Additional Information and Submitting Reports

A Contacts

The following table provides the contact for additional information and to submit reports.

| IF assistance is needed with... | THEN contact and submit reports to... |
|---|--|
| <ul style="list-style-type: none"> • this notice • FSA and RMA volunteers • submitting FSA and RMA reports | <p>Shannon Logan, FSA/RMA Volunteer program manager, by one of the following:</p> <ul style="list-style-type: none"> • e-mail at shannon.logan@wdc.usda.gov • telephone at 202-401-0165 • FAX at 202-205-9017. |